



**VAJIRAM & RAVI**  
Institute for IAS Examination

# GS MAINS

## Probable 2023

**PART 1**

**MAXIMIZE YOUR SCORE**



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In - depth Analysis on Topics

Exam Orientation

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## HISTORY AND CULTURE

### Lachit Borphukan

- A 3-day celebration of the 400th birth anniversary of Lachit Borphukan was held in New Delhi.
- Through the celebration, the Assam government is pushing for his national recognition as a hero along the lines of Shivaji, and as an important counter to the Mughals.
- Born in 1622, Lachit Borphukan is best known for leading the Ahom troops which **fought and defeated advancing Mughal troops** at the **Battle of Saraighat** on the outskirts of Guwahati in 1671.
  - The Battle of Saraighat was a naval battle fought between the Mughal Empire (led by the Kachwaha raja, Ram Singh I) and the Ahom Kingdom (led by Lachit Borphukan).
  - Although weaker, the Ahom army defeated the Mughal army by guerrilla tactics, psychological warfare, military intelligence and by exploiting the weakness of the Mughal navy.
- Borphukan is also considered as the inspiration behind strengthening India's naval force and revitalising inland water transport and creating infrastructure associated with it.
- Since 1999, the Lachit Borphukan gold medal is awarded to the best cadet from the National Defence Academy.

### Ahom Kingdom

- The Ahom kings ruled large parts of what is now known as Assam for nearly 600 years, from the early 13th century to the early 19th century.
- It was a prosperous, multi-ethnic kingdom which spread across the upper and lower reaches of the Brahmaputra valley, surviving on rice cultivation in its fertile lands.
- The Ahoms engaged in a series of conflicts with the Mughals from 1615-1682, starting from the reign of Jahangir till the reign of Aurangzeb.

### Hyderabad State Liberation Day

The Centre has decided to mark Hyderabad State Liberation Day on 17th September. In fact, the 75th anniversary of the event (that took place in 1948), will be marked as a year-long event till September 17, 2023.

### Story of Liberation

- At the time of India's independence, British India was a mix of independent kingdoms and provinces that were given the options of joining India, Pakistan, or remaining independent.
- However, by 1948 almost all had acceded to either India or Pakistan. One major exception was that of the wealthiest and most powerful principality, Hyderabad.
- **Mir Osman Ali Khan**, the ruler of Hyderabad, chose independence and hoped to maintain his own army.
- In November 1947, Hyderabad signed a standstill agreement with the Indian government, declaring a status quo. This meant that until November 1948, the Nizam could let things be as they were and not finalise a decision as negotiations with the Indian union continued.
- However, in the first half of 1948, tensions grew as the **razakar leaders** and the government in Hyderabad began to speak of war with India and began border raids with Madras and Bombay Presidencies.
- As a response, India stationed troops around Hyderabad and began to ready itself for military intervention.

- With Nizam importing more arms and the violence of Razakars approaching dangerous proportions, India officially launched '**Operation Polo**' on September 9 and deployed its troops in Hyderabad four days later.
- On 17<sup>th</sup> Sept', three days after the deployment, Nizam surrendered and acceded to India in November.
- The Indian government decided to be generous and not punish the Nizam. He was retained as the official ruler of the state and given a privy purse of five million rupees.

### Maharishi Dayanand Saraswati

- The Prime Minister inaugurated the year-long celebrations commemorating the **200th birth anniversary of Maharishi Dayanand Saraswati**.
- Born on 12th February, 1824, Maharishi Dayanand Saraswati (1824-1883) was one of the most influential figures of 19th-century India.

### Arya Samaj and Vedic Schools

- A major part of his mission was to address the fragmented nature of Hindu society. According to him, the brahmins were primarily to blame for this – they had corrupted the Sanatan Dharma in order to maintain and grow their own status and influence in society.
- By depriving the layman of Vedic knowledge, they were successful in deforming Hindu religion into something it was not.
- His book, Satyarth Prakash (1875), emphasised the “return to Vedic principles” that Dayanand Saraswati believed had been lost over time.
- To propagate his message, he **founded the Arya Samaj in 1875**, leading a reform movement within orthodox Hinduism.
- Arya Samaj was a **monotheistic Hindu order** that rejected overly ritualistic traditions and social dogmas of orthodox Hinduism and promoted a united Hindu society on the basis of Vedic teachings.
- Arya Samaj has played a key role in cultural and social awakening of the country by its emphasis on social reforms and education.
- Even before the establishment of the Arya Samaj, Dayanand Saraswati had founded multiple Vedic schools. Modelled on missionary schools that were increasingly popular among Indians.
- These Gurukuls provided an Indian alternative, based on principles of the Vedas. For Dayanand Saraswati, this was crucial to break the monopoly of brahmins on Vedic knowledge.

### Dayanand's Philosophy

- Dayanand Saraswati preached respect for other human beings, supported by the Vedic notion of the **divine nature of the individual**.
- Crucial among his “ten founding principles of Arya Samaj” is the idea that all activities must be done for the benefit of humankind as a whole, rather than individuals or even idols and religious symbols.
- While Dayanand did not fully oppose the institution of caste itself, he advocated for significant reform within it.
- Citing the Vedas, he claimed that caste is not supposed to be hereditary but rather on the basis of an individual's talents.
- Furthermore, he was **against the practice of untouchability**, which he believed was an outcome of centuries of brahmanical domination. Crucially, he advocated Vedic education for all castes.
- His views on women were also against the orthodox Hindu thinking at the time. He campaigns for the education of women as well as against regressive practices such as child marriage.

**Dayanand's Legacy**

- Dayanand Saraswati's legacy has had a lasting influence. First, his message was particularly important at a time when nationalist sentiment in India was rising.
- He is **credited to have first used the term swaraj (self-rule) in 1875**, which would later be picked up by the likes of Lokmanya Tilak and Mahatma Gandhi.
- His work was also important for the consolidation of Hindus. Through the organisation of Arya Samaj, he was among the first to advocate conversion into the Hindu fold.
- This became a very popular movement by the early 20th century, especially aimed at lower caste converts who were given a higher social status and self-esteem under the more egalitarian Arya Samaji philosophy.
- Today, Dayanand Saraswati's legacy carries on through the Arya Samaj centres found across India as well as the Dayanand Anglo-Vedic schools and colleges.
- Providing quality education even in the most remote places, DAV schools have over time become popular.
- Sarvapalli Radhakrishnan, India's second President called Dayanand Saraswati "**a maker of modern India**".

**SOCIETY****Salient Features Of Indian Society****Practice Of Polygamy In India**

According to the Assam government, an expert committee would be formed to examine the issue of practice of polygamy and will ban the practice through "legislative action".

**Practice of Polygamy in India**

- **Meaning:** Polygamy is the practice of having more than one married spouse (wife or husband).
- **Prevalence in India:**
  - According to the **National Family Health Survey-5** (2019-20), polygamy was 2.1% among Christians, 1.9% among Muslims, 1.3% among Hindus, and 1.6% among other religious groups.
  - The highest prevalence of **polygynous marriages** (marriage in which two or more women share a husband) was in the **Northeastern states** with tribal populations.
- **Laws Governing the practice:** The issue is governed **both by personal laws & Indian Penal Code (IPC)**.

**Personal Laws**

- **Special Marriage Act 1954** requires that at the time of marriage neither party has a spouse living.
- **The Hindu Marriage Act 1955** outlawed the practice of a man having more than one wife.
  - However, despite bigamy being an offence, **the child born from the bigamous marriage would acquire the same rights** as a child from the first marriage under the law.
  - **Buddhists, Jains, and Sikhs** are also included under the Hindu Marriage Code.
- **The Parsi Marriage and Divorce Act 1936** had already outlawed bigamy.
- Marriage in Islam is governed by the **Shariat Act 1937**, which allows a Muslim man to have **four wives**.

- To benefit from the Muslim personal law, many men from other religions would convert to Islam to have a second wife.
- However, the Supreme Court (SC) held that **religious conversion for the sole purpose of committing bigamy is unconstitutional.**
- This position was subsequently reiterated in the **2000 judgement in Lily Thomas v Union of India.**

### Indian Penal Code (IPC)

- **IPC Section 494** (“Marrying again during lifetime of husband or wife”) penalises bigamy or polygamy with imprisonment up to 7 years and fine.
- This provision **does not apply** -
  - **To a marriage** which has been declared void by a court.
  - If a spouse has been “continually absent” for the “space of seven years”.
  - For adulterous relationships that do not qualify as valid marriages under the law.
- **Section 495** of the IPC protects the rights of the second wife in case of a bigamous marriage.
  - Whoever commits the offence (under Section 494) and has concealed the fact of the former marriage from the person with whom the subsequent marriage is contracted, shall be punished with **imprisonment up to 10 years and fine.**

### A Crucial Exception to Bigamy Law for Hindus

- **Goa** follows its own code for personal laws. So, a Hindu man in the state has the right to bigamy under specific circumstances mentioned in the **Codes of Usages and Customs of Gentile Hindus of Goa.**
- These circumstances include a case where the wife fails to conceive by the age of 25 or if she fails to deliver a male child by the age of 30.
- However, as per the Goa government, the provision for Hindus is virtually “**redundant**” and no one has been given the benefit of it since 1910.

### Same-Sex Marriage

- Supreme Court of India is hearing the case seeking **legal recognition of same sex marriage.**
- While urging the Court to leave the issue to Parliament, the Centre argued that the law - the **Special Marriage Act (SMA) 1954** - cannot be re-drafted again to allow same-sex marriage.

#### What Is the Case of Same-sex marriage?

- Several petitioners have asked the court to recognise the same-sex marriages under the **Special Marriage Act (SMA) 1954.**
  - The Act provides for the conditions relating to solemnization of special marriages **between any two persons.**
- As the case involved an interplay of constitutional rights (of transgender couples) and specific legislative enactments, the court had referred the pleas to a **Constitution Bench.**

#### What Is Civil Union?

- A **civil union** under the Special Marriage Act is a **legally recognized union** between two individuals, regardless of their caste, religion, or nationality.
  - It also refers to the legal status that allows same-sex couples specific rights and responsibilities normally conferred upon married couples.
- This type of union allows couples to have a formal, legally binding relationship without going through the traditional rituals and customs of a religious or cultural marriage ceremony.

- Although a civil union resembles a marriage and brings with it employment, inheritance, property, and parental rights, there are some differences between the two.
  - Religious or cultural beliefs do not play a role in a civil union, whereas they often do in a marriage.
  - In some countries, civil unions are only available to same-sex couples, whereas marriage is available to both same-sex and opposite-sex couples.
  - A civil union may not be recognized by all states or countries, whereas a marriage is generally recognized worldwide.
  - There may be differences in the legal requirements and procedures for entering into a civil union versus a marriage. It may be different in terms of social and cultural significance and legal recognition.

### Arguments of Petitioners

- **Marriage is a social status** which is bestowed by law and through which society accepts, respects and validates a couple.
- **Same-sex couples do not enjoy the rights of married couples** including the *right to adopt or have children by surrogacy, automatic rights to inheritance, pension, maintenance and tax benefits.*
- They will not be able to avail of legally accrued benefits of laws such as -
  - **The Transplantation of Human Organs Act**, as it only allows near relatives to object to the use of a deceased's body for therapeutic purposes or organ donation.
  - **Section 80 of the Income Tax Act 1961**, which provides for deduction of certain sums for computing the total income of an assessee, when such sums are paid on behalf of a spouse.
- The SC has repeatedly said that all adults have the **right to marry a person of their choice.**
- **Non-recognition of same-sex marriage violates fundamental rights** under -
  - Articles 14 (right to equality before law),
  - Article 15 (right against discrimination only on grounds of religion, race, caste, sex, place of birth),
  - Article 19 (freedom of speech and expression), and
  - Article 21 (protection of life and personal liberty) of the Constitution.

### Arguments of the Centre

- **Religious definitions of marriage:** Various religions have always recognised marriage only between a man and a woman.
- **Legitimate interest of state:** Responding to the argument of the petitioners that the state can have no role in regulating personal relationships, the Centre said that the right to marry is always subject to the statutory regime.
- **The right to privacy:** The right to privacy cannot be extended to marriage. This is because consenting adults want societal acceptance of the relationship by way of marriage.
- **Parliament must decide:** There exists a democratic right of people to regulate themselves through their representatives in the Parliament.
  - There are a total **72 categories of genders falling within the LGBTQIA+** community. This would mean several permutations and combinations of marriage and specific problems arising therefrom.

#### SC's Previous Judgments on the Issue

- **An adult person has the right to marry a person of their choice under Article 21** [Lata Singh vs State of UP (2006), Shafin Jahan vs Asokan KM (2018), and Laxmibai Chandaragi B vs The State of Karnataka (2021)].
- LGBTQ person's rights are founded on **sound constitutional doctrine** - right to life, privacy, dignity, liberty, and freedom [**KS Puttaswamy vs Union of India (2017)**].
- The choice of whom to partner, the ability to find fulfilment in sexual intimacies and the right not to be subjected to discriminatory behaviour are intrinsic to the constitutional protection of sexual orientation [**Navtej Singh Johar vs UOI (2018)**].



- **Interpreting the law:** The entire architecture of the Special Marriage Act rather than examine a few words like husband, wife, etc., is required.
- **Effect on personal laws:** The personal laws will inevitably be affected even if the Court only looks at the Special Marriage Act.
  - **For example,** under Section 19 of the Special Marriage Act, the parties married lose their right to family property.
  - Although, they will continue to be governed under their personal laws in all other aspects such as divorce, inheritance and adoption.

### Views of Other Statutory Bodies

- **Delhi Commission for Protection of Child Rights (DCPCR):** Same sex couples would make equally good parents as heterosexual parents.
- **National Commission for Protection of Child Rights (NCPCR):** Argued that same sex marriage would violate the provisions of the Juvenile Justice Act 2015, which prohibits a single man (let alone two men) from adopting a girl child.

### Recurring Migrant Workers' Issues

Rumours of migrant workers being assaulted in Tamil Nadu have triggered concern among manufacturers in the state. Officials have rejected the reports as fake news, and political leaders and the administration have appealed to workers to not pay heed to the rumours.

### Different Problems That Migrant Workers Continue To Face

- **Exploitation:** Often paid less than their local counterparts, poor working conditions and no job security.
- **Lack of Legal Protection:** They are not covered by many labour laws.
- **Poor Living Conditions:** They often live in crowded and unhygienic conditions with inadequate facilities for sanitation, clean water, and healthcare.
- **Discrimination** based on their ethnicity, language, and place of origin, which can lead to social exclusion and marginalization.
- **Lack of Documentation** makes it difficult for them to access government services, open bank accounts.
- **Forced Labour and Debt Bondage**
- **Lack of Social Security** schemes such as pensions, insurance, and healthcare.
- **Lack of Awareness** of their rights and entitlements makes them vulnerable to exploitation and abuse.
- **Inadequate Coordination Among States** on a formal exchange of information on migrant workers.
- **Absence of data,** it is difficult to track labourers during times of crisis.

### What Is The Legal Framework For Migrant Welfare?

- The **Inter-State Migrant Workmen Act, 1979** looks into the welfare of the labourers.
  - The Act mandates that the establishment which proposes to employ migrant workers be required to be registered with destination states.
  - Contractors will also have to obtain a **licence** from the concerned authority of the home states as well as the host states.
  - However, in practice, this Act has not been fully implemented.
- This Act has been subsumed into the four broad labour codes notified by the Centre:
  - **The Code on Wages, 2019;**



- **The Industrial Relations Code, 2020;**
- **The Code on Social Security, 2020; and**
- **The Occupational Safety, Health and Working Conditions Code, 2020.**
- These have not been implemented yet.
- Also, the registration under the inter-state migrant workers' act is negligible. This is due to:
  - **Lack of awareness** about the rights and the benefits of registration
  - **Complex registration process**
  - **Lack of enforcement** reduces the incentive for migrant workers to register.
  - **Inadequate infrastructure** to register and monitor the movement of migrant workers.
  - **Fear of losing jobs:** Migrant workers often fear that registering under the Act will lead to loss of employment, as employers may prefer to hire workers who are not registered.
  - **Informal nature of work:** Many migrants work in the informal sector, which is not covered by the Act, and hence, they are not required to register.

#### **Are There Any States Which Have Tried To Implement The Inter-State Act?**

- In 2012, an MoU was signed between Odisha and Andhra Pradesh to track labourers migrating from 11 districts of Odisha to work in brick kilns in then-merged Andhra Pradesh.
  - It was signed with the help of the International Labour Organisation (ILO).
- Kerala has set up facilitation centers for migrant workers whom the state refers to as “guest workers.”
  - These facilitation centers maintain data regarding migrant workers arriving in Kerala as well as help migrant workers navigate any problems they might face.
  - However, there is no data sharing between Kerala and the migrant workers' home states.

#### **New Initiative Of Jharkhand To Generate Migration Data**

- Jharkhand has started the **Safe and Responsible Migration Initiative (SRMI) in 2021.**
- It aims at enabling systemic registration of migrant workers for monitoring and analysis in the source as well as the destination districts.
- The priority of SRMI is to generate data and then map the labourers who move out to several states for work.

#### **India's Gender Budget Up By Over 30%**

- India's Gender Budget was allocated ₹2.23 lakh crore in Union Budget 2023-24, which is just 2.12% higher than the Revised Estimates (RE) of ₹2.18 lakh crore for 2022-23.
- However, it was at least 30% higher compared to last year's Budget Estimates (BE) of 1.71 lakh crore.
- **Overview:**
  - There was a **0.63% rise** in the share of the Gender Budget in government's total expenditure. The estimated Gender Budget stood at **4.96% of the total expenditure** this year, compared to 4.33% last year.
  - The gender budget has been **an average of 4.9% of the total expenditure** as per budget estimates during the previous 15 years.

#### **Gender Budgeting**

- The Ministry of Women and Child Development (MoWCD) defines gender budgeting as **a tool to achieve gender mainstreaming** so as to ensure that the benefits of development reach women as much as men.

- The government publishes a **Gender Budget Statement (GBS)** every year along with the **Union Budget**.
  - GBS is a reporting mechanism for ministries/departments to **review their programmes from a gender perspective** & present information on allocations for women.
- As such, it is **not a separate accounting exercise** but an ongoing process of keeping a gender perspective in policy/programme formulation, its implementation and review.
- So, it entails the **dissection of the government budgets** -
  - To establish its gender differential impacts and
  - To ensure that gender commitments are translated into budgetary commitments.

### Timeline of Gender Budgeting in India

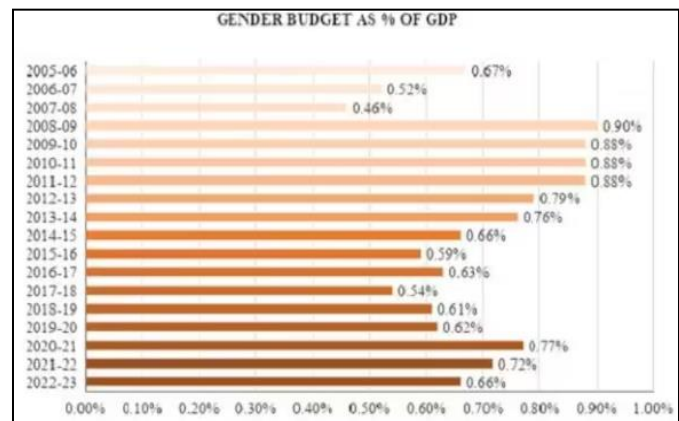
- 2001:** Then Finance Minister of India, in his Budget speech, makes a special reference. The National Institute of Public Finance and Policy (NIPFP) analyses the **Union Budget 2001-02 from a gender perspective for the first time.**
- In 2005-06,** The Gender Budget was first introduced, when the Expenditure Division of the Ministry of Finance issued a note on gender budgeting as a part of the Budget Circular.
  - **Part A** of the note reflects Women Specific Schemes, which have 100% allocation for women.
  - **Part B** of the note reflects Pro-Women's Schemes, where at least 30% of the allocation is for women.
- In 2007,** the Department of Expenditure issued a charter outlining the composition of **Gender Budgeting Cells (GBCs)** and their functions.
- In 2010,** the Planning Commission clarified that in place of the Women Component Plan, the Ministry of Finance and MoWCD should adopt Gender Responsive Budgeting or Gender Budgeting only.
- Gender budgeting in states:** In 2021, the MoWCD stated that 27 states/UTs had adopted Gender Budgeting.

### Issues With Gender Budgeting In India

- **Quantum of gender budgeting and fiscal marksmanship:** India's gender Budget remains in the range of 4 - 6% of the total expenditure and less than 1% of its GDP. It also **lacks fiscal marksmanship**, which is the accuracy of budgetary forecasting.
- **Concentrated in 5 key ministries:** Around 90% of gender budgeting is concentrated in five ministries. When it comes to livelihood, **MGNREGA is the biggest scheme in gender budgeting.**
  - Areas like transportation, water collection and water security remain ignored.
- **Post-Covid-19 approach:** The last Budget failed to address critical areas highlighted by pandemic in 2021-22 and 2022-23, despite the disproportionate impact of Covid-19 on women.

### What Needs To Be Done To Promote Gender Budgeting?

- **Applying a gender lens to Budget:** Nobody is saying that make exclusive schemes, but include a gender perspective to government schemes uniformly.
- **Track gender disaggregated data:** To determine who is benefiting from government schemes.
- **Decentralisation:** Empowering officials at district level and panchayat level who deal with ground realities on a day-to-day basis.



### Recent Gender Budget Announcements

- **Decoding Part A and B of Gender Budget:**
  - There was a whopping **228% hike in Part A of the Gender Budget** compared to last year, while Part B saw a **6% drop** from 2022-23.
  - **Part A** of the Gender Budget, which was allotted over ₹88,000 crore this year, is dominated by the **Pradhan Mantri Awas Yojana** (both Urban and Rural housing).
  - **Part B - the bigger of two components** - received ₹1.35 lakh crore in the 2023 Budget. Part B comprises several schemes pertaining to rural development, health, education and women empowerment.

**● Allocations to Key Schemes:**

- **Safe City Project**, an initiative under **Nirbhaya Fund scheme** for ensuring safety of women and children, saw an eight-fold increase in allocation - from ₹165 crore in RE 2022-23 to ₹1,300 crore in BE 2023-24.
- **SAMBAL**, a sub-scheme comprising old schemes like **One Stop Centre, Women Helpline and Beti Bachao Beti Padhao**, saw no change in allocation
- Another sub-scheme **SAMARTHYA**, which includes women empowerment programmes like **Pradhan Mantri Matru Vandana Yojana and SwadharGreh**, was earmarked 33% more compared to RE 2022-23.
- SAMBAL and SAMARTHYA are part of the larger umbrella scheme '**Mission Shakti**', an integrated women empowerment programme that came into effect in 2022.

**Women Constitute One-Third Of Internet Users In India**

- As per a report titled '**India Inequality Report 2022: Digital Divide**', Women constitute only one third of internet users in India. The report has been released by NGO Oxfam India.
- The report analyses primary data from the Centre for Monitoring Indian Economy's (CMIE) household survey from January 2018 to December 2021.
- It looks at CMIE's data on internet access, mobile ownership, computer, and broadband availability to assess the inclusivity of digital initiatives to deliver public services and entitlements.

**Key Highlights Of The Report****● Digital Divide Based On Gender**

- While 61% of men owned mobile phones in 2021, their access remained limited to just 31% women.
- Indian women are 15 per cent less likely to own a mobile phone and 33 per cent less likely to use mobile internet services than men.
- As per the report, in Asia-Pacific, India fares the worst with the widest gender gap of 40.4%.

**● Digital Divide Based On Employment Status And Caste**

- 95 per cent of the salaried permanent workers have a phone whereas only 50 per cent of the unemployed (willing and looking for a job) have a phone in 2021.
- While 8 per cent of the general caste have access to a computer or a laptop, less than 1 per cent of the Scheduled Tribes (ST) and 2 per cent of the Scheduled Castes (SC) afford it.

**● Rural-urban Digital Divide**

- Despite registering a significant digital growth rate of 13 per cent in a year, only 31 per cent of the rural population uses Internet compared to 67 percent of their urban counterparts.
- The report pointed out that contrary to popular belief, the use of computer devices has decreased in rural areas.

**● Uneven Distribution Among States**

- Maharashtra has the highest internet penetration, followed by Goa and Kerala, while Bihar has the lowest, followed by Chhattisgarh and Jharkhand.

**● India's Growing Inequality Is Accentuated Due To The Digital Divide**

- The use of digital technologies in delivering essential services such as education and health is further increasing the inequalities in India.
  - During Covid-19 lockdown, many parents faced challenges in supporting their children's access digital education, with signal and internet speed becoming the biggest issues in private schools.
- The report highlights how digital technologies are accessible to the rich and privileged.

- As a result, people without devices and the internet get further marginalised due to difficulties in accessing education, health, and public services.
- **India's Rank In UN's e-Participation Index (2022)**
  - The report highlighted that India ranked 105 out of 193 nations in UN's e-participation index (2022).
  - The index is a composite measure of 3 important dimensions of e-government, namely provision of online services, telecommunication connectivity and human capacity.
- **Suggestions**
  - The report urged the Union and state governments to ensure universal access to internet connectivity by investing in digital infrastructure to not only make the internet affordable but also push for greater accessibility to smartphones.
  - The digital literacy camps be conducted, especially in rural India, to teach the use of technology in schools, and digitise panchayats.
  - It further urged the govt to establish a responsive and accountable grievance redressal mechanism to handle edtech and health-tech related complaints by parents, children, and other consumers

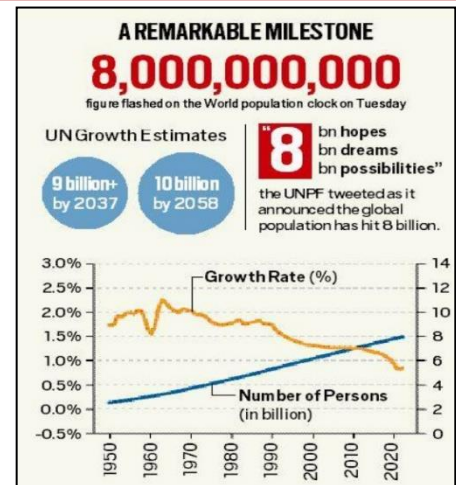
## Population And Associated Issues

### World @ 8 Billion

- The United Nations Population Fund said that the world's population reached 8 billion on November 15, 2022. This unprecedented growth is due to the gradual increase in human lifespan owing to improvements in public health, nutrition, personal hygiene and medicine.
- It is also the result of high and persistent levels of fertility in some countries.

### Key Highlights

- **Overall growth rate of population is slowing**
  - The UN said while it took the global population 12 years to grow from 7 billion to 8 billion.
  - However, it will take approximately 15 years — until 2037 — for it to reach 9 billion. This is a sign that overall growth rate of global population is slowing.
- **Growth Trend**
  - Falling mortality rate first led to a spectacular population growth, peaking at 2.1% per year between 1962 and 1965.
  - Between 1950 and 1987, world population doubled from 2.5 billion to 5 billion.
  - But as fewer children were born generation to generation, growth started to slow.
- **As of 2022 More than half the world's population lives in Asia:** China and India being the two most populous countries with more than 1.4 billion people each.
- **World population to peak in 2080s:** The UNFPA projects world population to peak at 10.4 billion in the 2080s and stay there until the end of the century.



- As per the current trend, India is likely to peak in 2048 at 1.7 billion population and then start declining to 1.1 billion at the end of the century.
- **International migration is now the driver of growth in many countries**, with 281 million people living outside their country of birth in 2020.
  - All South Asian nations — India, Pakistan, Nepal, Bangladesh and Sri Lanka — have seen high levels of emigration in recent years.
- **Observations regarding India**
  - While India’s population growth is stabilising, it is still growing at 0.7% per year.
  - It noted that **India’s fertility rate has hit 2.1 births per woman** — replacement-level fertility — and is falling.
- **We need to address the issue of growing inequality**
  - A handful of billionaires control as much wealth as the poorest half of the world.
  - The top one per cent globally pockets one fifth of the world’s income.
  - People in the richest countries can expect to live up to 30 years longer than those in the poorest.
  - The UN said that unless we bridge the yawning chasm between the global haves and have-nots, we are setting ourselves up for an 8-billion-strong world filled with tensions and mistrust, crisis and conflict.

**State of World Population Report 2023**

The UN Population Fund (UNFPA) has released the State of World Population Report, 2023.

**Key Highlights Of The Report With Respect To India**

- **India: World’s most populous country**
  - India’s population is pegged to reach 142.86 crore against China’s 142.57 crore.
    - The United States is a distant third, with an estimated population of 34 crore.
  - According to the UN projections, India’s population is expected to grow for the next three decades after which it will begin declining.
- **Working population of India**
  - 68 per cent of India’s total population is between the ages of 15 and 64 years, which is considered the working population of a country.
  - About 25 per cent is between 0-14 years; 18 per cent between 10 and 19 years, 26 percent between 10 and 24 years, and 7 per cent above 65 years.
- **Other demographic indicators**
  - The average life expectancy at birth for males in India is 71 years while for females it is 74 years.
- **India in a unique position**
  - India is in a unique position in which the young and working population is larger than the population which needs care (children and the elderly).
  - This is unlike countries such as Japan with a declining population and an increasing elderly population. Such countries are, and will be, in dire need of skilled labour, and this is something that India can provide, capitalising on its demographic dividend.

	Population	15-64 years	65+	TFR	Life expectancy
India	1,428.6 mn	68%	7%	2.0	72.5 yrs
China	1,425.7 mn	69%	14%	1.2	79 yrs
World	8,045 mn	65%	10%	2.3	73.5 yrs

UNFPA's State of World Population Report 2023



- **Population anxieties are widespread**

- Population anxieties refer to concerns or worries related to the size, growth, and distribution of human populations.
- Governments are increasingly adopting policies aimed at lowering or maintaining fertility rates.

**Other Highlights Of The Report With Respect To Rest Of The World**

- **Population trends everywhere**

- The report says that contrary to the alarm bells about exploding numbers, population trends everywhere point to slower growth and ageing societies.

- **Eight countries will account for half the projected growth in global population by 2050**

- These countries are:
  - Democratic Republic of Congo, Egypt, Ethiopia, India, Nigeria, Pakistan, the Philippines and the United Republic of Tanzania.
- On the other hand, two-thirds of people now live in a country where lifetime fertility corresponds with zero growth.

- **Suggestions Given**

- The report cautioned against use of family planning as a tool for achieving fertility targets.
  - Family planning targets can lead to **gender-based discrimination** and harmful practices such as **prenatal sex determination leading to sex-selective abortion.**
- Governments must introduce policies with gender equality and gender rights at their heart.
- These may include: parental leave programmes, child tax credits, policies that promote gender equality in the workplace, and universal access to sexual and reproductive health and rights.

Poverty And Development Issues

**Global Hunger Index 2022**

India ranks 107 out of 121 countries on the Global Hunger Index.

- Created in 2006, the GHI is a joint project of Welthungerhilfe and NGO Concern Worldwide.
- India ranks below Sri Lanka (64), Nepal (81), Bangladesh (84), and Pakistan (99).
- Afghanistan (109) is the only country in South Asia that performs worse than India on the index.

**What Does GHI Indicate?**

The global hunger index is a means of monitoring **whether countries are achieving hunger-related SDGs.** It can be used for international ranking.

- ✓ **Goal 2** of the SDGs aims to end hunger and all forms of malnutrition by 2030.
- ✓ It also commits to universal access to safe, nutritious and sufficient food at all times of the year.

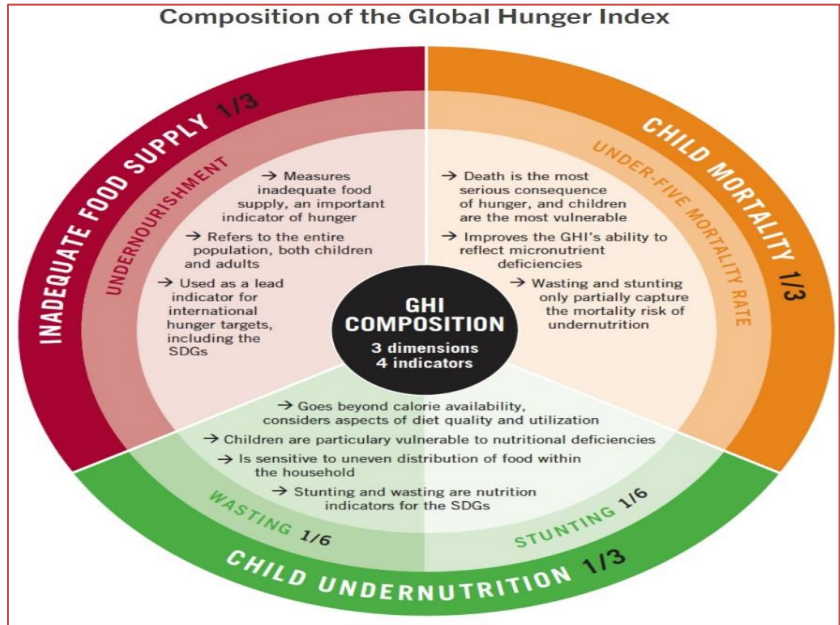
**How is GHI Defined?**

- The GHI captures **three dimensions** of hunger –
  - Insufficient availability of food,
  - Shortfalls in nutritional status of children
  - Child mortality

- Accordingly, the index includes the following 4 indicators (given in fig. beside):
- A score between 20 and 34.9 is pegged in the “serious” category and this is where India finds itself with a total score of 29.1

**Consequences & Implications**

- Hunger and undernourishment form a vicious circle, which is often "passed on" from generation to generation.
- The children of impoverished parents are often born underweight and are less resistant to disease; they grow up under conditions that impair their intellectual capacity for their whole lives.



- **Factors that contribute to a high global hunger index have been identified as –**

Low income and poverty	War and violent conflict	General lack of freedom	Low women's status	Poorly targeted health and nutrition programmes
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**India's Performance**

- **Child Wasting Rate –**
  - India's child wasting rate (low weight for height), at 19.3%, is worse than the levels recorded in 2014 (15.1%) and even 2000 (17.15%).
  - It is the highest for any country in the world and drives up the region's average owing to India's large population.
- **Undernourishment –**
  - Prevalence of undernourishment, which is a measure of the proportion of the population facing chronic deficiency of dietary energy intake, has also risen in the country from 14.6% in 2018-2020 to 16.3% in 2019-2021.
  - This translates into **224 million people in India considered undernourished out of the total 828 million people undernourished globally.**
- **Child Stunting & Mortality –**
  - Child stunting has declined from 38.7% to 35.5% between 2014 and 2022.
  - Child mortality has also dropped from 4.6% to 3.3% in the same comparative period.
- On the whole, India has shown a slight worsening with its GHI score increasing from 28.2 in 2014 to 29.1 in 2022.

**Reasons For Backlash By Government**

This is the second year running when the Indian government has criticised the GHI report. The government's contention is based on following reasoning:

- **Hunger Definition:** The GHI uses “an erroneous measure of hunger” as it defines hunger in terms of other variables beyond the lack of food.

- **Not Holistic:** The 3 out of the 4 variables used are related to children, and as such, cannot be representative of the entire population.
- **Insensitivity:** The government also argued that the report chooses to deliberately ignore efforts made by the Government to ensure food Security like additional free-of-cost food-grains to 80 crore Indians since March 2020, over and above the entitlements under the National Food Security Act (NFSA), 2013.
- **Small Sample Size:** The fourth indicator, i.e. the proportion of undernourished population rests on the Food and Agricultural Organisation's estimates which is in turn based on an opinion poll conducted on a very small sample size of 3000 (Gallup World Poll's survey).
- **Evaluating Sample Representativeness:** In addition to its small size, the Gallup sampling methodology does not follow the usual processes used in India.
  - Also, given that FAO has not released standard errors for their estimates, it is difficult to evaluate whether the growth in the proportion of households experiencing hunger in India, from 14.8% in 2013-15 to 16.3% in 2019-21, is statistically significant, given the difficulties in collecting data during the pandemic.
- **Lack Of Conceptual Clarity:** The index raises doubts if it is genuinely measuring hunger, or is it lumping together various indicators with only a weak relationship with hunger.
- **No Comprehensive Picture:** The problem with GHI is that it directs governmental attention to cross-national comparisons, sometimes resulting in the rejection of underlying issues and sidetracking the public discourse.
- **Indicators Not Essentially Hunger-Related:** While undernourishment could presumably identify the proportion experiencing hunger, but the latter three i.e. stunting, wasting and mortality are only partially related to hunger. It is demonstrated as follows:

<b>Child mortality</b>	<ul style="list-style-type: none"> <li>○ <b>It depends heavily on a country's disease climate and public health systems.</b></li> <li>○ <b>Today, 40 of 1,000 children in India die before their fifth birthday; 27 of these deaths occur in the first month of life.</b></li> <li>○ <b>This hints that many child deaths are associated with <u>conditions surrounding birth</u>, congenital conditions, or delivery complications and are not necessarily markers of hunger.</b></li> </ul>
<b>Stunting</b>	<ul style="list-style-type: none"> <li>○ <b>UNICEF</b> notes in an article titled '<u>Stop Stunting</u>, that there are stunted children even among the wealthiest households. Thus, poverty is not a clear cause of stunting.</li> <li>○ Various <u>factors</u> contribute to stunting, such as infant and child care practices, hygiene, dietary diversity and cultural practices surrounding maternal diet during pregnancy.</li> </ul>
<b>Wasting</b>	<ul style="list-style-type: none"> <li>○ <b>It is associated with both illnesses and low food intake, not necessarily hunger.</b> For example, children suffering from diarrhoea are less likely to eat, and poor nutritional status makes them more susceptible to disease</li> </ul>

- **Different trends for different indicators:** Between 1998-99 and 2019-21, **National Family Health Survey 2 and 5** show that the child mortality rate fell from 95 deaths per thousand to 40 per thousand. This is attributable to improved immunisation coverage and increased hospital delivery.
  - Child stunting decline was also substantial, from 51.5% to 35.5%, possibly due to improved water and sanitation systems.
  - Wasting has not changed, barely budging from 19.5% to 19.3%.

#### Way forward

- Apart from average caloric intake as a nutrition indicator, close attention needs to be paid to other aspects of food deprivation, such as the intake of vitamins and minerals, fat consumption, the diversity of the diet, and breastfeeding practices.



- Also, to ensure transparency, it is essential that international agencies only use data that are freely available in the public domain along with key characteristics such as education, residence and age of the respondents.

### UNDP Praises & Cautions India In Poverty Report

As many as **415 million people** exited multidimensional poverty in India in 15 years (2005/06 to 2019/21), as per the Global Multidimensional Poverty Index 2022.

### Global Multidimensional Poverty Index 2022

- The 2022 global Multidimensional Poverty Index (MPI) uses the most recent comparable data available for 111 countries —23 low-income countries, 85 middle-income countries and 3 high-income countries.
- These countries are home to **6.1 billion people**, 1.2 billion (or 19.1%) of whom live in poverty.
- The global MPI shows who they are, where they live and what deprivations hold them back from achieving the wellbeing they deserve.

### Major Findings Of The Report

- Across 111 countries, 1.2 billion people live in acute multidimensional poverty. Half of these people (593 million) are children under age 18.
- The developing region where the largest number of poor people live is **Sub-Saharan Africa** (nearly 579 million), followed by **South Asia** (385 million).

### India's Performance –

- India continues to house the largest number of poor people worldwide (228.9 million) in 2020
- In India, **415 million people** exited poverty between 2005/06 and 2019/21. The incidence of poverty fell from 55.1% in 2005/06 to 16.4% in 2019/21 in the country.
- The relative reduction from **2015/2016 to 2019/21** was faster: 11.9% a year compared with 8.1% from 2005/2006 to 2015/2016.
- Across states and UTs the fastest **poverty reduction in relative terms** was in Goa, followed by J&K, Andhra Pradesh, Chhattisgarh and Rajasthan.
- Bihar, the poorest state in 2015-16, saw the fastest reduction in MPI value in **absolute terms**.
- **Poverty Region Wise:** The incidence of poverty fell from 36.6% in 2015-2016 to 21.2% in 2019-2021 in rural areas and from 9.0% to 5.5% in urban areas

### Impact of Covid-19 Pandemic –

- Simulations in 2020 suggested that the Covid-19 pandemic could set back the progress made in poverty reduction globally by 3–10 years.
- Updated data indicate that the setback at the global level is likely to be on the high end of those projections.
- The report makes it clear that the most recent data for MPI were collected pre-pandemic, so the effect of Covid-19 and subsequent impact on poverty in India cannot be assessed yet.

## GEOGRAPHY

### Report on Groundwater Extraction

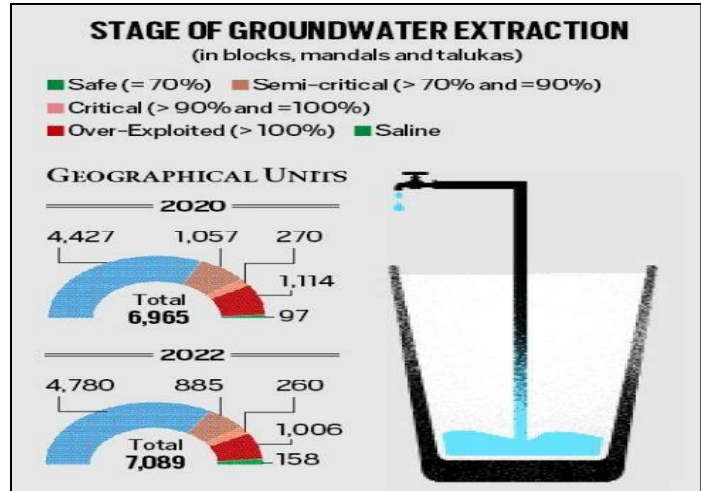
- The **Ministry of Jal Shakti** released the National Compilation on Dynamic Ground Water Resources of India, 2022.

- The assessment was jointly carried out by the Central Ground Water Board (CGWB), States and Union Territories.
  - Previous assessments were carried out in 1980, 1995, 2004, 2009, 2011, 2013, 2017 & 2020.

**Key Highlights of This Report**

Total annual ground water recharge is 437.60 Billion Cubic Meters (BCM) and annual ground water extraction is 239.16 BCM.

- Extraction:** The total annual extractable GW resources have also increased by 0.56 bcm.



- Annual groundwater (GW) extraction for irrigation, domestic and industrial uses have decreased by about 6 BCM- from 2020 to ~239 BCM in 2022.
- About **87% of total annual groundwater extraction** i.e. 208.49 bcm is for **irrigation use**. Only 30.69 bcm (13%) is for domestic and industrial use.
- The annual GW extraction has seen a decline **since 2017** when it came down 249 bcm from a record high of 253 bcm in 2013.

- Recharge:** The report shows the annual GW recharge was assessed at around **438 bcm** in 2022- witnessing an increase by 1.29 bcm as compared to the last assessment (2020).

- But this was lower than the 447 bcm annual-GW recharge assessed in 2013.

- The report also states that the monitoring of the groundwater resources was affected by the Covid-19 outbreak in the country.

**About Ground Water**

- It is responsible for providing up to 40% of freshwater in the world and just **0.62% of the total water**.
- Worldwide, 2.5 billion people depend solely on GW resources to satisfy their basic daily water needs.

**Causes of Groundwater Depletion**

- Pumping the water more quickly than it can renew itself
- A small portion of-GW depletion also occurs naturally, due to the change in our climate.
- Inadequate regulation encourages the exhaustion of GW resources without any penalty.

**Effects of Excess Groundwater Extraction**

- It will force us to pump water from deeper within the Earth.
- As the depth to water increases, more energy is required to drive the pump. Using the well can become prohibitively expensive.
- GW that is deep often intermingles with saltwater that we shouldn't drink.
- A GW shortage keeps additional water from flowing into lakes, rivers and seas. As a result, large bodies of water will become shallower.
- The less water is available, the less food we have, and we will be faced with the issue of great demand and very little supply.

**Groundwater Governance in India**

- The underground (hydrogeological) setting in India can be divided into -

- **Hard-rock aquifers of peninsular India:** These represent around **65%** of India’s overall aquifer surface area, mostly found in central peninsular India.
- **Alluvial aquifers of the Indo-Gangetic plains:** Found in the Gangetic and Indus plains in Northern India, these have significant storage spaces.
- **GW availability in India:**
  - Out of the 1,123 BCM/year usable water, the share of GW is 433 BCM/year.

Parameter	Unit (Billion Cubic Meter/Year)
Annual water availability	1,869
Usable water	1,123
Surface water	690
Ground water	433

- Legal framework in India does not explicitly define GW ownership and rights, as these are still determined by the archaic **Indian Easement Act, 1882**.
- These rights tied to **land ownership rights** exclude a large part of the society and give landowners the liberty to withdraw limitless water.
- The constitution of India confers the jurisdiction of water on the state government, but it does not explicitly state anything about the groundwater.
- The government of India regulates groundwater exploitation in water-stressed states through notification for highly overexploited blocks.
  - It restricts development of new groundwater structures, except those for drinking water.

**Steps Taken To Control Groundwater Depletion**

- The Central Ground Water Board (CGWB) was formed in 1970 specifically to develop groundwater policies and programs.
  - It was later empowered by the **Environment (Protection) Act in 1986** to form the Central Ground Water Authority (CGWA).
- GW was acknowledged as a **public resource** supporting the 2004 Supreme Court judgement highlighting the **‘public trust doctrine’** - GW are so important to the population that making them a matter of private ownership would be unjustified.
- Government of India launched **Jal Shakti Abhiyan**, intended to improve water availability including groundwater conditions in the water stressed blocks of 256 districts in India.
- **Atal Bhujal Yojana scheme** was launched for sustainable management of groundwater, with community participation, in identified over-exploited and water scarce areas.
- **Aquifer Mapping and Management Program** was launched which aims at aquifer mapping and their characterization for preparation of aquifer/area specific groundwater management plan with community participation.

**Way forward**

- The best way to approach the topic of groundwater depletion and to find a solution is to think on both at personal and government level.
- The pumping of groundwater should be regulated. Laws that are in place for the pumping of groundwater should be stricter and follow specific regulations.
- We must find alternative sources of water. Like we can capture the rainwater, use atmospheric water generation, and use the same water after purifying it.

**Permafrost**

According to a new study, with rising global temperatures, melting permafrost is likely to destabilize thousands of industrial sites and associated contaminated areas in the Arctic.

**About Permafrost**

<b>What is Permafrost?</b>	<ul style="list-style-type: none"> <li>It is essentially any ground that stays <u>frozen 0 degree Celsius or lower for at least two years straight.</u></li> <li>These permanently frozen grounds are most common in regions with high mountains and in Earth’s higher latitudes near the North and South Poles.</li> </ul>
<b>Composition</b>	<ul style="list-style-type: none"> <li>A combination of soil, rocks, and sand that are held together by ice.</li> </ul>

**Some Key Features And Characteristics Of Permafrost**

- Ground Stability:** Permafrost acts as a *stabilizing agent* for the land. It can provide structural support to the landscape, preventing slope failures and landslides. When permafrost thaws, it can lead to ground subsidence and destabilization of infrastructure, buildings, and transportation systems.
- Permafrost Layers:** Permafrost is composed of different layers, including an active layer that thaws and refreezes annually and a permanently frozen layer beneath it. The thickness of these layers varies depending on local climate conditions and geological factors.
- Permafrost and Climate Change:** Permafrost is highly susceptible to climate change. Rising temperatures in the Arctic and sub-Arctic regions are causing permafrost to thaw at an accelerated rate. This thawing process can release significant amounts of greenhouse gases, such as methane and carbon dioxide, stored within the frozen ground, contributing to further global warming. A 2022 NASA report said, Arctic permafrost alone holds an estimated 1,700 billion metric tons of carbon, which includes methane and carbon dioxide.
- Impact on Ecosystems:** Permafrost plays a crucial role in supporting unique ecosystems and habitats. It influences the distribution of vegetation, wildlife, and microorganisms adapted to the cold conditions. Thawing permafrost can disrupt these ecosystems, leading to changes in plant and animal communities and affecting biodiversity.
- Human Impacts:** Permafrost is of great importance to local communities and indigenous peoples who rely on its stability for traditional activities such as hunting, transportation, and infrastructure construction.

**Initiative To Tackle Negative Effect Of Permafrost**

- Arctic Council:** The Arctic Council is an intergovernmental forum that addresses various issues in the region, including permafrost thaw. The Council facilitates research, data sharing, and the development of strategies to mitigate the impacts of permafrost melting.
- International Permafrost Association (IPA):** The IPA is an international scientific organization dedicated to studying permafrost.
- Global Research Observatories:** International collaborations, such as the Global Terrestrial Network for Permafrost (GTN-P) and the Circumpolar Active Layer Monitoring (CALM) network, establish research observatories to monitor permafrost conditions.
- NASA’s Soil Moisture Active Passive (SMAP) mission** orbits Earth collecting information about moisture in the soil. SMAP’s measurements are helping scientists to understand where and how quickly the permafrost is thawing.

**Heat Strokes**

**About Heat Stroke (Sunstroke or Hyperthermia)**

- It is the result of overheating of the body as a result of exposure to high temperatures and humidity, or due to prolonged physical exertion at high temperatures.
- It is considered a medical emergency requiring prompt attention.

**Why Do Heat Strokes Happen?**

- Exposed to extreme high heat, the body can't cool itself down accordingly. The hypothalamus (the part of the brain that controls many bodily functions and is a thermostat of sorts) sets core body temperature.
- It sets it at about 98.6 degrees Fahrenheit (37 degrees Celsius). But if your body absorbs more heat than it can release, your internal temperature rises above this set point.



Heat exhaustion is one of three heat-related illnesses, with heat cramps being the mildest and heat stroke being the most serious.

STAGE 1: HEAT CRAMPS	STAGE 2: HEAT EXHAUSTION	STAGE 3: HEAT STROKE
<p>1) Severe muscle spasms occur as a result of salt and water loss following exposure to heat, most often in the hands, calves and the feet.</p> <p>2) Muscle spasms can spontaneously stop on their own, but lingering symptoms of soreness often persist for 24-48 hours.</p>	<p>1) Heat exhaustion is a serious condition which occurs when the body's core temperature increases to 101-104 degrees Fahrenheit.</p> <p>2) Symptoms include headache, low-grade fever, nausea or vomiting, increased thirst, generalised weakness, muscle ache and reduced urine output.</p> <p>3) Feeling agitated and anxious are common and some people may even faint due to a drop in blood pressure.</p>	<p>1) The final stage is heat stroke, which is considered a medical emergency.</p> <p>2) This potentially fatal condition is a result of prolonged heat exposure or physical exertion.</p> <p>3) A heat stroke is characterised when the body's core temperature reaches 104 degrees Fahrenheit or higher.</p> <p>4) Symptoms include confusion due to lack of blood flow to the brain, reddened dry skin, lack of sweat, dizziness, organ failure and at times convulsions.</p>

**Prevention & Treatment of Heat Stroke**

- Drink water as often as possible, even if not thirsty and use a damp cloth on your head.
- Cover yourself well. Wear lightweight, light-coloured, loose, and porous cotton clothes.
- If you are aware of underlying health issues, avoid standing under the Sun for long.
- Avoid alcohol, tea, coffee and carbonated soft drinks. They are not a substitute for water.

## CONSTITUTION AND POLITY

### Indian Constitution: Historical Underpinnings, Evolution, Features, Amendments, And Significant Provisions

#### Fundamental Rights

##### Freedom of Religion

The Tamil Nadu Government recently told the Supreme Court that the act of missionaries to spread Christianity cannot be considered illegal as the constitution under article 25 guarantees every citizen the right to propagate his religion.

##### Arguments by Tamil Nadu Government

- The state submitted that the acts of spreading one's religion cannot be seen as something against the law. But if this act is against public order, morality and health and to other provisions of **Part III** of the Constitution, it must be viewed seriously.
- It argued that any person has the right to propagate and preach his belief system to other people without the use of intimidation, threats, deceit, allurement, superstition or black magic.
- A person has a fundamental right to propagate his/her religion but *not to convert others to his/ her own religion* and the Constitution does not prevent any person from getting converted to the religion of his choice.
- It quoted **Article 21(right to a dignified life)** for the right to have faith in a particular religion and termed it as an inviolable right.

##### About the Right to Freedom of Religion, Secularism and Related Constitutional Provisions

- The term 'Secular' was inserted in our preamble by the **42nd Amendment** Act of the Indian Constitution.
- The Constitution of India (**Under Article 25**) provides every person of the country the *right to profess, practice, and propagate religion freely*, subject to considerations of public order, morality, and health.
- It prohibits government discrimination based on religion, including for employment, as well as religiously based restrictions on access to public or private establishments.
- (**Under Article 26**) It authorizes religious groups to establish and maintain institutions for religious and charitable purposes, manage their own affairs in religious matters, and own, acquire, and administer property but at the same time it prohibits the use of public funds to support any religion.
- **Article 27-** It states that no person in the country can be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.
- **Article 28-** It talks about the freedom as to attendance at religious instruction or religious worship in certain educational institutions.
- The constitution (Under Article 44) directs the states to create a uniform civil code applicable to members of all religions across the country.



- The government is empowered to ban religious organizations that provoke intercommunal tensions, terrorism or sedition, or violate laws governing foreign contributions.

### Need for Freedom of Religion

As per the 2011 census, there are 79.8% Hindus, 14.2% Muslims, 2.3% Christians, 1.7% Sikhs and 2% of others. With such a diversified population, it becomes important to protect religious minorities, to preserve their culture and religious interests to maintain peace and harmony in the country.

### Judicial Perception

- **Robasa Khanum vs. Khodabad Irani, 1946**-The court stated that the conduct of a spouse who converts to Islam must be judged based on the rules of justice equity and good conscience.
- **L.T.Swumiar v Commr. H.R.F. Madras, 1951**-In this case the court held that even if a tax is imposed on persons belonging to a particular religion, to meet the expenses of *that* particular religion, such tax is void.
- **Mohd. Hanif Quareshi v State of Bihar, 1959**- The petitioner in this case claimed that the sacrifice of the cows during Bakri- id was an essential part of his religion. The court rejected this argument and stated that the sacrifice of cow on the Bakri-Id was not an essential part of the Mohammedan religion and could be prohibited by State under clause (2) (a) of Article 25.
- **Bijoe Emmanuel v. State of Kerala aka the National Anthem Case, 1986**- this case is concerned with three children belonging to a sect (Jehovah's witness) who worshipped only Jehovah (the creator) and refused to sing the national anthem "Jana Gana Mana" as it was against the tenets of their religious faith according to the children. They stood up respectfully in silence daily for the national anthem but refused to sing because of their honest belief. A Commission was appointed to enquire about the matter which stated that these children were 'law-abiding' and did not show any disrespect to the national anthem but the headmistress under the instruction of the Dy. Inspector of Schools expelled the students. This decision was challenged in the Supreme Court which held the action of the headmistress violative of freedom of religion and infringement of fundamental rights guaranteed under Article 19(1)(a) and Article 25(1).
- **Sarla Mudgal V. Union of India, 1995**- The Court stated that conversion to any other religion by either one or both the spouses is not at all a ground to have the marriage dissolved.

### Conclusion

India is a secular country and provides every citizen the right to choose, practice, propagate and even change his or her religion but subject to certain restrictions. No one is allowed to spread disharmony or create disturbance in society in the name of religion.

### Right Against Self-Incrimination

The Supreme Court refused to hear a plea filed by the Deputy Chief Minister of Delhi under **Article 32** of the Constitution in an excise policy case as he did not seek a remedy in the High Court first under Section 482 of the CrPC.

- **Article 32**- It grants the right to approach the Supreme Court for the enforcement of fundamental rights. The Supreme Court has original jurisdiction in such cases. It does not apply to rights other than fundamental rights.
- **Section 482**- It states that no provision can limit or affect the inherent powers of the High Court to make orders as may be necessary to give effect to any order, or to prevent abuse of the process of any Court to secure the ends of justice.

### About the Right Against Self-incrimination

- It is one of the provisions of fundamental rights protected under Article 20 of the Indian Constitution.

- Article 20 contains three provisions that protect an accused person from unfair treatment by the legal system.
  - **No Ex-post-facto Law**- It means that no person shall be punished for an act that was not a crime when it was committed.
  - **No Double Jeopardy**- It means that a person cannot be punished for the same offense twice.
  - **Right Against Self-incrimination**- It means that no person accused of an offense shall be compelled to be a witness against himself.
- The right to be presumed innocent until proven guilty, and the right to remain silent in an interrogation essentially flow from this constitutionally guaranteed right against self-incrimination.
- When an individual invokes the right against self-incrimination, they are refusing to answer questions (to remain silent) or provide evidence that could be used against them in a criminal case.
- This principle is often referred to as the "right to remain silent," and it applies not only to criminal defendants but also to witnesses in a criminal case.
- This right can be asserted at any stage of a criminal proceeding, including during questioning by law enforcement, at trial or during a judicial proceeding.
- The right against self-incrimination in India also intersects with other important legal principles, such as the right to a fair trial, the right to privacy, and the right to due process of law.

**Applicability Of Right**

Applicable to	Not Applicable to
<ul style="list-style-type: none"> <li>● It provides protection to an accused person against any arbitrary and excessive punishment, whether <u>the person is a citizen, foreigner, or a legal entity such as a company or corporation</u>.</li> <li>● This protection extends to both <b>oral and documentary evidence</b>, and it is a crucial safeguard against forced confessions and the use of torture to extract evidence from suspects.</li> </ul>	<ul style="list-style-type: none"> <li>● It does not extend to the compulsory production of <b>material objects</b> like <u>documents, weapons, or other physical evidence</u> relevant to a criminal investigation.</li> <li>● It does not protect a person from providing a thumb impression, specimen signature, blood specimen, or exhibiting the body.</li> <li>● This right is limited to only criminal proceedings and does not apply to civil proceedings or proceedings that are not of a criminal nature.</li> </ul>

**Related Judgements**

- **State of Bombay versus Kathi Kalu Oghad, 1961**- In this landmark judgement, an eleven-judge SC Bench ruled that obtaining photographs, fingerprints, signatures, and thumb impressions would not violate the right against self-incrimination of an accused. *It distinguished "to be a witness" from "furnishing evidence"*.
- **Selvi v State of Karnataka, 2010**- The SC in this case held that a **narcoanalysis test** without the consent of the accused would amount to violation of the right against self-incrimination. It however allowed obtaining DNA samples from an accused person and held that if an accused person refuses to give a DNA sample, the Court can draw adverse inferences against him under Section 114 of the Evidence Act.
  - ✓ **Narcoanalysis**- Process of administering a drug to the accused person to elicit information about the case.
- **Ritesh Sinha versus State of Uttar Pradesh, 2019**- The Supreme Court in this ruling broadened the parameters of handwriting samples to include voice samples, adding that this would not violate the right against self-incrimination.

In recent years, there has been increasing concern about the use of custodial torture and coercion by law enforcement officials in India, which can often violate an individual's right against self-incrimination and other fundamental rights.



**Right to be Forgotten**

**Present status in India about RTBF:** Explicitly, The RTBF is not recognized by the constitutional provision or by a law in India. However, it is found inherently in the different provisions of the law or constitution. The various implicit arrangements regarding the RTBF are as follows:

**Section 43A of the Information Technology Act, 2000**

- It says that organizations who possess sensitive personal data and fail to maintain appropriate security to safeguard such data, resulting in wrongful loss or wrongful gain to anyone, may be obligated to pay damages to the affected person.
- The **IT Rules, 2021** lay down the procedure for filing complaints with the designated **Grievance Officer** so as to have content exposing personal information about a complainant removed from the internet.

**K.S.Puttaswamy vs Union of India case (2017)**

- In this case, a **nine-judge bench**, referred to the European Union Regulation of 2016 which recognized “the right to be forgotten” an individual’s right to remove personal information from the system when “he is no longer desirous of his personal data to be processed or stored”.
- The SC also recognised the ‘right to be forgotten’ as part of ‘**right to privacy**’ under Article 21 (the right to life and liberty).
- The Supreme Court had also stated that the 'Right to be forgotten' was subject to **certain restrictions**, and that it could not be used if the material in question was required for the-
  - exercising the right to freedom of expression and information,
  - fulfilling legal responsibilities,
  - carrying out duties in the public interest or public health,
  - protecting information in the public interest,
  - conducting scientific or historical studies, or for statistical purposes, or
  - establishing, executing, or defending legal claims.

**Jorawer Singh Mundy vs Union of India**

- An American citizen approached the Delhi High Court in 2021 seeking the removal of all publicly available records of a case registered against him under the Narcotics Drugs and Psychotropic Substances Act, 1985.
- He argued that although the trial court acquitted him back in 2011, he was unable to find a job in the United States on account of a quick Google search showing the judgment in his case. Despite a good academic record, this prejudiced his chances of employment.

Thus, the court directed respondents like ‘IndianKanoon’ to remove the same.

**Personal Data Protection Bill**

Justice BN Srikrishna Committee’s draft Personal Data Protection Bill 2018 introduced a new right called the right to be forgotten. The draft law envisages creation of an authority where one can apply to restrict dissemination of information that may be private in nature and is sensitive, impacting one’s life.

Under the **Digital Personal Data Protection Bill (DPDB) 2022**, Upon receiving a request from Data Principal, a Data Fiduciary can make: ✓ Corrections ✓ Updates ✓ Erase any personal data no longer required except for legal purposes.

- If the data principal is unsatisfied with the response of a Data Fiduciary to a grievance or receives no

response within 7 days, it may register a complaint with the Board.

### RTBF In The World

The concept has been discussed and put into practice in several jurisdictions, including the USA, Argentina, the European Union (EU), and the Philippines.

- In July 2015, Russia passed a law that allows citizens to delist a link from Russian search engines if it “violates Russian laws or if the information is false or has become obsolete”.
- The EU in 2018 adopted the General Data Protection Regulation (GDPR), Article 17 of which provides for the right to erasure of certain categories of personal data — that which is considered no longer necessary, that for which consent has been withdrawn or processing of which has been objected to, personal data unlawfully processed, and data where there is a legal obligation for erasure.

### Challenges Associated With the 'Right to be forgotten'

- Media and journalism are an essential part of democracy and news should be circulated freely and independently. The proposed "Right to be forgotten" would restrict journalists from disclosing certain people's past, requiring them to wait for an adjudicating officer's decision. This could hinder journalists' ability to provide information and ideas through the media.
- The Indian Constitution's Article 19 grants the fundamental right of freedom of speech and expression. If the Right to be forgotten (RTBF) is legalized, content creators and websites may be required to remove certain data from their channels, which could potentially affect their right to freedom of speech and expression and also the Right to information of other individuals.

### Way Forward

- To implement the Right to be forgotten, privacy needs to be included as a reasonable restriction under Article 19 (2) through a significant amendment to the Constitution.
- There must be a balance between the right to privacy and protection of personal data, covered under Article 21, and the freedom of information of internet users under Article 19.
- A comprehensive data protection law is necessary to address these issues and minimize conflicts between the two fundamental rights, which form a crucial part of the golden trinity (Art. 14, 19, and 21) of the Indian Constitution.

## Parliament And State Legislatures - Structure, Functioning, Conduct of Business, Power And Privileges, Committees

### Whip

A five-judge bench while hearing petitions related to Maharashtra political crisis observed that Members of a House are bound by the ‘whip’ and if any section of MLAs from a political party that is part of a ruling coalition disagrees with the alliance, then the MLAs will attract disqualification.

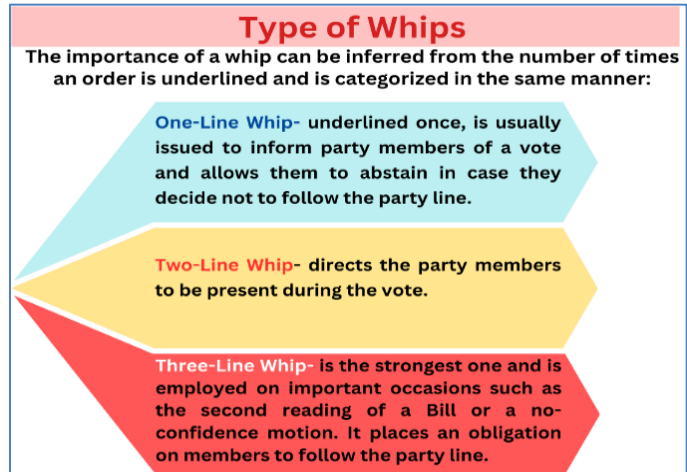
### What Is A Whip?

- It refers both to a written order to members of a party in the House to abide by a certain direction, and to a **designated official of the party** who is authorized to issue such a direction.
- The term is derived from the old British practice of “whipping in” lawmakers to follow the party line.
- All parties can issue whips to their members in India. It requires party members to be present in the House for an important vote, or to vote only in a particular way.

- Parties appoint a senior member from among their House contingents to issue whips — this member is called a chief whip, and he/ she is assisted by additional whips.

**Chief Whip**

- Appointed by a political party to serve as an assistant floor leader.
- His task is to ensure party discipline in a legislature.
- Ensures the members attend the meetings of the House of Legislature for their support on any important matter during division on the Floor of the House, as the party leadership desires.
- Are the party's "enforcers".



**Related Constitutional Provision**

- The office of 'whip' is mentioned neither in the Constitution of India nor in the Rules of the House nor in a Parliamentary Statute. It is based on the conventions of the parliamentary government.
- However, the **Tenth Schedule (anti-defection law)** allows a political party to issue a whip to its legislators.

**Consequences of Defying a Whip**

A member may face disqualification proceedings if she/he disobeys the party whip unless the number of lawmakers defying the whip is 2/3 of the party's strength in the house. The speaker takes the decision on the disqualification according to the anti-defection law.

**Limitations of Whip**

- Whips cannot direct a Member of Parliament (MP) or Member of Legislative Assembly (MLA) to vote in a particular fashion during Presidential elections.
- In the case of *KihotoHollohan vs Zachillhu* in 1992, the Supreme Court of India ruled that the Tenth Schedule is applicable only in situations where a vote of confidence or no-confidence is being taken in the government, or where the motion being considered is related to a policy or program that is central to the political party.

**Anti Defection Law**

- The Anti defection law under the Tenth Schedule of the Constitution punishes Members of Parliament/Members of Legislative Assemblies for defecting from their party by taking away their membership of the legislature. It gives the **Speaker of the legislature** the power to decide the outcome of defection proceedings.
- It was added to the Constitution through the Fifty-Second Constitutional (Amendment) Act, 1985.
- A legislator is deemed to have defected if s/he either voluntarily gives up the membership of her/his party or disobeys the directives of the party leadership on a vote.
  - If any independently elected member joins any political party.
  - If any nominated member joins any political party after the expiry of six months.
- This implies that a legislator defying (abstaining or voting against) the party whip on any issue can lose her/his membership of the House.
- The Constitution does not specify a **time-period for the Presiding Officer** to decide on a disqualification plea.

- Given that courts can intervene only after the Presiding Officer has decided on the matter, the petitioner seeking disqualification has no option but to wait for this decision to be made.
- In 1992, the Supreme Court ruled that the decision of the Speaker in this regard is subject to **judicial review (KihotoHollohan Vs. Zachilhu)**.

**Deputy Speaker: Constitutional Position**

The Supreme Court issued notices to the Centre and five states — Rajasthan, Uttarakhand, Madhya Pradesh, Uttar Pradesh, and Jharkhand — over the failure to elect a Deputy Speaker.

**Constitutional Position About The Deputy Speaker**

- **Article 93** (For Lok Sabha) and **Article 178** (For Legislative Assembly) says “The House of the People shall, as soon as may be, choose two members to be Speaker and Deputy Speaker and, so often as the office of Speaker or Deputy Speaker becomes vacant, the House shall choose another member.”

Is It Mandatory To Have A Deputy Speaker?	How Soon Must The Deputy Speaker Be Elected?
Both Articles 93 and 178 use the word “ <b>shall</b> ”, indicating that the election of Speaker and Deputy Speaker is mandatory under the Constitution.	1) “As soon as may be”, say Articles 93 and 178. But they do not lay down a specific time frame. 2) <b>Rule 8</b> of The Rules of Procedure and Conduct of Business in Lok Sabha says the election of Deputy Speaker “shall be held on such date as the Speaker may fix”.

**Do The Powers Of The Speaker Extend To The Deputy Speaker As Well?**

The Deputy Speaker presides over the Lok Sabha when the Speaker is absent from the sitting of the House.

In case of vacancy	In case of absence
Article <b>95(1)</b> says: “While the office of Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker”.	The Rules of Procedure and Conduct of Business in Lok Sabha provide that the Speaker shall nominate from amongst the Members, a Panel of not more than ten Chairpersons, any one of whom may preside over the House in the absence of the Speaker and the Deputy Speaker

- When the Deputy Speaker presides over a sitting of the Lok Sabha or Legislative Assembly, he has the same powers as the Speaker.
- **No appeal** lies to the Speaker against a ruling given by the Deputy Speaker or any person presiding over the House in the absence of the Speaker.
- It should be noted here that the Deputy Speaker is **not subordinate** to the Speaker. He is directly responsible for the House.

**Can The Courts Intervene In Cases Of A Delay In Electing The Deputy Speaker?**

- **Article 122:** The validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure.
- Courts usually don’t intervene in the procedural conduct of Parliament. In September 2021, a petition was filed before the Delhi High Court, which argued that the delay in the election of the Deputy Speaker violated Article 93. However, there is no precedent of a court forcing the legislature to elect the Deputy Speaker.
- However, experts said that the courts do have jurisdiction to at least inquire into why there has been no election to the post of Deputy Speaker since the Constitution does envisage an election “as soon as may be”.

**Centre’s Position**

- The Treasury benches have maintained there is no “immediate requirement” for a Deputy Speaker as “bills are being passed and discussions are being held” as normal in the House.

- A Minister argued that “there is a panel of nine members — senior, experienced and selected from different parties — who can act as chairpersons to assist the Speaker to run the House”.

### Need of Deputy Speaker

- Maintains Continuity of the office whenever speaker is absent/office becomes vacant.
- Informs The House: If Speaker resigns, he/she tenders resignation to Deputy Speaker.
  - ✓ If the post of Deputy Speaker is vacant the Secretary-General receives the letter of resignation and informs the House about it.
- Strengthens Opposition: Since 2011, convention has been to offer the position of deputy Speaker to Opposition party. Though Constitutionally, Deputy speaker can be from Opposition or Majority party.

### Unparliamentary Expressions

Portions of Congress leader Rahul Gandhi’s speech delivered in Lok Sabha have been expunged — or removed — from the records of Parliament by the orders of the Speaker.

#### What Are The Rules On Expunging From The Record?

- Under **Article 105(2)** of the Constitution, Members of Parliament (MP) have freedom of speech in the House. It is a very substantive freedom without which parliamentarians cannot function freely and fearlessly. So, whatever they say in the House cannot be questioned by any other authority. It is a privilege enjoyed by the members of Parliament
- However, MPs don’t enjoy the freedom to say whatever they want inside the House. The speech of MPs is subject to the discipline of the Rules of Parliament, “good sense” of its Members, and the control of proceedings by the Speaker. These checks ensure that MPs cannot use “defamatory or indecent or undignified or Unparliamentary words” inside the House.

#### What Are “Unparliamentary” Expressions?

- Over the years, a huge number of words, both in English and other Indian languages, have been found to be “Unparliamentary”. The Presiding Officers of both the Houses of the parliament have the job of keeping such words out of Parliament’s records.
- The **Lok Sabha Secretariat** brings out a volume of ‘Unparliamentary Expressions’ which are viewed as Unparliamentary in both the Lok Sabha and Rajya Sabha. This book contains words or expressions that would likely be considered rude or offensive in most cultures.
- The last book was published in **July 2022**. In the past, such compilations have been brought out in 1986, 1992, 1999, 2004 and 2009.
- Members of Parliament may not be able to use those words (mentioned in book) in their speeches in the House any longer.
- State legislatures too are guided mainly by the same book of Unparliamentary expressions.

#### Rules of Procedure and Conduct of Business in Lok Sabha

- **Rule 380 (“Expunction”)**: It empowers the Speaker to expunge words which are defamatory, indecent, Unparliamentary or undignified from the record of the debate.
  - The Speaker has been given certain discretion in treating a word as ‘Unparliamentary’ as there are no hard and fast rules about it.
  - Rule 261 of the Rules of the Rajya Sabha give similar powers to the presiding officers
- **Rule 381 says**: “The portion of the proceedings of the House so expunged shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows: ‘Expunged as ordered by the Chair’.”

#### How Is The Decision To Expunge A Word (Or Portion Of A Speech) Taken?

- If a member uses a word that could be indecent and hurts the decorum or dignity of the House, the **head of the reporting section** sends it to the Speaker or the Presiding Officer citing relevant rules and precedence with a recommendation to expunge them.

- The Speaker has the discretion under Rule 380 to expunge the word or usage. Once the Speaker expunges the word or usage, it comes back to the reporting section which removes the word from the records and mentions in the proceedings as “expunged as ordered by the chair”.

At the end of the session, a compilation of words removed from the records, along with reasons, is sent to the Speaker’s office, Sansad TV, and the editorial service for information.

### **What Happens After A Word Has Been Expunged?**

- Expunged portions of the proceedings cease to exist in the records of Parliament, and they can no longer be reported by media Houses, even though they may have been heard during the live telecast of the proceedings.
- However, the **proliferation of social media** has introduced challenges in the **watertight implementation** of expunction orders.

To sum up, India’s politics demands the opposition to focus on substantial issues affecting the nation, inside and outside Parliament. The nation’s law makers should also not forget Thomas Jefferson’s famous quote: “Eternal vigilance is the price of democracy”.

### **Governor’s Speech**

Tamil Nadu Governor stormed out of the State Assembly midway through the proceedings after triggering a controversy by skipping some lines from the customary **Governor’s address** prepared by the state government during the opening day of the current session.

### **Related Constitutional Provisions**

- **Article 176:** It deals with the **special address** given by the Governor and states that the Governor will address the State Legislative Assembly:
  - at the commencement of the first session after each general election.
  - at the commencement of the first session of each year.
  - or when both Houses assemble (in the case of a State having a Legislative Council)

### **Content of Speech**

- The special address follows the convention of the British system and contains legislative and policy proposals that the government intends to initiate.
- It recaps the government’s accomplishment in the previous years and all its content is put together by aggregating inputs from various ministries of the government.

**Procedure After the Speech:** After the address is delivered, a debate takes place not only on the contents of the address but also on the broad issues of governance.

### **In Case Of Disagreement With Speech Content, Is The Governor Still Bound To Read It?**

A Governor cannot refuse to perform the constitutional duty of delivering an address to the legislature. There have been instances where the Governors have refused to read the speeches in other states but in almost all such cases, the Assembly has resolved that the speeches were *taken as read* avoiding any controversy.

### **Governor’s Right To Edit/Delete The Speech**

- Article 176 remains silent on the way the address is to be delivered i.e., if any deletions or additions can be made by the Governor.
- But as per the convention, the Governor reads out the speech prepared and approved by the state Cabinet and should not deviate from the text, as it is nothing but a statement of policy of the elected government.



### Constitutional Implications

- It widens the trust deficit between the Governors and Opposition-ruled governments. Some Opposition CMs merely get the House adjourned (by Speaker), rather than prorogued (by Governor) to avoid the Governor's address.
- Governors editing/deleting the speech may create a constitutional crisis.
- The chief minister may refuse to defend the address in his response at the end of the debate and with the chief minister commanding a majority, the House may reject the resolution on the governor's speech.
- Defeat of Governor/President's address results in a no-confidence motion and resignation of the chief minister or the Prime Minister.
- Such a resignation would not only be grossly unjust and unethical but undemocratic.
- There have been such resignations in the past when the unmodified texts of the governor's address were not approved by the respective legislative assemblies.
  - Chief Minister Gurnam Singh of Punjab resigned in 1967 when the governor's address was defeated on the floor of the House.
  - UP CM C B Gupta had to resign in similar circumstances when a resolution thanking the governor was defeated in the UP assembly.

### Related Judgements

- *Abdul Gafoor Habibullah v. Speaker, West Bengal Assembly (1966)*- Calcutta HC held that the **Governor cannot decline to deliver his address** and refuse to fulfil his constitutional duty. Thus, the address under Article 176 is mandatory. If he does so and walks out of the House after laying down the address on the table of the House, this is **mere irregularity, not illegality** and **cannot be questioned under Article 212**.
  - Article 212- It states that the Courts cannot inquire about-
    - The validity of any proceedings of State Legislature on grounds of any alleged irregularity of procedure.
    - Powers exercised by any officer or member of the State Legislature for regulating procedure or the conduct of business, or for maintaining order.
- *Yogender Singh Handa v. State of Rajasthan (1967)*- The Rajasthan High Court in this case held that some portions read by the governor were good enough to deem the whole address as read.
- A controversy arose when Governor Dharma Vira skipped certain portions of the speech dealing with the dismissal of the first United Front Government in his address to the joint session of the West Bengal legislature in March 1969. The Calcutta HC in this case held that the Governor has the right to delete or not read irrelevant portions or portions which do not deal with the policy of the government.
- *Nabam Rebia Case 2016*- In this case, a five-judge **Supreme Court bench** nullified the action of Governor & observed that the Governor of Arunachal Pradesh, who advanced the session of the assembly without the advice of the CM, had exceeded his jurisdiction as he had no discretion in convening the assembly session.

### Way Forward

- Chief Ministers must show prudence and not include irrelevant facts or statements that are not related to the business of the House to avoid such instances.
- The Governor should follow his primary role as a sagacious (having good judgement) counsellor and not get involved in tussles with state governments to prove their loyalty towards their appointing party. Both Governors and CMs, as constitutional functionaries, should respect each other & have working relationship.

**Government of National Capital Territory of Delhi (Amendment) Ordinance, 2023**

President promulgated the *Government of National Capital Territory of Delhi (Amendment) Ordinance, 2023* and created a new statutory authority – the National Capital Civil Service Authority (NCCSA).

**About The Government of National Capital Territory of Delhi (Amendment) Ordinance, 2023**

- It seeks to amend the Government of National Capital Territory (NCT) of Delhi Act, 1991 and establish National Capital Civil Service Authority (NCCSA) which will be headed by the Chief Minister of Delhi, with the Chief Secretary and Principal Home Secretary of Delhi being the other two members.
- The NCCSA will *make recommendations to the LG regarding* transfer, posting and vigilance matters of all Group A officers and DANICS officers posted in Delhi. These decisions will be based on majority of votes of the members present and voting.
  - ✓ The officers in Delhi, Andaman and Nicobar Island Civil Service (DANICS) form part of the administration in UTs of Delhi, Andaman and Nicobar, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli.
- The final authority to pass orders related to these recommendations will lie in the hands of the Lieutenant Governor (L-G). He can also ask for material relevant to officers before taking a decision.
- If the L-G differs with the recommendation made, he may return the recommendation to the Authority for reconsideration by the Authority with reasons recorded in writing.
- In case of difference of opinion, the decision of L-G will be final.
- There is no specific provision in the ordinance regarding the transfer posting, discipline etc of Group B and Group C officers, which seems to indicate that the elected government of Delhi would continue to have control over these officers.

**Why Was The Ordinance Amended?**

To negate the Supreme Court judgment that empowered the Delhi government to make laws (except Land, Police and Public Order) and wield control over bureaucrats deputed to the Delhi government.

**Background**

- A 2015 notification by the Union Home Ministry department stated that the L-G of Delhi shall exercise control over *services*.
- This was challenged by the Delhi Government in Delhi High Court which upheld the notification in 2017.
- The case was then referred to a larger constitution bench by a two-judge Bench of Supreme Court.
- In 2018, a five-judge Constitution Bench headed by former CJI Dipak Misra (which decided the larger questions on this issue), ruled in the favor of the Delhi Government and laid down the law that governs the relationship between Delhi and the Centre.
- The specific issue related to ‘services’ was decided by a two-judge Bench (part of larger 5-judge bench). This two-judge bench delivered a split verdict in 2019. This split verdict then went to a three-judge Bench and eventually a five-judge Constitution Bench, which recently delivered its verdict.

**Main Issue**

- The main issue is the scope of legislative and executive powers of the Centre and NCTD with respect to the term services.
- The court had to interpret Article 239AA(3)(a) related to special provisions with respect to Delhi.
  - Article 239AA(3)(a) states that subject to the provisions of this constitution, the legislative assembly of Delhi is empowered to make laws for the whole or any part of the National Capital Territory with respect to any of the matters enumerated in the State list (List II) or in the Concurrent list (List III) in so far as any such matter is applicable to Union territories except on the subjects of police, public order, and land.



- According to its provisions, in the case of difference of opinion between the L-G and his Ministers, the L-G shall refer the matter to the President and act according to his decision. If the decision is pending in any case where the matter, in his opinion, is urgent then the L-G may take the decision he deems necessary.
- This article (A 239AA) was inserted by the 69th Amendment Act, 1991, on the recommendations of the S Balakrishnan Committee set up in 1987 to look into Delhi’s demand for statehood.

<b>Centre’s Argument</b>	<b>Supreme Court’s Verdict</b>
<ul style="list-style-type: none"> <li>● The 2018 SC ruling didn’t consider two crucial phrases of the article 239AA(3)(a)-                             <ul style="list-style-type: none"> <li>i. <i>“Insofar as any such matter is applicable to union territories”</i></li> <li>ii. <i>“Subject to the provisions of this Constitution.”</i></li> </ul> </li> <li>● No Union Territory has power over services therefore, Delhi too could not exercise such power and could only legislate on issues that other Union Territories are explicitly allowed to legislate upon.</li> <li>● The legislative power of Delhi can extend to <b>an entry</b> only when that entry is clearly and unequivocally applicable to union territories as a class.</li> </ul>	<ul style="list-style-type: none"> <li>● It concluded that Delhi has a special constitutional status under Article 239AA and is a Sui Generis (unique) model which is not like any other Union Territory.</li> <li>● It termed the phrase <i>“in so far as any such matter is applicable to union territory”</i>-inconsequential stating that <u>various entries in the state list and concurrent list mention the word state, and not union territory (UT)</u> as there was no concept of UTs when the Constitution was enacted.</li> <li>● It vested the Delhi government with the legislative and executive power over <b>Entry 41</b> (services) such as Indian administrative services, or joint cadre of services and not over services related to public order, police and land.</li> </ul>

**Critical Analysis**

- Article 239AA(3)(b) empowers the Parliament to make laws with respect to any matter for Delhi. This results in an asymmetric federal model tilted heavily in Centre’s favour.
- The SC in its 2018 verdict on this issue stated that the ideas of pragmatic federalism and collaborative federalism will fall to ground if the Union has overriding executive powers even in matters for which the Delhi Legislative Assembly has legislative powers.
- This ordinance strikes at the root of the Supreme Court’s 2018 decision which clearly stated that the Union cannot override the powers of the state riding roughshod over pragmatic and collaborative federalism.
- It has created a full-blown constitutional crisis and the parliament should not allow it to become an act.
- Also, the Supreme court must react to this ordinance, if it doesn’t then it would indicate that-
  1. It has failed to check the abuse of ordinance power of the Union government.
  2. It is silently agreeing on the disenfranchisement of millions of Delhi citizens.
- But if the SC does react then it would result in a full-blown war between the executive and the judiciary.

**Extra Mile**

**Govt’s Power to Promulgate, Repromulgate Ordinances**

- **Promulgation-** Article 123 of the Constitution which deals with the Power of President to promulgate Ordinances during recess of Parliament states that if at any time when the Parliament is not in session, the President can promulgate an ordinance due to unavoidable circumstances that require him to take immediate action.
  - ✓ Article 213 deals with the powers of the Governor of a state to promulgate ordinances during recess of State Legislature.
- Ordinance has the same force and effect as an Act of Parliament but the government is required to bring an

Ordinance before Parliament for ratification.

- It lapses-
  - ✓ At the expiration of six weeks from the reassembly of Parliament, if the government fails to introduce it for ratification.
  - ✓ If the President withdraws it.
  - ✓ If both the houses of the parliament pass resolutions disapproving the law.

\*\*Rejection of an ordinance implies the government has lost majority.

\*\*If an Ordinance makes a law that Parliament is not competent to enact under the Constitution, it shall be considered void.

- The decision to bring an ordinance rest with the council of Ministers as the President acts on their aid and advice.
- The President may return the recommendation of the Cabinet for reconsideration but if it is sent back (with or without reconsideration), the President must promulgate it.
- **Validity:** An Ordinance is valid for six weeks from the date on which the next session starts. If the two Houses start their sessions on different dates, the date of the house starting later is be considered.
- **Repromulgation-** The government can repromulgate an ordinance if it lapses due to any reason.

#### Related Judgements

1. ***Dr D C Wadhwa and Ors v. State of Bihar and Ors, 1986***-In this case, the power of the Governor to repromulgate various Ordinances in Bihar was challenged, after 69 ordinances out of 256 enacted between 1967 and 1981 were repromulgated several times and kept alive with the permission of the President. The Supreme Court in its judgement held that-
  - An Ordinance promulgated by the Governor to meet an emergency shall cease to be in operation at the expiration of six weeks from the reassembly of the Legislature.
  - For repromulgation, the government must go before the Legislature first as it's entrusted with law-making functions by the constitution.
2. ***Krishna Kumar Singh and Another v. State of Bihar, 1998***- This case dealt with the re-promulgation of an Ordinance several times by the Bihar Government without placing it before the legislature. The SC held that repeated re-promulgations without bringing an Ordinance to the legislature usurps the functions of the legislature and is unconstitutional. The court termed it 'a fraud on constitutional power'.
3. ***Kumar Singh vs State of Bihar (2017)***: A seven-judge Bench of the SC held that the satisfaction of the President under Article 123 is not immune from judicial scrutiny; not a parallel source of law-making or an independent legislative authority.


## Structure, Organization & Functioning of Judiciary And Related Issues

### Digitization of Courts

The Supreme Court in February, 2023 introduced on an experimental basis the live transcription of its proceedings using the Artificial Intelligence (AI) mechanism. The **virtual screen live-streaming** of a Constitution Bench hearing of the Thackeray-Shinde dispute (Maharashtra Political crisis) showed a separate screen showing the arguments and comments made during the hearing.

**e-Courts Project**

- The Government of India has launched the **e-Courts Integrated Mission Mode Project** in the country for computerization of District and subordinate courts with the objective of improving access to justice using technology.
- e-Courts project is being implemented in association with **e-Committee of Supreme Court** of India and Department of Justice.
- This project is based on the “National Policy and Action Plan for Implementation of Information and Communication Technology in the Indian Judiciary”. This project is being completed in different phases which are as follows:



**Background**

- In India, e-governance in the field of administration of justice began in the late 1990s, but it accelerated after the enactment of the Information and Technology Act, 2000.
- As the 21st century began, the focus was on digitising the court’s records and establishing e- courts across the country.
  - In the year 2006, e-courts were launched as a part of **National e-Governance Plan (NeGP)**.
- In this regard, the Allahabad High Court is a guiding example. When he was the Chief Justice of Allahabad HC, Justice D Y Chandrachud (present CJI) had conceptualised and initiated the project to digitise approximately one crore case files in one year.
- In 2018, the Supreme Court allowed the live streaming of cases of constitutional and national importance on the basis of the judgement in **Swapnil Tripathi vs Supreme Court of India, 2018**.
- In July 2021, the **Gujarat HC** became the first court in the country to livestream its proceedings. Its example was followed by other HCs like Karnataka, Odisha, Madhya Pradesh and Patna.
- The e-Committee of the Supreme Court has directed state governments to make e-filing of cases and petitions mandatory from January 1, 2022.

<b>Phase 1</b>	Phase I of the project was implemented during 2011-2015.
<b>Phase 2</b>	<ul style="list-style-type: none"> <li>• Phase II of the project started in 2015 under which 18,735 District &amp; Subordinate courts have been computerised. Phase II of the project is nearing its completion.</li> <li>• During Phase II, one <u>video conference equipment</u> each has been provided to all Court Complexes including taluk level courts</li> </ul>
<b>Phase 3</b>	<ul style="list-style-type: none"> <li>• Detailed Project Report (DPR) for e-Courts Phase III has been finalized and approved by the e-Committee, Supreme Court of India.</li> <li>• Phase III mentions various new features such as:</li> <li>• <u>Digital and Paperless Courts</u> aimed at bringing court proceedings under a digital format in a court;</li> <li>• Online Court focussing on <u>eliminating the presence of litigants or lawyers</u> in the court;</li> <li>• use of emerging technologies like <u>Artificial Intelligence, Machine Learning</u> and its subsets like <u>Optical Character Recognition (OCR)</u> etc for analysis of case pendency, forecasting future litigation, etc.</li> </ul> <p>The Union Government in its Budget 2023-24 has announced Rs. 7000 Cr. for e-Courts phase III. Phase III of the e-Courts project envisages a judicial system that is more affordable, accessible, cost-effective, predictable, reliable, and transparent for every individual</p>

**Following Initiatives Have Been Taken Under e-Courts Project**

- **National Judicial Data Grid (NJDG):** It is a database of orders, judgments, and cases, created as an online platform under the e-Courts Project. It provides information relating to judicial proceedings/decisions of all computerized district and subordinate courts of the country. Litigants can access case status information.
- **Justice Clocks:** To make effective use of databases created through National Judicial Data Grid (NJDG), 39 LED Display Message Sign Board System called Justice Clocks, have been installed in 25 High Courts.

- **Electronic Case Management Tools (ECMT):** They have been created with Mobile Apps for lawyers (total 1.50 cr. downloads till 31st October 2022) and **JustIS app** for judges.
- **A new “Judgment Search” portal:** It has been started with features such as search by Bench, Case Type, Case Number, Year, Petitioner/ Respondent Name, Judge Name, Act, Section, Decision: From Date, To Date and Full Text Search. This facility is being provided free of cost to all.
- **The Wide Area Network (WAN) Project:** Under this project, connectivity has been provided to 99.4% of total Court Complexes across India with 10 Mbps to 100 Mbps bandwidth speed.
- **National Service and Tracking of Electronic Processes (NSTEP):** It has been launched for technology enabled process serving and issuing of summons.

### Significance of Digitisation of Judiciary

- The digitisation of court records was necessary due to the challenges of **storing and preserving** large numbers of physical files, some of which are decades old.
- Digitisation ensures that records can be **traced electronically** when required, as **missing records** can lead to the setting aside of convictions and the acquittal of accused persons (Mentioned in State of Uttar Pradesh v. Abhay Raj Singh case).
- It can significantly **reduce the time taken to transmit them** from lower to appellate courts, helping to address delays in cases.
- The use of **e-filing by counsels** can prevent cases from being adjourned due to missing or untraceable documents.
- Digital systems allow lawyers and litigants to easily **check the status of their cases** and related documents without needing to physically visit the court.
- Digitisation also facilitates the **timely sharing of information between courts and government** agencies, leading to a more efficient justice system.
- As per Chief Justice of India (CJI) DY Chandrachud, the transcription of the live streaming literally takes a major step towards becoming truly a “court of record” for learning court craft. Further he added, “Of course, it helps judges and the lawyers, but it will also help our law colleges. They can analyse how matters are argued...It is a huge resource.”
- The transcribing is the second major decision towards making the court more transparent after SC’s decision to livestream its proceedings before Constitution Benches.

The digitisation initiatives, including e-filing, digitisation of court records and video conferencing, will significantly reduce the time and cost involved in litigation and provide timely justice to the people. The success of digitisation in Indian courts will depend on continued investments in technology and the implementation of best practices to ensure the optimal use of digital resources.

### Sealed-Cover Jurisprudence

The Supreme Court declined a sealed cover note submitted by the Centre in the case of *disbursal of arrears to retired defence personnel under the One Rank One Pension (OROP) scheme*.

- The Chief Justice of India (CJI) also rejected the government's proposal for the formation of a committee to investigate the Hindenburg report on the Adani group, which was submitted in a sealed cover.

### About Sealed Cover Jurisprudence

- It is a practice followed by the Supreme Court and sometimes lower courts to seek and accept information from government agencies in sealed envelopes that can only be perused by judges.
- The court accepts information in a sealed cover in two cases-

- ✓ When the information is related to an ongoing investigation which could be impeded by disclosure.
- ✓ When the information is personal or confidential in nature and could affect an individual's privacy.
- The purpose of sealed cover jurisprudence is to balance the need for transparency in court proceedings with the need to protect sensitive information from public disclosure.
- However, the use of sealed covers has been criticized as it creates an opaque system, which can be misused to hide inconvenient facts or shield powerful interests.

**Does Specific Statute Define The Doctrine Of Sealed Cover Jurisprudence**

There is **no specific law** that defines the doctrine of sealed cover. The Supreme Court derives its power to use it from Rule 7 of order XIII of the Supreme Court Rules and Section 123 of the Indian Evidence Act of 1872.

**Rule 7 of order XIII of the Supreme Court Rules-** It states that if the Chief Justice or court directs certain information to be kept under sealed cover or considers it of confidential nature, no party would be allowed access to the contents of such information. It also mentions that information can be kept confidential if its publication is not considered to be in the interest of the public.

**Section 123 of the Indian Evidence Act 1872-** It states that no one will be permitted to give any evidence derived from unpublished official records relating to any affairs of State, except with the permission of the officer at the head of the concerned department, who may or may not allow it.

**Exceptional Cases where Sealed Covers can be accepted**

- The Supreme Court in its judgment in the *Cdr Amit Kumar Sharma v Union of India case, 2022* stated that sensitive information affecting the privacy of individuals such as the identity of a sexual harassment victim can be submitted in a sealed cover.
- But it also underlined that the measure of nondisclosure of sensitive information in exceptional circumstances must be proportionate to the purpose that the non-disclosure seeks to serve, and these exceptions should not become the norm.

**Supreme Court Outlook on Sealed Cover Jurisprudence**

- In 2019 judgement in the case of **P. Gopalakrishnan vs The State of Kerala**, the SC has said that disclosure of documents to the accused is constitutionally mandated, even if the investigation is ongoing and documents may lead to a breakthrough in the investigation.
- In **Modern Dental College vs State of Madhya Pradesh (2016)**, the apex court adopted the proportionality test proposed by former Chief Justice, Supreme Court of Israel, "a limitation of a constitutional right will be constitutionally permissible if:
  - ✓ It is designated for a proper purpose.
  - ✓ The measures undertaken to effectuate such a limitation are rationally connected to the fulfilment of that purpose.
  - ✓ There are no alternative measures that may similarly achieve that same purpose with a lesser degree of limitation.
  - ✓ There needs to be a proper relation (balancing) between the importance of achieving the proper purpose & the social importance of preventing the limitation on constitutional right

**Critical Analysis of Sealed Cover Jurisprudence**

Arguments In Favour	Arguments Against
1. <b>Protects Sensitive Information:</b> Sensitive information such as national security or trade secrets could have adverse effects on the country or businesses involved, thus it needs to	1. <b>Lack of Transparency:</b> Sealed covers are against the idea of an open court and a transparent justice system as secrecy could prevent a party from having a full overview of the charges against them.



be kept secret.	
<b>2. Avoiding Prejudice:</b> By submitting it in a sealed cover, the court can ensure that the information does not influence public opinion or unfairly affect the case.	<b>2. Violation of Principle of Natural Justice:</b> It denies the aggrieved party their legal right to effectively challenge an order as the proceedings take place based on unshared material provided in a sealed cover.
<b>3. Maintaining Integrity:</b> It ensures that the investigation is not compromised by making sensitive information public. This can help maintain the integrity of the investigation and ensure that justice is served.	<b>3. Imbalance of Power:</b> It bestows absolute power in the hands of the adjudicating authority and tilts the balance of power in favour of the dominant party which has control over information.
<b>4. Expert Assessment:</b> By seeking information in a sealed cover, the court can seek the advice of experts in matters where it lacks expertise and make a more informed decision.	<b>4. Abuse of Power:</b> Sensitive information may be withheld from the parties involved or the public to protect those in power or to avoid embarrassment.

**Way Forward**

- **Use Judiciously:** Judges should use sealed covers judiciously and only in cases where there is a compelling need to protect sensitive information.
- **Establish Clear Guidelines:** There should be clear guidelines on when and how sealed covers can be used which should be developed through a consultative process involving all stakeholders, including the judiciary, the legal community, civil society, and the media.
- **Ensuring Accountability and Oversight:** By regular reporting to higher authorities, periodic review by an independent body, or public disclosure of the reasons for using a sealed cover.
- **Striking a balance between transparency and confidentiality:** By partial disclosure of information in a sealed cover or the appointment of an amicus curiae to review the information and provide an independent assessment.

Overall, the use of sealed cover jurisprudence should be guided by the principles of transparency, accountability, and due process. By adopting these principles and developing clear guidelines and mechanisms for their implementation, the use of sealed covers can be made more effective, fair, and transparent.

**Forum Shopping**

The Chief Justice of India recently denied permission for forum shopping to a litigant appearing before him.

**About Forum Shopping**

<b>What?</b>	When litigants or lawyers deliberately try to move their case to a particular judge or Court expecting that this would turn the judgement in their favour, it is called forum shopping.
<b>Types</b>	<b>Domestic-</b> When a litigant chooses between two or more courts within a country.
	<b>Transnational-</b> When a litigant chooses between the courts of two or more countries.
<b>Why?</b>	To gain advantage in litigation by benefiting from the differences in the laws, speed, rules and tendencies of the courts with potential jurisdiction over the litigation.

**Advantages of Forum Shopping**

- **Favorable Legal Environment:** Forum shopping allows parties to select a jurisdiction known for having favorable legal standards, precedents, or interpretations of the law. This can provide an opportunity to present arguments that are more likely to be accepted or to benefit from legal provisions that are advantageous to the party's position.



- **Expertise and Experience:** Different jurisdictions may have specialized courts or judges with expertise in specific areas of law. By selecting a forum with a reputation for handling particular types of cases, parties may benefit from the court's understanding of complex legal issues or its familiarity with industry-specific matters. This can result in more informed and efficient adjudication.
- **Convenience and Efficiency:** Forum shopping can be driven by practical considerations such as convenience and efficiency. Parties may choose a forum that is geographically closer to them, making it easier to attend hearings or present evidence. Additionally, some jurisdictions may offer streamlined procedures or expedited timelines, enabling quicker resolution of the dispute.
- **Availability of Remedies:** In certain cases, forum shopping can enable parties to access remedies that may not be available in other jurisdictions. For example, a specific jurisdiction may have a history of awarding substantial damages or granting injunctive relief more readily. Parties may opt for such a forum to maximize their chances of obtaining a favorable outcome or appropriate relief.
- **Strategic Considerations:** Forum shopping can be part of a broader legal strategy. Parties may strategically select a forum based on factors such as the composition of the judiciary, the reputation of the court for settlement-oriented approaches, or the likelihood of *attracting media attention*. These considerations may align with the party's overall objectives and enhance their litigation strategy.

### Disadvantages of Forum Shopping

- **Inconsistent Outcomes:** Forum shopping can result in inconsistent outcomes across different jurisdictions. Parties may choose a jurisdiction known for favoring their position, which can lead to divergent legal interpretations and contradictory judgments. This inconsistency undermines legal predictability, creates uncertainty, and erodes confidence in the justice system.
- **Unequal Access to Justice:** Parties with more resources may be better equipped to engage in forum shopping, allowing them to select jurisdictions that favor their interests. This can disadvantage parties with limited financial means or those who lack the knowledge or ability to navigate different legal systems.
- **Delay and Increased Costs** for the parties involved. The process of initiating a case in a different jurisdiction, familiarizing oneself with the local legal system, and dealing with potential conflicts of laws can prolong the litigation process. This can result in higher legal fees, longer timeframes, and added burdens.
- **Abuse and Manipulation:** Parties may engage in strategic manipulation by filing cases in jurisdictions known for their leniency, inefficiency, or excessive delays. This can lead to forum abuse, where litigants seek to gain an unfair advantage or create hurdles for the opposing party.
- **Undermining Local Interests and Sovereignty:** When parties choose to litigate in foreign jurisdictions rather than the one most closely connected to the dispute, it can undermine the ability of local courts to address local issues and interpret local laws in a manner consistent with the needs and values of the community.
- **Overburdening Certain Courts:** Forum shopping can lead to an uneven distribution of cases, overburdening certain courts while others remain underutilized. Popular jurisdictions may experience increased caseloads, which can strain the resources and infrastructure of the local legal system. This may result in delays and potential backlogs in these chosen forums.

### Ways of Forum Shopping

Forum shopping can occur in various legal contexts, including civil, criminal, and international cases. Here are a few examples of forum shopping:

- **Civil Litigation:** In civil cases, forum shopping may involve selecting a jurisdiction with laws that are more favorable to the plaintiff or defendant. For instance, a plaintiff may choose to file a lawsuit in a jurisdiction known for larger damage awards or more sympathetic juries. On the other hand, a defendant might prefer a jurisdiction with stricter evidentiary standards or a history of dismissing similar cases.

- **Corporate Law:** In corporate disputes, forum shopping may involve selecting a jurisdiction with corporate laws that are more lenient or protective of certain interests. Corporations might choose to incorporate in a particular jurisdiction to benefit from favorable tax laws, relaxed regulations, or shareholder-friendly provisions.
- **Intellectual Property:** In cases involving intellectual property, forum shopping could involve selecting a jurisdiction with more favorable patent, copyright, or trademark laws. Parties might choose a jurisdiction known for strong enforcement of intellectual property rights or for having specialized courts with expertise in IP disputes.
- **International Arbitration:** In international disputes, forum shopping can occur when parties select an arbitration forum or jurisdiction that is perceived to be more favorable to their interests. Parties may consider factors such as the neutrality of the arbitrators, the procedural rules, or the enforceability of arbitral awards.

**Related Judgements**

- **Chetak Construction Ltd. vs. Om Prakash, 1988-** SC held that a litigant cannot be allowed forum shopping and every such effort should be crushed with heavy hand.
- **Union of India & Ors. vs. Cipla Ltd., 2012-** SC laid down a “functional test” to be adopted for forum shopping in this case by checking if there is any functional similarity in the proceedings between one court and another or whether there is some sort of deceit on the part of a litigant.
- **Rosmerta HSRP Ventures Pvt. Ltd. vs. Govt. of NCT of Delhi & Anr, 2017-** The Delhi High Court imposed costs on a private company that it found was indulging in forum hunting in an arbitration matter.
- **Dhanwantri Institute of Medical Science vs. The State of Rajasthan, 2022-** The Rajasthan High Court in this case upheld an order imposing costs worth 10 lakh rupees on a party for engaging in forum shopping.
- **Vijay Kumar Ghai vs. State of W.B, 2022-** In this case, SC termed forum shopping as a disreputable practise by the courts that has no sanction and paramountcy in law.
- **Dr. Khair-Un-Nisa and Ors vs. UT of Jammu and Kashmir and Ors, 2023-** The Jammu-Kashmir and Ladakh High Court in this case, imposed costs worth one lakh rupees on the petitioners for indulging in forum shopping by filing multiple petitions before different wings of the court, albeit having the same cause of action.

**India Justice Report 2022**

As per the latest India Justice Report, 2022 pending cases are increasing in Indian courts day by day and they are functioning with fewer judges than the sanctioned number.

- Karnataka has achieved the top rank among the 18 large and mid-sized states in delivery of justice with populations over one crore.
- Tamil Nadu has ranked in the second position; Telangana third; and Uttar Pradesh is at rank 18 which is the lowest.

**About India Justice Report**

<b>Main Constituents</b>	<ul style="list-style-type: none"> <li>• It assesses the capacity of 4 core pillars of the justice system namely <b>1) Police, 2) Prisons, 3) Judiciary</b> and <b>4) Legal aid</b> through the filters of human resources, infrastructure, budgets, workload and diversity.</li> </ul>
<b>Salient Features</b>	<ul style="list-style-type: none"> <li>• This report is the first of its kind <u><i>national periodic reporting that ranks the capacity of states to deliver justice.</i></u> <ul style="list-style-type: none"> <li>○ It focusses on the <u><i>comparisons and tracks the rise and fall</i></u> in each state’s structural and financial capacity to deliver justice.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>This 3<sup>rd</sup> IJR also separately assesses the capacity of the 25 state human rights commissions.</li> </ul>
<b>Benefits of IJR</b>	<ul style="list-style-type: none"> <li>The availability of comprehensive data in one place enables policymakers to develop holistic policy frameworks.</li> <li>Participatory dialogues between governments and citizens, based on objective facts rather than opinions, enhance the chances of building consensus and facilitating reforms.</li> </ul>

**Key Findings India Justice Report 2022**

<b>Police</b>			
<b>Job Quota in Police</b>	<b>Representation of Women-</b>	<b>Rural-Urban Divide-</b>	<b>CCTVs-</b>
<ul style="list-style-type: none"> <li>✓ <b>Karnataka</b> is the only state to fulfill its quotas for SC, ST and OBC.</li> <li>✓ Chhattisgarh and Telangana fulfilled their quotas at district levels.</li> <li>✓ No state/UT could fulfill all three quotas.</li> </ul>	<p>It has improved in 23 States and UTs since IJR 2020. But, it would take 24 years for the country to have at least 33% women in police.</p>	<ul style="list-style-type: none"> <li>✓ In 19 states/UTs urban police stations serve greater populations than their rural counterparts.</li> <li>✓ Kerala's urban police stations serve ten times the population of a rural one and Gujarat's four times.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Only Arunachal Pradesh has CCTV cameras in all its 24 police stations.</li> <li>✓ Only 8 states/UTs (Andaman &amp; Nicobar Islands, Arunachal Pradesh, Kerala, Ladakh, Tripura, Karnataka, Delhi, Goa) reported night vision-equipped CCTVs.</li> </ul>
<b>Judiciary</b>			
<b>1) Judge Vacancy-</b>	<b>Quota-</b>	<b>Case Clearance Rate-</b>	<b>Rising Pendency-</b>
<p>No court works with a full complement of judges except the High Court of <b>Sikkim</b> and the district courts in Chandigarh.</p> <p>2) As of December 2022, the High Courts were functioning with only 778 judges against a sanctioned strength of 1,108 judges.</p>	<p>At the district court level no state/UT could fully meet all its SC/ ST/ OBC quotas. Data on SC/ST/ OBC judges is not available for High Courts.</p> <p>2) Only 13% of High Court judges and 35% of Subordinate Court judges are women</p>	<p>Among the 18 large and mid-sized states, only Kerala and Punjab could achieve case clearance rates of 100 per cent and more at both High Court and subordinate court levels. Caseload per judge has increased in 22 States and UTs between 2018 and 2022.</p>	<p>Uttar Pradesh has the highest average pendency with the cases pending for an average of 11.34 years, and in West Bengal for 9.9 years. The lowest average pendency is in Tripura of 1 year, Sikkim of 1.9 years and Meghalaya of 2.1 years.</p>
<b>Legal Aid</b>			
<b>Legal services clinics-</b>		<b>Settlement Value-</b>	
It has dropped to 4,742 (2022) from 14,159 (2020)		Rs. 7,322 crore was the total value of settlement by National Lok Adalats between 2021-2022.	
<b>Prisons</b>			
<b>1) Undertrials-</b>	<b>Education-</b>	<b>1) Vocational Training-</b>	
32 states have more than 60% of undertrials.	24 states/UTs provided education to less than 5% of	5 states didn't provide any vocational training to inmates in 2021.	
		2) Prisons are over-occupied at over 130%, with more than two-thirds or 77.1% of the prisoners still awaiting the completion of	

	inmates during 2021.	investigation or trial.
<b>State Human Rights Commission</b>		
33,312 of total number of cases are pending across all 25 State Human Rights Commissions.	44% national vacancy across 25 SHRC. On average, nearly 1 in 2 positions are vacant. The highest vacancy is in Punjab with 94%.	

**Recommendations:**

It is tabulated in figure beside -

**Benefits of IJR**

1. **Better Policymaking**
2. **Better Reforms-** The itemization of the data into budgets, human resources, infrastructure, workload and diversity helps to pinpoint the ground issues which, if tackled early on can set up a chain of reforms.
3. **Participatory Dialogue** between governments and active citizens of disparate ideologies to be underpinned by objective facts rather than premised in opinion. This enhances the chances for reforms through consensus building.

**Inter-Operable Criminal Justice System**

To ensure the timely disposal of criminal cases, the Ministry of Home Affairs (MHA) e-prosecution portal (part of the **Inter-Operable Criminal Justice System (ICJS)**) has added a new feature that will also fix the accountability of government lawyers.

**About ICJS**

<b>What?</b>	It was conceptualized by the <b>e-Committee of Supreme Court</b> to enable seamless transfer of data and information among different pillars of the criminal justice system, <i>like courts, police, jails and forensic science laboratories, from one platform.</i>
<b>Implemented By</b>	National Crime Records Bureau (NCRB) with National Informatics Centre (NIC).
<b>Aim</b>	To provide search and visual analytics over various data sets and capacity to achieve <b>“one data once entry”</b> across all the pillars.
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• Seamless Interoperability of data across all Pillars of criminal Justice System</li> <li>• National Crime &amp; Criminal Data Search across all Pillars</li> <li>• MIS Dashboard and Reporting of FIR/Case/ Case pendency/ Prisons/ Prisoner status</li> <li>• Data Analytics for Forecasting/ Predictive Trends in Crimes</li> </ul>
<b>Features</b>	<ul style="list-style-type: none"> <li>• The metadata of FIR and charge sheet can be accessed by all the High Courts and subordinate courts. All the relevant information of a case will be available in real-time for use by the courts.</li> <li>• Compliance of judicial orders and summons can be achieved expeditiously, ensuring effective time management.</li> </ul>

- It will enable National level crime analytics to be published at an increased frequency, which will help the policymakers as well as lawmakers in taking appropriate and timely action.
- It will enable Pan-India criminal/accused name search in the regional language for improved inter-state tracking of criminal movement.

**Working**

- This system would be made available through a dedicated and **secure cloud-based infrastructure** with high-speed connectivity.
- An IPS officer will be appointed by the High Court for data integration on the ICJS platform.
- High Courts will also appoint one Nodal Officer to ensure that apart from the police, other State functionaries like Provident Fund Organization, Forest Department, Municipal Authorities, Labour Welfare Boards, Town Planning Authorities and Food and Drug Administration are also part of ICJS.

**Benefits**

- It is an effective tool for case and court management, as all the relevant information will be available in real-time.
- It will enhance the productivity of the criminal justice system both qualitatively and quantitatively.
- The Investigating Officer (IO) will be able to carry out the national search across the pillars so that even if the entries are wrong in one pillar (in case of historical data) other pillars assist the IO to achieve the result.
- Redundant data entry across the pillars would be reduced and the possibility of data entry errors would be nullified.
- Online availability of reports reduces paper communication and waste of time.
- As Courts fixes the hearing dates after examining the availability of Forensic experts and Prosecutors online, the possibility of frequently postponing the hearing would be drastically reduced.
- Alerts at one pillar would help the other pillar to make appropriate preparations in advance.

**The Demonetization Verdict**

The Supreme Court upheld the government’s decision to demonetize currency notes of Rs 500 and Rs 1,000 by a **4:1 majority**.

**Key Issues Dealt by Court**

Whether the power available to the Central Government under Section <b>26(2) of the RBI Act, 1934</b> , can <i>be restricted to mean that it can be exercised only for “one” or “some” series of bank notes and not “all” series</i> in view of the word “any” appearing before the word “series”?	<ul style="list-style-type: none"> <li>✓ <b>Section 26(2) of the RBI Act-</b> It states that the Central Government may on <b>recommendation of the Central Board (RBI)</b> cease the legal tender of “<b>any series</b>” of bank notes of any denomination from the date of <i>notification in the Gazette of India</i>.</li> <li>✓ The majority held that the term “<b>any series</b>” must be given a purposive interpretation and any other meaning would lead to absurdity.</li> </ul>
If Section 26(2) is held to permit demonetization, does it suffer from <b>excessive delegation</b> of legislative power?	<ul style="list-style-type: none"> <li>✓ Demonetisation in 1946 and 1978 were implemented through separate Acts debated by Parliament. In 2016, it was done through a mere notification issued under provisions of the RBI Act, 1934.</li> <li>✓ <b>Delegated Legislation: Parliament</b> routinely delegates certain functions to authorities established by law since every aspect cannot be dealt with directly by the lawmakers themselves. This delegation of powers is</li> </ul>

	<p>noted in statutes and is commonly referred to as <b>delegated legislation</b>. It gives power to those executing the details.</p> <ul style="list-style-type: none"> <li>✓ Regulations and by-laws under legislations are its classic examples.</li> <li>✓ <b>Parliament</b>, which <b>enacted the RBI Act</b>, is <u>essentially delegating the power to alter the nature of legal tender</u> to the central government (<b>after the consultation with the Central Board</b>) which exercised it</li> <li>✓ The majority verdict held that since the delegation of power is to the Centre, it cannot be struck down.</li> </ul>
Is demonetization liable to be struck down on the grounds that the <b>decision-making process is flawed in law as the proposal should have been emanated from RBI Board, not from the Centre.</b>	<ul style="list-style-type: none"> <li>✓ The court held that the central government’s decision was <b>after RBI board’s approval</b> which shows in-built safeguard against centre’s powers. <ul style="list-style-type: none"> <li>➤ The Centre is required to take the action <b>after the consultation with the Central Board</b> and there is an inbuilt safeguard.</li> <li>➤ Decision-making process cannot be faulted merely because the proposal emanated from the centre.</li> </ul> </li> </ul>
Effectiveness of economic policy	<ul style="list-style-type: none"> <li>✓ The majority stated that the court cannot determine the effectiveness of economic policy and agreed with the Centre’s contention that the decision had to be made in <b>secrecy and in haste</b> for it to be effective.</li> </ul>
Is demonetization liable to be struck down by applying the test of proportionality?	<ul style="list-style-type: none"> <li>✓ The SC used <b>four points</b> for the test of proportionality: i) <u>legitimate purpose</u> (ii) <u>rational connection with the purpose</u> (iii) <u>necessity</u> (iv) <u>whether the action taken is proportional or balanced</u>.</li> <li>✓ It stated that curbing fake currency, black money and terror funding were legitimate interests of the state and had a rational nexus with demonetization and there were no alternative measures that could have achieved a similar purpose with less harm for citizens.</li> </ul>
Can the period provided for the exchange of notes be termed unreasonable?	<ul style="list-style-type: none"> <li>✓ The court cited the earlier instance of demonetization from <b>1978</b> where a three-day period was provided for exchanging the demonetized notes. The court relied on this decision.</li> </ul>
Whether the RBI has independent power under <b>Section 4(2) of the 2017 Act</b> to accept the demonetized notes beyond the period specified in notifications?	<ul style="list-style-type: none"> <li>✓ The <b>Specified Bank Notes (Cessation of Liabilities) Act, 2017</b> prohibits and penalizes holding, transferring, or receiving demonetized currency.</li> <li>✓ Some earlier notifications allowed a grace period for certain individuals, like those who were abroad when demonetization was notified, to exchange their old currency.</li> <li>✓ The majority view stated that the earlier notifications must be read as part of the 2017 law, giving it a “contextual and harmonious construction”.</li> </ul>

**Impact of Demonetization**

1. **Increased Digital Transactions** (online banking, debit or credit cards or UPI).
2. **New Taxpayers:** Nearly 9.1 million new taxpayers have been added to the list post-demonetization and the number of individual tax returns has reached an all-time high of 25.3%. This has resulted in the availability of more funds for various social and economic development projects.
3. **Helped Identify Tax Evaders:** Nearly 17.92 lakh individuals were reported to have been reviewed by the tax department since their tax profiles and the cash deposits made after demonetization were not found in sync.



4. **Increased Bank Deposits:** Banks and other financial institutions saw a substantial increase in deposits. Nearly 30 Crore families were reported to have opened bank accounts for the first time using the Jan Dhan scheme.
5. **Tracking Shell Companies:** The government reportedly shut down nearly 3 lac shell companies, which were siphoning black money.
6. **Increased Investments:** Millions of individuals are now reportedly looking for alternative investment choices, leading to a massive increase in the popularity of equities and mutual funds.

**What the majority judgment said**

- ▶ Note-ban move had no legal or constitutional flaws
- ▶ Decision passed the test of proportionality
- ▶ There was a reasonable nexus between measures and objectives
- ▶ Bench headed by CI can decide on validity of note ban

**THE DISSENTING VOICE**

“THERE WAS NO INDEPENDENT APPLICATION OF MIND BY THE RBI... PARLIAMENT CANNOT BE LEFT ALOOF ON SUCH IMPORTANT DECISIONS”

**Justice B V Nagarathna**

**DEMONETISATION IMPACT**

<b>66%:</b> Average annual growth in digital payment volumes between FY18 and FY22	<b>14%:</b> CAGR of cash in use during this period	<b>11.5%:</b> Higher cash in circulation would have been sans demonetisation
<b>36.5%:</b> Volume of high-value notes (₹500 and ₹2,000) in March 2022, compared to 24.4% in March 2016 (for ₹500 and ₹1,000 notes)		

**EWS QUOTA**

In a landmark ruling, the Supreme Court upheld the 103<sup>rd</sup> Amendment Act, 2019. Reservation for Economically Weaker Sections (EWS) of the society was granted based on the recommendations of a commission headed by **Major General (retired) S R Sinho**.

**About EWS Reservations (103rd Constitutional Amendment Act, 2019)**

- It inserted clauses in Articles 15 and 16 to introduce quotas for provide up to 10% reservation to the EWS among **non-OBC and non-SC/ST sections** of the population and empowered the state governments to give reservation on the basis of economic status.
- It **added Clause (6) to Article 15:** Allows up to 10% reservation in public and private educational institutions, whether aided or unaided, with the **exception of** minority-run institutions.
- It also **added Clause (6) to Article 16** of the Constitution to make **employment reservations** easier.



- Article 16 of the Indian Constitution guarantees equal opportunity to all citizens in matters related to employment in the public sector.

- It was enacted to promote the welfare of the poor not covered by the 50% reservation policy for SCs, STs and OBCs.
- The Act states unequivocally that the EWS reservation will be **added** to the existing reservation.

- Persons who are not covered under SC/ST/OBC reservation and whose family's gross annual income is below Rs 8 lakhs are to be identified as EWSs.
  - Income shall include income from all sources i.e., salary, agriculture, business, profession, etc. for the financial year prior to the year of application.

- Persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS, irrespective of their family income:
  - 5 acres of agricultural land and above;
  - Residential flat of 1000 sq. ft. and above;
  - Residential plot of 100 sq. yards and above in notified municipalities;
  - Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

- The property held by a "Family" in different locations or different places/cities would be clubbed while applying for the land or property holding test to determine EWS status.
  - The term "Family" will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

- It enables both the **Centre and the States** to provide reservations to the EWS of society.

**The Amendment Had Many Firsts Like**

- Economic criterion was considered solely for providing reservation.
- The SC/ST/OBCs were excluded from the newly inserted clauses of Article 15(6) and 16(6)
- The ceiling of 50% reservation was breached.
- The individual rather than the group became the basis of backwardness.

The amendment was challenged in the Supreme Court and was referred to a five-judge Constitution Bench in August 2020.

**Applicability:** The quota is available to people from economically weaker sections to seek admissions in *higher educational institutions and in initial recruitment in central government jobs.*

**Basis of Challenge**

More than 20 petitions were filed challenging the constitutional validity of the 103rd Amendment arguing that it violated the basic structure of the Constitution and the fundamental right to equality under Article 14. Following arguments were made:

1. Reservations cannot be based solely on the basis of economic criteria, given the Supreme Court’s judgment in **Indra Sawhney v. Union of India (1992)**.
2. SC/STs and OBCs cannot be excluded from economic reservations as this would violate the fundamental right to equality.
3. It exceeds the 50% ceiling-limit on reservations fixed by the Supreme Court in the Mandal Commission Case.
  - ✓ **Mandal Commission:** Constituted by the President in 1978 to determine the criteria for defining India’s “socially and educationally backward classes” and to recommend steps for their advancement. It suggested 27% reservation in government jobs for OBCs.
4. It imposes reservations on educational institutions that do not receive State aid, this violates the fundamental right to equality.

**Government’s Stand**

- The government said that the EWS quota would not in any way erode the rights of SC/STs and OBCs as they have been given reservation for the first time whereas the SC/STs are loaded with benefits by way of affirmative actions.
- Speaking against the argument of violation of constitution’s **basic structure**, the government said that it must be shown that the very *identity of the Constitution* has been altered.
- Ministry of Social Justice and Empowerment argued that under Article 46 of the Constitution, the state can take such measures as it has a duty to protect the interests of EWS

**Final Verdict**

- The amendment was upheld by **3:2 majority**.
- **Justice Dinesh Maheshwari** has ruled that reservation based only on economic criteria **does not** violate the basic structure of the Constitution.
  - He also added that the exclusion of classes covered in Article 15(4) and 16(4) — that is OBCs and SC/STs — in the 103rd amendment does not damage the basic structure.
- **Justice Bela Trivedi** ruled that treating EWS as a separate class would be a reasonable classification, and that treating **unequal equally** would violate the principle of equality.

SCO CASES	Justices Maheshwari, Trivedi and Pardiwala	Chief Justice Lalit and Justice Bhat
Issues		
Can reservations be provided on an economic criteria?	YES	YES
Can SC/ST/OBC groups be excluded from EWS reservation benefits?	YES, they form a separate disadvantaged group.	NO, SEBCs form the bulk of the poorest population of India.
Can EWS reservations exceed 50% limit?	YES, the 50% limit is flexible and applies only to SEBCs	NO, breaching the 50% limit here will be a gateway for further compartmentalisation

- He said that 75 years after independence, it was time to revisit the system of reservation in the larger interest of society.
- **Justice S B Pardiwala** observed that “Reservation is not an end, *it is means*, it should not be allowed to become a vested interest”.

### Dissenting Judgement

- **Justice Bhat** has ruled that while reservation on economic criteria is per se not violative of the Constitution, excluding SC/ST/OBC from the purview of EWS is violative of basic structure.
  - He strikes down Articles 15(6) & 16(6) for being discriminatory & violative of equality code.
- **CJI U U Lalit** said he concurs entirely with the judgment of Justice Bhat.

### Opening The Gates For The Most Distressed

- **Discouraging caste-based reservations:** The top court while acknowledging caste to be a prominent cause of injustice in the country historically, emphasized that it could not be the sole determinant of backwardness and the State should uncover emerging forms of backwardness in an evolving society.
- **New determinants of backwardness:** New practices, methods and yardsticks need to be continuously evolved moving away from caste-centric definition of backwardness.
  - **Transgender quota:** Identifying a form of social backwardness that had nothing to do with caste or class, and recognizing transgender as a distinct community with justiciable rights and eligibility for government benefits.
- **Identifying genuine category:** The court held that the principle of affirmative action under the Constitution obligated the state “to reach out to the most deserving” class and gates would be opened only to permit entry of the most distressed.
  - Any other inclusions would be a serious abdication of the constitutional duty of State,”
  - The court warned that a palliative policy keeping in mind only historical injustice would result in under-protection of the most deserving backward class of citizens.

### Way Forward

Including poverty as a cause of discrimination and proposing redress is a welcome step but expanding the economic pie remains the principal imperative which needs heavy lifting socially, economically and politically.

### Listing Of Constitution Bench Matters For Hearing

- Several cases involving the interpretation of the Constitution by **5 or 7** judges have been pending for years.
- According to an RTI data received from the Supreme Court (SC) in July 2022, there are more than 40 main constitution bench matters pending before five, seven and nine judge benches of the Supreme Court.

### Situations Under Which Constitution Benches Are Formed Under Article 145(3)

- When the case involves a **substantial question of law** pertaining to the interpretation of the Constitution.
- The President of India has sought the Supreme Court's opinion on a question of fact or law under **Article 143** of the Constitution.
- When a two-judge bench and later a three-judge bench delivered **conflicting Judgments** on the same issue.
- When a three-judge bench delivers a judgment that is different from the judgment delivered by a previous three-judge bench on an issue.

### Decline In Number Of Cases Decided By The Constitution Benches

- In the early decades after independence, the Supreme Court of India functioned largely as a constitutional court but however the number of matters decided by the Constitution benches has been falling steadily over the decades.
- Data show that in the first half of 1960s, the Supreme Court had given on an average 134 constitutional Judgments per year and this had fallen to an average 6.4 constitutional Judgments per year in the last half of 2000s. **Further, this number had fallen to barely 2 in 2021.**
- Such a trend had resulted in decline in the SC's constitutional role of protecting 'key constitutional norms and the unresolved constitutional issues continue to affect the public.
- **Reasons for such decline:**
  - Massive workload: Increase in number of cases (appeals and writs) reaching the SC over the years.
  - Increase in backlog of non-constitutional cases. As on 2<sup>nd</sup> Aug'2022, around 71,411 cases were pending before Supreme Court.
  - Very little time to engage with constitutional questions: Constitutional cases generally take significant amount of court's time but the pressure of *clearing backlog cases* and *increasing workload* as stated above has been leaving very little time at the disposal of SC to hear constitutional cases
  - Limited Judicial resources

### **Significance Of Constitution Bench Verdicts**

- They are unlikely to be *disturbed or overruled* for a long time to come and a **degree of finality** is attached to them.
- Only way to get a Constitution Bench verdict overruled is to first convince a subsequent **five-judge bench** of the Supreme Court that the view previously taken was wrong, have the matter referred to a **larger bench**, and then convince that bench to overrule the previous judgment of the Constitution Bench.
  - In such a situation, the only option available is to refer the matter to the CJI, requesting that a larger Bench to hear the same
- Thus, the Constitution Benches wield great power and responsibility to fix the path that the law is to take for a long time to come.

### **Suggestions To Overcome Pendency Of Constitutional Matters**

- Having a Permanent constitution bench which will hear cases requiring constitutional interpretation all year round.
- Splitting the Supreme court into two divisions as recommended by Law commission:
  - The 10<sup>th</sup> Law commission of India in 1984 recommended that "the Supreme Court of India should consist of two Divisions: 'Constitutional Division' and 'Legal Division' "and that "only matters of Constitutional law may be assigned to the proposed Constitutional Division"
  - The same recommendation has been reiterated by 11<sup>th</sup> Law commission.
- 18<sup>th</sup> Law Commission has also recommended that "a Constitution Bench be set up at Delhi to deal with constitutional and other allied issues" and "four Cassation Benches (that only interpret the relevant law) be set up in the Northern region, Southern region, Eastern region, Western region to deal with appeals from the high courts of particular region

### **Cases Involving Interpretation Of Constitutional Law Heard By Two And Three Judge Benches**

There is frightening pendency in the apex court. In this case, constituting a 5-judge bench becomes challenging. To satisfy this constitutional mandate, CJs had no option but to delegate work to two judge benches.

- Off late, two and three-judge benches have frequently heard cases involving interpretation of constitutional law. Many experts believe this as a wrong precedent.

- The “**auction-only rule**” for natural resources of the two-judge bench that cancelled 122 2G licences was overruled by a five-judge constitution bench on a presidential reference.
- A two-judge bench struck down Section 66A of IT Act. Another two-judge bench re-criminalised homosexuality in 2013.
- It was a five-judge bench that in 2018, finally defanged **Section 377 of IPC (homosexuality)**, after a nine-judge bench in 2017, hearing the issue of the right to privacy, legitimized sexual autonomy.

### Divorce Under Article 142

Recently, a five-judge Constitution Bench of the Supreme Court ruled that it can exercise its plenary power to do “complete justice” under **Article 142(1)** of the Constitution to grant divorce directly without referring the parties to a **family court** on the grounds of irretrievable breakdown of marriage.

#### What is the Current Procedure for Getting a Divorce in India?

Divorce in India is primarily governed by personal laws, which vary depending on an individual's religion.

- The Hindu Marriage Act, 1955 governs Hindu marriages (Includes Jain, Buddhist and Sikh religion), while the Muslim Personal Law (Shariat) Application Act, 1937 applies to Muslims.
- Additionally, other laws such as the **Special Marriage Act, 1954**, and the **Indian Divorce Act, 1869** apply to inter-faith marriages and Christian marriages, respectively.
- Under The Hindu Marriage Act (1955), both parties seeking divorce have to wait between 6 to 18 months from the date on which they presented their petition to obtain the divorce decree.
- The six-month period is given so that the parties have ample time to withdraw their plea.

#### Can the Process Happen More Quickly in Certain Cases?

- In circumstances of exceptional hardship, a divorce petition may be allowed (by the HMA) even before the lapse of **one year** since marriage.
- The mandatory six-month waiting period can also be waived by filing an exemption application before a family court.
- If the parties wish to opt for a divorce more expeditiously, they can approach the SC under Article 142 for the dissolution of their marriage.

#### Key Issues Dealt With

##### Scope and Ambit of The SC's Powers Under Art. 142 (1)

- While article 142 gives the SC sweeping powers, its scope and extent has been defined through various judgments of SC. For example-
  - **Prem Chand Garg vs Excise Commissioner, U.P., 1962**- In this case, the majority opinion laid down that an order to do complete justice must not only be consistent with the fundamental rights guaranteed by the Constitution, but it cannot even be inconsistent with the substantive provisions of the relevant statutory laws.
  - **Union Carbide Corporation vs Union of India, 1991** - In this Bhopal gas tragedy case, the SC underlined the wide scope of Article 142(1), which confers power at an entirely different level and of a different quality.
- In the present case, the SC while granting divorce to the parties said that it can depart from procedure as well as existing substantive laws only if the decision to exercise the power under Article 142(1) is based on considerations of fundamental general and specific public policy.
  - ✓ **Fundamental General Conditions of Public Policy**- It refers to the fundamental rights, secularism,



federalism, and other basic features of the Constitution.

- ✓ **Specific Public Policy-** It means some express pre-eminence prohibition in any substantive law, and not stipulations and requirements to a particular statutory scheme.

**Setting Aside Section 13B of Hindu Marriage Act (HMA)**

- Section 13B allows divorce by mutual consent. Under this rule, the couple seeking divorce must together file a petition to the district court on the grounds that-
  - ✓ They have been living separately for a period of one year or more.
  - ✓ They have not been able to live together.
  - ✓ They have mutually agreed to dissolve the marriage.

**\*\* The petition for divorce by mutual consent can only be filed after one year of marriage. But, Section 14 allows the petition sooner in case of exceptional hardship.**

- Section 13B (2) mandates that the parties cannot move a second motion before the court before the completion of six months of the first petition and not later than eighteen months after the said date, if the petition is not withdrawn in the meantime.
- The mandatory six-month wait is intended to give the parties time to withdraw their plea.
- A waiver of this six-month waiting period can be sought in an exemption application filed before the family court.
- Thereafter, after hearing the parties and being satisfied from its inquiry, the court passes a decree of divorce declaring the marriage to be dissolved with effect from the date of the decree.
- This process of obtaining a decree of divorce is often time-consuming and lengthy owing to many similar cases pending before family courts.

**Granting Divorce on the Grounds of Complete and Irretrievable Breakdown of Marriage**

- The court clarified that grant of divorce on the ground of irretrievable breakdown of marriage is not a matter of right, but a discretion which is to be exercised with great care and caution.
- For this matter, the court laid down some factors to be determined before granting a divorce. They are-
  - ✓ The period that the parties had cohabited after marriage;
  - ✓ Time when the parties had last cohabited;
  - ✓ Nature of allegations made by the parties against each other and their family members;
  - ✓ Orders passed in the legal proceedings from time to time;
  - ✓ Cumulative impact on the personal relationship;
  - ✓ Whether, and how many attempts were made to settle the disputes by a court or through mediation, and when the last attempt was made.
  - ✓ Sufficiently long period of separation- anything above six years or more.
- The court emphasized on evaluating the above factors based on-
  - ✓ Economic and social status of the parties including their educational qualifications;
  - ✓ whether they have any children, if yes then their age;
  - ✓ whether the spouse and children are dependents.

Significance of the Ruling	Implications of the Ruling
1. It will give way to a larger public and personal interest of the	1. People will think that they can directly



<p>parties in ending the litigations, and the pain and sorrow <b>bypassing</b> a formal decree of divorce.</p> <p>2.It will save the parties from the prolong agony of the marriage in case of no reconciliation.</p> <p>3.It grants legitimacy to the grounds of “irretrievable breakdown of marriage” beyond the statutory provisions under the 1955 Hindu Marriage Act (HMA). Till date, there is still <b>no codified law for irretrievable breakdown of marriage under HMA</b></p>	<p>approach the SC for divorce bypassing the six-month waiting period for reconciliation.</p> <p>2.Number of applications seeking divorce on the similar grounds will increase.</p> <p>3.Writ petition can be filed under Article 32 of the Constitution of India to seek quick relief on the ground of irretrievable breakdown.</p>
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**Fault Theory and Accusatorial Principle of Divorce**

- The Bench emphasized on the need to **move away** from *fault theory* and *accusatorial principle of divorce*.
  - Defined under Section 13 (1) of HMA, these theories prescribe divorce on grounds where one of the spouses can be held guilty of certain misdeeds.
  - Under HMA 1955, there are **7 fault grounds** for divorce: **adultery, cruelty, desertion, conversion, insanity, leprosy, venereal disease, and sanyasa**.
  - There are 4 grounds on which the wife can sue alone: rape, sodomy, bestiality, non-resumption of cohabitation after maintenance order, and decree for maintenance.
- According to the court, even two perfectly gentle and pleasant individuals having incompatible and clashing personalities can have a miserable married life. *A fault theory makes it worse when the marriage is irretrievably broken down and dead.*
- As per the court, these rules must be set aside, *to do complete justice without breaching the self-imposed restraint applicable* when this court exercises power under Article 142(1).

**Supreme Court Upholds Laws Allowing Jallikattu, Kambala**

The Supreme Court recently upheld the 2017 amendments made by Tamil Nadu, Karnataka and Maharashtra Governments to the Prevention of Cruelty to Animals (PCA) Act, 1960, allowing Jallikattu and Kambala, and bullock-cart racing respectively.

**Background**

- In ‘Welfare Board of India v. A. Nagaraja, 2014’ case, a two-judge SC bench, had essentially banned ‘Jallikattu’ and ‘Bullock Cart Race’ practiced in the States of Tamil Nadu and Maharashtra and held that “**bovine sports**” were contrary to the provisions of PCA Act’s Sections 3 (relating to ‘duties of persons having charge of animals’) and Section 11 (related to ‘treating animals cruelly’).
- In 2016, the Ministry of Environment, Forest and Climate Change (MoEF&CC) released a notification prohibiting the exhibition or training of bulls as performing animals.
  - ✓ But there was an exception. The notification specified that subject to conditions such as reducing the pain and suffering of bulls utilized in such sports, bulls might still be trained as performing animals at events such as Jallikattu in Tamil Nadu, as per the customs and culture of different communities.
- In 2017, Centre cleared a proposal of Tamil Nadu government to introduce state amendment to PCA act allowing Jallikattu. The state passed the Jallikattu Bill to bring into effect the PCA (Tamil Nadu Amendment) Act, 2017 which sought to preserve the cultural heritage of Tamil Nadu, and to ensure the survival and well-being of the native breeds of bulls.

- Similar bills were passed by Maharashtra & Karnataka governments to allow Bullock Cart Race and Kambala respectively.
- The initial petitions filed by the Animal Welfare Board of India had sought a direction to the states to comply with the 2014 SC ruling but the passage of The Prevention of Cruelty to Animals (Tamil Nadu Amendment) Act in 2017 led to modification of the petition to include the quashing of the 2017 Act.
- Following this, an SC Bench comprising of former Chief Justice of India (CJI) Dipak Misra opined that the jallikattu issue involves substantial questions of interpretation of the Constitution, and thus, referred the matter to the Constitution Bench.
- This Bench was given the responsibility to decide whether Tamil Nadu could preserve jallikattu as its cultural right under Article 29(1) of the Constitution or not?
  - ✓ Article 29(1) states that any section of the citizens residing in India, having a distinct language, script or culture of its own shall have the right to conserve the same”.

**The Jallikattu Ban**

<b>Why?</b>	<b>Why Not?</b>
<ol style="list-style-type: none"> <li>1. Every living entity, including animals, holds an innate freedom that is acknowledged by the Constitution.</li> <li>2. It leads to physical and mental torture of animals.</li> <li>3. Bulls are often beaten, poked, prodded, harassed and their tails are bitten and twisted and their eyes and noses are filled with irritating chemicals.</li> <li>4. It causes human and animal deaths.</li> <li>5. Dignity and honour of animals should be protected too.</li> <li>6. Animal Supporters drew parallels between jallikattu and customs such as sati and dowry, which were formerly regarded as cultural norms but were ultimately abolished through legislative measures.</li> </ol>	<ol style="list-style-type: none"> <li>1. It is considered a tool for conserving this precious indigenous breed of livestock.</li> <li>2. It is both a religious and cultural event celebrated by the people of Tamil Nadu and its influence extends beyond the confines of caste and creed.</li> <li>3. It's a centuries-old practice, symbolic of a community's identity. It can be regulated and reformed as humans evolve rather than being completely banned.</li> <li>4. The people of Tamil Nadu have a right to preserve their traditions and culture.</li> <li>5. Conservationists and peasants argue that Jallikattu is a way to protect these male animals which are otherwise used only for meat if not for ploughing. This becomes significant at a time when cattle breeding is increasingly becoming an artificial process.</li> </ol>

**SC's Judgement**

- **Tamil Nadu Amendment Act is not a piece of colourable legislation-** The top court held that the Tamil Nadu Amendment Act is not a piece of colourable legislation. It relates to **Entry 17 of List III of the Seventh Schedule** to the Constitution deals with prevention of cruelty to animals.
  - ✓ **Doctrine of Colourable Legislation** means that if a legislature lacks the jurisdiction to enact laws on a specific subject directly, it cannot make laws on it indirectly. In simple words, the doctrine checks if a law has been enacted on a subject indirectly when it is barred to legislate on that topic directly.
- **Upheld the Amendment-** The apex court held that the 2017 amendment minimizes cruelty to animals in the concerned sports and once the amendment is implemented, the sport will not come under the definition of cruelty defined in the 1960 Act.
- **No Reason for Isolation-** As the amendment had already received Presidential assent, the court found no reason to isolate 'Jallikattu' as a bovine sport from the way they were earlier practiced.
- **Part of Cultural Heritage-** It highlighted that according to the legislature exercise conducted by the Tamil Nadu legislature, Jallikattu forms a part of its cultural heritage as it has continued for the last few centuries and the court clarified that it did not want to disrupt the legislature's view.

- **No Violation of Fundamental Duties and Fundamental Rights-** The court clarified that the amendment does not violate Articles 51-A (g), 51-A (h), Article 14 (Right to Equality) and 21 (Right to Life) of the Constitution.
  - ✓ 51-A (g) imposes duty on Indian citizens to protect the environment.
  - ✓ 51-A (h) deals with developing a scientific temper, humanism, spirit of inquiry, and reform.

**Constitutional, Statutory, Regulatory & Quasi-Judicial Bodies**

**Panel of PM, CJI and LoP to Pick CEC, ECs**

A five-judge **Constitution Bench**, ruling on petitions seeking an independent mechanism to appoint the CEC and ECs, has ordered that the Chief Election Commissioner (CEC) & the ECs will be appointed on the advice of a committee comprising the Prime Minister (PM), Leader of Opposition in Lok Sabha (LoP) and Chief Justice of India (CJI).

**Key Points**

Current Process of Appointment	New Process of Appointment
<p><b>Article 324 (2)</b> empowers the President to appoint the CEC and ECs on the advice of the Union Council of Ministers headed by the Prime Minister, till Parliament enacts a law fixing the criteria for selection, conditions of service and tenure.</p>	<p>The appointment of the CEC and the ECs shall be made by the <b>President on the advice of a Committee</b> consisting of the - (PM + LoP + CJI)</p> <p>Note: if no Leader of Opposition (LoP) is available, then the committee will include the leader of the largest Opposition party in Lok Sabha in terms of numerical strength.</p>

**Things Which Are Unchanged**

**With Respect To Removal:**

- The bench rejected the request to grant the same protection as is available to the CEC in the matter of removal from office to the ECs too.
  - CEC enjoys the same security against removal as a judge of the Supreme Court.
  - ECs can be removed from office on the recommendation of the CEC to the President under **Article 324(5)**.

**About Offices of CEC & ECs**

- The Constitution does not prescribe any qualifications, academic or otherwise, for appointment to these offices.
- The tenure of office and the conditions of service of all the commissioners is determined by the President.
- The tenure of CEC & ECs is 6 years or up to the age of 65, whichever is earlier.
- The CEC and the two other ECs have the same powers and emoluments, including salaries, which are the same as a Supreme Court judge.
- All three Commissioners have equal decision-making powers. That means the CEC and the ECs would act unanimously and, in case there was a difference of opinion on any issue, the majority view would prevail.
- The Constitution has **not debarred the retiring Election Commissioners from any further appointment by the Government**.

Need For This Reform	Outcome
<ul style="list-style-type: none"> <li>• <b>Democratic Legitimacy &amp; Transparency:</b> Elections are the bedrock of democracy and the Commission’s credibility is central to democratic legitimacy.</li> <li>• <b>Silence of Legislators:</b> None of the political parties in the last seven decades have passed a law for appointments to the ECI.</li> <li>• <b>Reform in Constitutional Provision:</b> This was a “lacuna” and making of law under Article 324 of the Constitution is an unavoidable necessity.</li> <li>• <b>Worldwide Practice:</b> Nowhere in the world does the executive unilaterally appoint an election commission without wider consultation.</li> </ul>	<ul style="list-style-type: none"> <li>• Bring <b>greater credibility, neutrality and impartiality</b> to the institution.</li> <li>• Bring <b>a certain uniformity in appointment procedures</b> across institutions and statutory bodies responsible (CVC, CIC, CBI, etc.) for independently maintaining democratic governance and institutional autonomy.</li> </ul>

**Criticism**

- **Violates The Concept Of Separation Of Powers**
  - The SC (in the Golak Nath case 1967) held that **the Constitution is supreme and all authorities function under this supreme law of the land.**
  - The apex court is empowered to judge the validity of legislation itself.
- **Some Have Accused The Court Of Judicial Activism**
  - **The Court has not acted on Suo motu** or on a PIL or an appeal or representation on a postcard. It has adjudicated on **four civil writ petitions.**
  - Despite having the power to issue a writ of mandamus, it has refrained from doing so.

**Unresolved Issues**

- Request to grant the same protection as is available to the CEC in the matter of removal from office to the ECs too.
  - The protection from removal is essential for the **independence** of the ECs and the protection granted to the CEC was not meant for an individual but for an institution.
- Issues like the **criminalization of politics, the role of money power** and the role of the **media**, though important, draw less attention from the judiciary.

**Foreign Law Firms Allowed in India**

The **Bar Council of India (BCI)** recently released a set of rules allowing foreign law firms and lawyers to practice in India, but they won’t be allowed to appear in the court. They can only advise clients on foreign law and work on corporate transactions.

**The New Rules Of BCI**

It notified the specific areas of practice of law by foreign lawyers and foreign law firms in India.

Restrictions to Foreign Lawyers or Foreign Law Firm	Permitted Activities
<ul style="list-style-type: none"> <li>• They are restricted from appearing before any Court, Tribunal, Board, Statutory or Regulatory Authority or any forum legally entitled for taking evidence on oath or having trappings of a Court and they will have to submit an undertaking regarding the same.</li> </ul>	<ul style="list-style-type: none"> <li>• They shall be allowed to advise their clients only regarding foreign laws and international laws.</li> <li>• They shall be allowed to practice on <u>transactional corporate work</u> such as joint ventures, intellectual property matters, mergers and acquisitions, contract drafting, and other related matters on a</li> </ul>

<ul style="list-style-type: none"> <li>• They shall be restricted from doing any work pertaining to conveyancing of property, title investigation or other similar works.</li> <li>• The BCI latest notification also provides for the disciplinary issues and penalties against foreign lawyers and law firms securing registration by misrepresentation.</li> </ul>	<p>reciprocal basis.</p> <ul style="list-style-type: none"> <li>• They shall be entitled to practice law in India in non-litigious matters only (subject to exceptions, conditions and limitations laid down in Madras HC ruling) and he/it shall be deemed to be an ‘advocate’ in accordance with the Indian law.</li> </ul>
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**Why Did BCI Come Up With These Rules?**

- These rules have been introduced to address concerns about the flow of **Foreign Direct Investment** in the country and make India a hub of **International Commercial Arbitration** as the rules bring legal clarity to foreign law firms that currently operate in a very limited way in India.
- The rules resolve to enable the foreign lawyers and Foreign Law Firms to practice foreign law and diverse international law and international arbitration matters in India on the principle of reciprocity in a well-defined, regulated and controlled manner.

**Various Sections Of Advocates Act, 1961**

- **Section 7(1):** It lays down the **principle of reciprocity** i.e., a national of another country may be admitted as an advocate in India if Indians nationals are allowed in the other country. But this Act prohibits foreign nationals from practicing the legal profession in India.
- **Section 24:** It provides the conditions required to be fulfilled for enrolment of advocates in State Bar Councils.
- **Section 47(1):** It states that a foreign national cannot practice law in India if there is no reciprocal arrangement in the foreign national's country.
- **Section 49:** It empowers the BCI to make appropriate rules with regards to enrolment of non-Indian citizens with a foreign law degree.

**Pros vs Cons of This Move**

Pros	Cons
Foreign law firms would be huge for the corporate legal practice in India as competition will lead to improvement in legal services.	Some clarity is required about the meaning of ‘reciprocity’ before we see foreign law firms registering in India.
Foreign law firms will now be allowed to hire Indian lawyers and advocates registered as foreign lawyers, expanding the legal job market.	It will add to the “corporatization” of law practice.
AI (artificial intelligence) based technology will be introduced into legal service delivery, pushing the Indian law firms to adopt.	More Indian lawyers will go to abroad, deserting the real need in India — defending and fighting for the rights of the poor.

**General Consent To CBI**

The Tamil Nadu government recently withdrew the general consent given to the Central Bureau of Investigation (CBI) to investigate the cases in the state without prior permission from it.

**About the General Consent**

- CBI is governed by The Delhi Special Police Establishment (DSPE) Act, 1946.
- **Section 6** of this act makes it mandatory for the CBI to take prior approval from the concerned state government before proceeding with any investigation in that state.

- This consent can be either “**case-specific**” or “**general**” and is given by the states to help the CBI conduct seamless investigation of corruption cases.
  - When a state gives a general consent to the CBI for probing a case, the agency is not required to seek fresh permission every time it enters that state in connection with investigation or for every case.
  - In contrast, if the CBI does not have the general consent of a state government, it is required to apply for **consent on a case-by-case basis** and cannot act before the consent is given.
  - If specific consent is not granted, the CBI officials will not have the power of police personnel when they enter that state.

**What Happens When The Consent Withdrawn?**

Once the consent is withdrawn by a state, the CBI cannot register any case in that state, carry out raids, or probe central government employees in that state.

**Implications of Consent Withdrawal**

- Law and order are state’s responsibility and by withdrawing the consent, the states will provide protection to the offenders as the CBI won’t be able to take any action against these offenders. This will hamper the whole investigation process.

**Which States have withdrawn the Consent and Why?**

- Initially CBI had general consent from almost all the states. But post 2015 the culture of withdrawing consent started.
- Since then, Tamil Nadu, West Bengal, Rajasthan, Kerala, Mizoram, Punjab, Telangana, Jharkhand, Chhattisgarh, and Meghalaya have withdrawn the general consent accorded to CBI. Mizoram was the first one to take this initiative. All these states are being ruled by anti-BJP governments except Mizoram and Meghalaya.
- Mizoram was being ruled by Congress when the consent was first withdrawn in 2015 and it was not restored even when the Mizo National Front (MNF) which is an NDA ally came to power in 2018.
- All these states have accused the central government of using the CBI and other agencies for pursuing its own political interests and to unfairly target the opposition.

**Has the Consent Withdrawal Process started post 2014 Power Shuffle?**

- No, this has been going from many years with states like Sikkim, Nagaland, Chhattisgarh and Karnataka withdrawing consent from time to time.
- The Janata Dal government in 1998, withdrew general consent to the CBI in Karnataka. It was not revoked by the Congress government which took over in 1999. This went-on for eight years.

**Related Judgements**

- **Chhattisgarh Corruption Case, 2018**- The Delhi High Court ruled that the agency could probe anyone in a state that has withdrawn general consent, if the case was not registered in that state.
- **Illegal Coal Mining Case, 2021**- The CBI was investigating in West Bengal under the order of Central Vigilance Commission (CVC) under the public trust doctrine. This was challenged by the state government as the CBI did not seek its permission before starting the investigation process. But the Calcutta High Court ruled in the favour of CBI and held that the central agency cannot be stopped from probing a central government employee in another state. This order was later challenged in the Supreme Court.
- **Vinay Mishra vs the CBI, 2021**- The petitioner had challenged the validity of FIRs registered by the CBI after the withdrawal of consent. The Calcutta HC in this case ordered to treat all corruption cases equally across the country, and not to distinguish a central government employee based on the location of his office in the state that had withdrawn general consent. It also held that withdrawal of consent would apply in cases where exclusively state government employees were involved.

**Options Available With CBI In The Case Of Consent Withdrawal**

The withdrawal decision can limit CBI’s powers but cannot keep it completely on bay as-

1. Consent withdrawal applies only to future cases and not to the ones registered earlier. Thus, CBI can continue its ongoing investigations by getting a warrant from a local court in the state.



2. If the Supreme Court or the High Court orders the CBI to conduct an investigation in any case, then the state's consent is not required. CBI can continue its investigation without any interruption from the state government.
3. The withdrawal of consent applies only to CBI. Other investigating agencies like the National Investigation Agency (NIA) and Enforcement directorate (ED) can still conduct enquiries as they are governed by different rules.
  - NIA is governed by NIA Act, 2008.
  - ED enforces key Acts of the Government of India namely, 1) the Foreign Exchange Management Act, 1999 (FEMA) and 2) the Prevention of Money Laundering Act, 2002 (PMLA), and 3) The Fugitive Economic Offenders Act, 2018 (FEOA).
4. CBI can carry out its investigation in cases registered anywhere else in the country and if the involved individuals are residing in the states who have withdrawn consent.
5. CBI can use Section 166 of the Criminal Procedure Code (CrPC) if case requires surprise search.
  - Section 166 of CrPC allows a police officer of one jurisdiction to ask an officer of another jurisdiction to carry out a search on his behalf. If the requesting officer feels that the search being carried out by the latter may lead to loss of evidence, then he can conduct the search himself after giving notice to the latter.
6. The consent is not required in cases where someone has been caught red-handed taking a bribe.

#### **Centre's Control Over CBI**

- In 2018, the Government amended the Prevention of Corruption Act, 1988 and introduced **Section 17A** which made it mandatory for the CBI to seek Centre's permission before registering a case of corruption against any government servant.
- Earlier, such permission was required only for officials of the level of joint secretary and higher. But the Supreme Court struck down this order and the new amendment was introduced.
- This amendment restricted the agency's powers as it could only investigate the officers that the government of the day allowed. This resulted in drop of over 40 percent corruption cases registered between 2017 and 2019.

#### **Way Forward**

Increasing number of cyber fraud cases and economic offences require intricate investigations spanning across states. For this purpose, the CBI should be empowered to investigate without any restrictions in larger public interest keeping all political motivations aside.

#### **Extra Mile: Prevention of Corruption Act, 1988**

This act was aimed at making anti-corruption laws more effective by widening their coverage and strengthening the provisions to make the overall statute more effective.

#### **Features**

- It is an amalgamation of the Prevention of Corruption Act (PCA), 1947, the Criminal Law Amendment Act, 1952, and Sec. 161 to 165-A of the Indian Penal Code with certain tweaks in the original provisions.
- It has shifted the burden of proof from the prosecution as mentioned in the CrPC to the accused who is charged with the offense.
- It mandated the investigation to be made by an officer, not below the rank of Deputy Superintendent of Police.
- It covers acts as bribe, misappropriation, obtaining a pecuniary advantage, possessing assets disproportionate to income and the like.

**The 2018 Amendment**

- The Act was amended in 2018 to bring the PCA in line with United Nations Convention against Corruption 2005, which was ratified by India in 2011.
- **Key Amendments–**
  - i. **Undue Advantage** – It defined ‘undue advantage’ as any *gratification other than legal remuneration* that a public servant is permitted to receive and made it a punishable offence. There was no such separate provision in the previous act.
  - ii. **Giving a Bribe:** It introduces the offence of giving a bribe as a direct offence. But if a person is compelled to give a bribe and he reports this matter to law enforcement authorities within seven days then he will not be charged with the offence.
  - iii. **Offering of Bribes by Commercial Organizations** – If a commercial organization commits any of the offences listed out in the PCA to obtain or retain business/ advantage in the conduct of its business, then such commercial organization shall be punishable.
  - iv. **Criminal Misconduct:** It redefines the provisions related to criminal misconduct and covers two types of offences: (i) fraudulent misappropriation of property; and (ii) illicit enrichment (such as amassing of assets disproportionate to one’s known sources of income).
  - v. **Prior Sanction for Investigation and Prosecution** – The PCA required prior sanction of the appropriate government for prosecution of serving public officials. It extended this protection of requirement of prior approval to investigation prior to prosecution.
  - vi. **Attachment of Property** – It provided for application of the Prevention of Money Laundering Act 2002 and Criminal Law Amendment Ordinance 1944 for attachment and administration of property procured by means of an offence under the PCA.
  - vii. **Time period for Trial:** A trial by special judge should be completed within two years (extendable for up to six months at a time, for recorded reasons). However, the total period for completion of trial may not exceed four years.
  - viii. **Enhancement of Punishment** – It has been increased from a minimum imprisonment term of 6 months to 3 years, and from a maximum of 5 years to 7 years.

**Norms Eased for Selection of Consumer Court Presidents, Members**

Using its extraordinary powers under Article 142, the Supreme Court eased norms for selecting presidents and members for consumer courts to attract younger talent.

- ✓ **Article 142-** It empowers the SC to pass orders as necessary for doing complete justice in any matter pending before it. Such orders are enforceable throughout the country.

**SC’s Ruling**

- The apex court **upheld** the judgement of Nagpur Bench. It said that Rule 6 lacked transparency and it conferred uncontrolled discretion and excessive power to the Selection Committee.
- The court agreed with the high court ruling and said that the provision of 20 years' experience under Rule 3(2)(b) is rightly held to be unconstitutional, arbitrary and violative of the Article 14 of the Constitution of India.
- It eased the norms for appointments and said that its orders will serve as a basis for appointment to the vacant posts until an amendment is introduced.

Changes Introduced	Amendments Required	Eligibility	Selection Procedure
The mandatory professional experience for the post of <b>President and members</b> has been reduced to <b>10 years</b> from 20 years and 15 years respectively.	The Central Government and the concerned State Governments need to amend the <b>Consumer Protection</b> (Qualification for appointment, method of recruitment, procedure of appointment, term of office, resignation and removal of president and members of state commission and district commission) <b>Rules, 2020</b> within three months of this verdict.	A person having bachelor's degree from a recognized university and who is a person of ability, integrity and standing, and having special knowledge and professional experience of not less than 10 years in consumer affairs, law, public affairs, administration, economics, commerce, industry, finance, management, engineering, technology, public health or medicine, shall be treated as qualified for appointment of President and members of the State Commission.	It will consist of a written test and interview. The written test would have two papers on subjects like current affairs, the Constitution, consumer laws, drafting, etc.

**About Consumer Commissions**

- The Consumer Protection Act 2019 provides for protection of the interests of consumers and establishes authorities for timely and effective administration and settlement of consumers' disputes.
- It replaced the old Consumer Protection Act, 1986.
- It provides for the establishment of three tier Consumer Commissions-

District Commission	State Commission	National Commission
Each District has a District Commission.	Each state has one State Commission.	The National Commission is in Delhi.
It consists of one President, who is or has been or is qualified to be a District Judge and not less than two members.	It consists of a President, who is or has been a Judge of a High Court and at least four other members.	It consists of a President who is or has been a Judge of the Supreme Court and not less than four other members.
At least one of the members or the President shall be a woman.	At least one of the members or the President shall be a woman.	At least one of the members or the President shall be a woman.
It entertains complaints where the value of goods or services paid for as consideration does not exceed rupees one crore.	<ul style="list-style-type: none"> <li>• It entertains complaint where the value of goods or services paid for as consideration exceeds rupees <u>one crore but does not exceed ten crore rupees.</u></li> <li>• Complaints against <b>unfair contracts</b>, where the value of goods or services paid as consideration does not exceed ten crore rupees can also be filed in SCDRC.</li> </ul>	<ul style="list-style-type: none"> <li>• Complaints where the value of goods or services paid as consideration exceeds rupees ten crore can be filed with the National Commission.</li> <li>• Complaints against unfair contracts, where the value of goods or services paid as consideration exceeds rupees ten crore can also be filed in NCDRC.</li> </ul>

<p>Aggrieved by the Order issued by the District Commission, an appeal petition may be filed before the State Commission within 45 days from the date of receipt of Order.</p>	<p>Aggrieved by the Order issued by the State Commission, an appeal petition may be filed before the National Commission within 30 days from the date of receipt of Order.</p>	<p>Aggrieved by the Order issued by the National Commission, appeal petition may be filed before the Supreme Court of India within 30 days from the date of receipt of orders.</p>
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## Local Bodies

### Report on Municipal Finances

RBI released a **Report on Municipal Finances in India**. The report is a **compilation and analysis of budget data of 201 municipal corporations** (MCs) across all states and explores ‘Alternative Sources of Financing for Municipal Corporations’ as its theme.

#### Key Findings

- The report highlights several issues in the working of municipal corporations, stating that there has been no appreciable improvement in their functioning despite institutionalization of the structure of local governance in India.
- The availability and quality of essential services for urban populations in India has thus remained poor.

#### Financial Inefficiencies

- Most municipalities only prepare budgets and review actuals against budgeted plans but do not use their audited financial statements for balance sheet and cash flow management, resulting in significant inefficiencies.
- MCs’ committed expenditure in the form of establishment expenses, administrative costs and interest and finance charges is rising, but **capital expenditure is minimal**.
- The **ratio of revenue expenditure to capital expenditure** of MCs was at 2.4 as against 7.1 for the Centre and 5.9 for states in 2017-18.
- Various factors, like size of the MC, population density, and nature of expenditure of the parent state government, have impacted the quality of expenditure of municipal corporations in India.

#### Financial Dependence

- MCs mostly rely on borrowings from banks and financial institutions and loans from centre/ state governments to finance their resource gaps in the absence of a well-developed market for municipal bonds.
- Municipal revenues/expenditures in India have stagnated at around **1% of GDP for over a decade**.
- In contrast, municipal revenues/expenditures account for 7.4% of GDP in Brazil & 6% of GDP in South Africa.

#### Ineffective State Financial Commissions (SFCs)

- State governments have not set up SFCs in a regular and timely manner even though they are required to be set up every five years.
- Accordingly, in most of the States, SFCs have not been effective in ensuring rule-based devolution of funds to local governments.

#### Reasons For Delay In Setting Up Of SFCs

- SFCs on an average take around 32 months to submit their reports, resulting in an average delay of about 16 months.

- State governments take considerable time (11 months average) in tabling the action taken report (ATR) in State legislatures.

### Recommendations

- The rapid rise in urban population density, calls for better urban infrastructure, and hence, requires greater flow of financial resources to local governments.
- MCs should adopt sound and transparent accounting practices with proper monitoring and documentation of various receipt and expenditure items.
- Municipalities in India need to balance their budgets by law, and any municipal borrowing needs to be **approved by the State government.**
- Central and State governments in India finance their deficits primarily through market borrowings – States and UTs finance around 85% and the Central government finances around 61% of their gross fiscal deficit through market borrowings.
- Thus, MCs should **explore different innovative bond and land-based financing mechanisms** to improve their resources.
- Moreover, to improve the buoyancy of municipal revenue, the **Centre and the States may share one-sixth of their GST.**

## Representation of People's Act

### Rahul Gandhi Disqualified as MP

Following the conviction and **two-year sentence** in a defamation case, Mr. Rahul Gandhi was disqualified as an MP. His disqualification was in accordance with the provisions of **Article 102(1)(e)** of the Constitution of India along with **Section 8** of the Representation of the People Act (RPA), 1951

### Court's Ruling

- The Surat Court sentenced MP Rahul Gandhi to two years imprisonment and imposed a fine of Rs.15,000 after convicting him for the offence of **criminal defamation** under Sections 499 and 500 of IPC.
- The court also approved Gandhi's bail on a surety of Rs 15,000 and suspended the sentence for 30 days to allow him to appeal.
- ✓ **Section 499 of IPC**- It states that any words spoken, read, or gestured with the intention of harming a person's reputation is to be considered defamation and can attract legal punishments.

#### Exceptions to Section 499 of IPC:

- Attribution of any truth made for public good.
- Any opinion is made in good faith with respect to the conduct of a person.
- Publication of true reports of the proceedings of the Courts or the result of the proceedings.
- Cautions conveyed to one person against another.

- ✓ **Section 500 of IPC**- It states that a person found guilty of defamation shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both.

### Grounds for Disqualification in Present Case

- **Section 8(3) of RPA, 1951** states that if a person is convicted for any offence and is sentenced to imprisonment for not less than two years then he/she shall be disqualified from the date of such conviction and will continue to be disqualified for a further period of six years since his release.

- Thus, the two-year conviction itself disqualifies Mr. Gandhi from being a Member of parliament.

**Existing Laws/Provisions on Disqualification**

- **Section 8 of the Representation of People Act, 1951-** It contains provisions for disqualification of MPs/MLAs for conviction in criminal cases and in cases of offences like rape, terrorism, communal disharmony etc. In such cases, a mere conviction is enough to disqualify a legislator from Parliament.
  - **Section 8(1) of RPA, 1951:** This includes specific offences such as **promoting enmity** between two groups, bribery, and undue influence or personation at an election.
  - **Section 8(2) of RPA, 1951:** lists offences that deal with hoarding or profiteering, adulteration of food or drugs and for conviction and sentence of at least six months for an offence under any provisions of the Dowry Prohibition Act.
  - **Section 8 (3) of RPA-** It states that a mere conviction will not result in disqualification but if the court announces a sentence of at least two years then it will result in disqualification and will continue to be disqualified for a further period of 6 years since his release
  - **Section 8 (4) of RPA-** It exempted sitting members from instant disqualification for **“three months”** to enable them to appeal against the conviction.
    - This clause was struck down in **Lily Thomas vs Union of India, 2013** (later in *Lok Prahari vs Uoi, 2018* also) as ultra vires the Constitution by the Supreme Court on the ground that Parliament has no power to enact such an exemption for sitting members of the legislature
    - The effect of this judgment is that there is an **instant disqualification** of a sitting legislator as soon as he is convicted. However, the Court made it clear that in the event of the appellate Court staying the conviction and sentence, the disqualification will be lifted, and the membership will be restored to him.
    - It held that the provisions of **Article 101(3) (a)** and **190(3) (a)** of the Constitution **prohibited** Parliament to defer the date from which the disqualification can come into effect in case of a sitting member of Parliament or a State Legislature. But Parliament had exceeded its powers conferred by the Constitution in enacting Section 8(4) of the Act.
      - **Article 101(3)(a) and Article 190(3)(a):** State that the seat gets vacated if a member of Parliament or a member Legislature of a State becomes subject to any of the disqualification according to Article 102 and Article 191.
- **Section 9:** Disqualification for dismissal for corruption or disloyalty.
  - Section 9(A): Disqualification for Government contracts, etc.
- **Section 10:** Disqualification for office under Government company.
  - Section 10(A). Disqualification for failure to lodge account of election expenses.
- **Section 11:** Removal or reduction of period of disqualification.
  - Section 11(A): Disqualification arising out of conviction and corrupt practices.
  - Section 11(B): Removal of disqualifications.
- **Article 102(1) of the Constitution-** It states that a Member of Parliament can be disqualified under five circumstances: 1) Holding an office of profit, 2) Insanity, 3) Insolvency 4) Citizenship 5) Disqualification by law.
  - Article 103 states that the President of India is the authority who decides that a sitting member has become subject to disqualification in all cases which come under Article 102(1). Before giving any decision on any such question, the President shall obtain the opinion of the Election Commission and shall act according to such opinion.
- **Tenth Schedule of the Constitution:** Article 102(2) also states that a person shall be disqualified for being a member of either House of Parliament if s/he is so disqualified under the 10th Schedule.



### Final Authority on Disqualification

- In the case Lok Prahari v Union of India (2018), the SC clarified that a disqualification because of a conviction will be reversed if a court stays that conviction.
- It held that **once a conviction has been stayed** during the pendency of an appeal, the disqualification because of the conviction cannot take or remain in effect.
- Therefore, in this case if SC puts a stay on the disqualification, then the disqualification notification by the Lok Sabha will cease to be in effect.

### What Happens To The Vacant Seat?

The election commission can announce a by-election for the vacant seat if the conviction is not suspended or the disqualification is not stayed by the court.

### Implications

- The sentence could have a chilling effect on those who dare to question the state or those who run it.
- It may violate the right of free speech.
- It shows how the judgement given in the **Lily Thomas V. Union of India** case which was blindly celebrated as a revolutionary verdict against “criminalization of politics” can be misused. The verdict lacked a sense of ground realities in an electoral democracy.
- This disqualification has created a dilemma in legal circles on how **Article 103** of the Constitution will impact the disqualification process as in this case, disqualification has been initiated without even a formal order by the President or without resorting to the procedure as stated in Article 103.
- It poses serious questions on the constitutional validity of Section 499 and 500 of the IPC dealing with criminal defamation.

### Way Forward: Reflecting Upon The Criminal Defamation Law

- The criminal defamation law needs an urgent review as many countries like UK, U.S and India’s neighbour Sri Lanka have scrapped it.
- The SC also highlighted the need for a liberal approach to rhetorical, hyperbolic or metaphoric words used by politicians in election speeches (**Kultar Singh vs Mukhtiar Singh case, 1965**).
- **Article 19** grants freedom of speech and expression with reasonable restrictions. Thus, need of balance between constitutional right and defamation.

### Voting Rights of Prisoners

The Supreme Court–decided to examine a petition challenging an election law provision that imposes blanket ban on under trials and prisoners from casting their votes.

#### Key Points

- According to the 2021 report of National Crime Reports Bureau (NCRB), a total of 5,54,034 prisoners were confined in various jails across the country as on December 31, 2021. The reported number was-

Convicts- 1,22,852 (22.2%)

Undertrials-4,27,165 (77.1%)

Detainees- 3,470 (0.6%)

- The petitioners argued that this provision denied the prisoners the right to vote and had no connection with decriminalizing politics which is concerned with the right to contest candidates with criminal antecedents.
- The petition pointed out that the ban lacked **reasonable classification** based on the nature of crime or sentence duration–unlike in countries like South Africa, UK, France, Germany etc. and violated the right to equality.

**Right to Vote**

This right to vote is a **Constitutional Right** conferred under **Article 326** of the constitution and the rules pertaining to this are mentioned under **Section 62** of the Representation of Peoples Act (RPA), 1950 which states that:

- Every person whose name is entered in the electoral roll of any constituency shall be entitled to vote in that constituency.
- A person is ineligible to vote if he is subject to any of the disqualifications referred to in section 16 of the RPA,1950.
- One cannot vote in more than one constituency/ vote in a constituency more than once at a general election and if he does so,all his votes will be considered void
- A person is ineligible to vote if he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise or is in the lawful custody of the police.
- The above restriction **does not apply** to a person under preventive detention.

**Why Should The Prisoners Be Allowed To Vote?**

- **Right to Equality:** The rights of prisoners should not be abridged only because those people are convicted or imprisoned. All the citizens should be given equal opportunity to elect their representatives.
- **Responsible Law Making:** Allowing the prisoners to vote includes them in responsible law-making processes rather than leaving them having no stake in it thereby extending the alienation from society that the offender might already feel.

**Why Not?**

**Section 62(5)** of the RPA, 1950: It goes without saying what kind of choices a prisoner or most of them would make for the betterment of society. Thus, **Section 62(5)** of the RPA correctly restricts the prisoners to vote in the elections and needs no amendment.

**Related Judgements**

- **Anukul Chandra Pradhan v/s Union of India, 1997:** Supreme Court (SC) rejected the petition and justified this ban by stating that-
  - i. Permitting every prisoner to vote would require deployment of a much larger police force and greater security arrangements resulting in resource crunch.
  - ii. A person who is in prison because of his own conduct cannot claim equal freedom.
  - iii. The ban is to keep persons with criminal background away from the election scene.
- **S. Radhakrishnan v/s Union of India, 1999:** The SC agreed with the judgement in the case of *Anukul Chandra Pradhan v/s Union of India, 1997* and rejected the petition.
- **Praveen Kumar Chaudhary &Ors v/s Election Commission of India &Ors, 2019:** The Delhi High Court rejected the petition noting that the right to cast vote was neither a fundamental right nor a common law right and was only provided under a statute- RPA, 1950 which was subjected to restrictions imposed by law that doesn't allow prisoners to cast vote.
- **Nawab Malik v/s Directorate of Enforcement, 2022:** The Supreme Court rejected the plea of Maharashtra cabinet minister Nawab Malik seeking temporary release from jail for a day to cast vote in Maharashtra Member of Legislative Council (MLC) elections.

**United Nations and the Universal Right to Vote**

- Article 21 of Universal Declaration of Human Rights (UDHR) provides everyone the right to take part in the government of their country, directly or through freely chosen representatives.

- International Covenant on Civil and Political Rights (ICCPR)'s Article 25 states that every citizen should have the right and the opportunity, without any of the distinctions like race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status and without unreasonable restrictions:
  - i. To take part in the conduct of public affairs, directly or through freely chosen representatives;
  - ii. To vote and to be elected at genuine periodic elections by universal and equal suffrage and held by secret ballot, guaranteeing the free expression of the will of the electors.

#### **EXTRA MILE: REMOTE VOTING FACILITY FOR NRIs**

The Supreme Court disposed-off petitions seeking remote voting rights for NRIs, migrant labourers and others. This disposal came after an assurance by the Attorney General of India that the government is working on ways to facilitate remote voting for NRIs.

#### **Background**

- The **in-person** provision of the amended Representation of People Act in 2010 discouraged many and petitions were filed in the Supreme Court between 2013 and 2014 by NRIs arguing that they should not be deprived of their right to vote simply because they exercised their right to freely practice a profession or trade.

**Representation of People (Amendment) Act, 2010:** It conferred voting rights to citizens of India who are absent from their place or ordinary residence in India owing to their employment, education, or otherwise outside India (whether temporarily or not). It entitled them to have their names registered in the electoral roll in the Assembly/Parliamentary constituency in which their place of residence in India as mentioned in their passport is located.

- Prior to 2010, NRI's name was deleted from electoral rolls if he or she stayed outside the country for more than 6 months at a stretch.
- The Supreme Court issued a notice to the Election Commission of India (ECI) in response to this petition requesting remote voting facility for NRIs.
- ECI then constituted a **committee in 2014** to investigate the matter and find out ways so that NRIs and migrant workers can take part in the electoral process.
- The committee submitted its report to the Centre.
- The government then introduced the Representation of People (Amendment) Bill, 2018 in Lok Sabha to amend the provisions of **Section 60** of the Representation of People Act, 1951.
- The amendment would have enabled electors overseas to have proxies to cast votes on their behalf. The bill was passed in Lok Sabha but was not introduced in Rajya Sabha and because of which the bill itself lapsed.

#### **Current Status of NRI Voting Rights**

- **Post Representation of the People (Amendment) Act, 2010:**
  - NRIs who had stayed abroad beyond six months have been able to vote, but only **in person** at the polling station where they have been enrolled as an overseas elector.
  - They have to produce their passport in original at the polling station for establishing identity.
- **2016 Amendment to The Conduct of Election Rules, 1961:**
  - Allowed **service voters** to use the Electronically Transmitted Postal Ballot System (ETPBS).
  - The ECI proposed to extend this facility to overseas voters as well.
  - To extend the postal voting facility to overseas voters, the government only needs to amend the

Conduct of Election Rules 1961. It doesn't require Parliament's nod.

**ECI Committee Recommendations**

It came up with two remote voting options: e-postal ballot and proxy voting.

- **E-Postal Ballot or Electronically Transmitted Postal Ballot System (ETPBS):**
  - ◆ NRI voter sending an application to the returning officer in person or online.
  - ◆ The returning officer sends the **ballot electronically** in response to the application.
  - ◆ The voter can then register their mandate on the ballot printout and send it back with an attested declaration by ordinary post or drop it at an Indian Embassy where it is segregated and posted.
- **Proxy Voting:** It enables NRI voters to appoint proxies to vote on their behalf.
- Both ETPBS and proxy voting are currently available to **only service voters** like those in the armed forces or diplomatic missions.

**Postal Voting**

It is a facility given to restricted set of voters. Through this facility, a voter can cast the vote remotely by recording her/his preference on the ballot paper and sending to the election officer before counting. Following voter can avail the facility.

1. Service voters (armed forces, armed police force of a state & government, servants posted abroad)
2. Voters on election duty
3. Voter above 80 years of age or person with disabilities (PwD)
4. Voter who are under preventive detention.
5. Media persons (Journalist)

**Issues Associated With Postal Ballot In India**

- **Vote buying:** There is a chance that someone else is casting the vote on behalf of the voter because the voter chooses to sell his or her vote.
- **Freedom of voting & secrecy might be affected:** As the voter will have vote on a printed ballot from their respective home, someone might observe the voter casting her/his vote.
  - This might lead to coercion or forcing the voter to make a particular choice.
- **Reliability and delay of postal services:** The postal voting process must start early enough to take into account any unforeseeable conditions.

**Pros and Cons of Remote Voting for NRI**

PROS	CONS
Postal Ballot/proxy voting are more-pragmatic ways of registering overseas mandates rather than <b>in -person</b> voting	It can increase the burden of embassy or consular officials.
NRIs can constitute a more substantial chunk among the electorate in some states.	Limiting voters to specific constituencies on account of their residency can become pointless
It will allow the more NRIs participation in the election process	This facility is unavailable to internal migrant workers, and they need to travel back to their registered constituencies to vote. Thus, this facility becomes discriminatory.

**Rules in Other Countries:** Other countries allow absentee voting if their overseas electors are not abroad for

a specified period and if they intend to return.

- Absentee voting enables persons who cannot appear at their designated polling places to vote from **another location**. The usual method of absentee voting is by mail, although provision is sometimes made for voting at prescribed places in advance of the polling date

### Party Name & Symbol and Role of Election Commission of India (ECI)

The Election Commission of India, allotted the name 'Shiv Sena' and the party's bow and arrow symbol to the Eknath Shinde faction in effect recognising it as the original party founded by Balasaheb Thackeray.

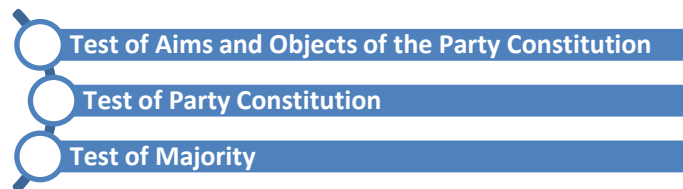
- The EC ruling comes at a time when the Supreme Court is still to decide on the dispute over the powers of the Deputy Speaker to disqualify rebel Shiv Sena MLAs when a notice for his own removal has been given.
- The EC cited the **Sadiq Ali judgment** in its order in the Shiv Sena case.

### Is There A Way Other Than The Test Of Majority To Resolve A Symbol Dispute?

- In almost all disputes decided by the EC so far, a clear majority of party delegates/office bearers, MPs and MLAs have supported one of the factions.
- Whenever the EC could not test the strength of rival groups based on support within the party organisation (because of disputes regarding the list of office bearers), it fell back on testing the majority only among elected MPs and MLAs.
- Only in the case of the split in the AIADMK in 1987, which happened after the death of M G Ramachandran, the EC was faced with a peculiar situation.
  - The group led by MGR's wife Janaki had the support of the majority of MPs and MLAs, while J Jayalalithaa was supported by a substantial majority in the party organisation.
  - But before the EC was forced to make a decision on which group should retain the party symbol, a rapprochement was reached.

### How ECI Allotted Party Name And Symbol?

There are **three criteria** that are used to decide disputes between warring party factions. While passing its decision, the EC considered and analyzed these **three tests** mentioned in the **Sadiq Ali case** which includes:



### Why Is The Test Of Aims And Objects Of The Party Constitution And Test Of Party Constitution Not Applied In Present Case?

- The ECI said that the amended Constitution of 2018 of Shiv Sena is not on record of the Commission. It said that the Constitution of 2018 has conferred widespread powers of making various organisational appointments on a single person.
- The EC also said that the complete list of office bearers of various bodies was not also provided to the Commission, whenever elections were held, or appointments were made. This violated the criteria for parties registered under the Representation of the People Act, 1951.

Thus, the ECI concluded that using the above two Tests for determining the present dispute case will be undemocratic and catalytic in spreading such practices across parties. **Hence, ECI relied upon the Test of Majority in the legislative wing.**

### Test of Majority

- It shows qualitative superiority in the majority test of legislative party to the Shinde faction which has support of 40 out of 55 Sena MLAs and 13 out of 18 Sena MPs.
- On the other hand, Thackeray led Sena has only 15 MLA out of 55 and five MPs out of total 18 MPs.

Thus, The Commission gave its decision on a “test on majority” as the group of MLAs supporting the Eknath Shinde group had got nearly 76% of the votes polled for the 55 winning Shiv Sena candidates in the 2019 Maharashtra Assembly Elections, while the Uddhav Thackeray faction got only 23.5% of votes.

#### Can The Decision Of The ECI Be Challenged?

- In **Sadiq Ali and Another v. Election Commission of India case**, the Supreme Court decided that the EC is a tribunal and its decision regarding derecognition of a party or allocation of symbols in case of dispute could be challenged **only by appealing to the Supreme Court under Special Leave Petition.**
- But later, it was decided that it can be challenged in High Courts too.

#### Powers of Election Commission on Election Symbol

- The **Election Symbols (Reservation and Allotment) Order, 1968** empowers the EC to recognise political parties and allot symbols.
- **Applicability:** It applies to disputes between **recognized national and state parties.** For disputes within registered but unrecognized parties, the EC generally advises them to solve their disputes amicably or to approach the court.

#### What Happens To The Group That Doesn't Get The Parent Party's Symbol?

- Before 1997, EC used to recognise the party, not getting the symbol, based on the criteria fixed for recognition of parties under Paras 6 and 7 of the Symbols Order.
  - I.e., if the breakaway party had support of sufficient MPs/MLAs as per the criteria, it was recognised by EC as National/State Party.
- The **EC in 1997 felt that merely having MPs and MLAs is not enough**, as the elected representatives had fought and won polls on tickets of their parent (undivided) parties.
- The EC introduced a **new rule** under which the splinter group of the party — other than the group that got the party symbol — **had to register itself as a separate party.**
- These parties could lay claim to national or state party status only on the basis of its performance in state or central elections after registration.

## GOVERNANCE

### Government Policies & Interventions for Development In Various Sectors

#### Foreign Trade Policy 2023

- Union Minister of **Commerce and Industry** launched the Foreign Trade Policy 2023.
- FTP 2023 is a policy document which is based on continuity of time-tested schemes facilitating exports. It has replaced the old policy that had been in place since 2015.
- **It seeks to take India's exports to 2 trillion dollars by 2030.**



- The new policy will have no sunset date (ending date) and will be tweaked based on the emerging world trade scenario and industry feedback. While the policy will be open-ended, the schemes sanctioned under it will be time bound.
- The Policy had opened up a new area of potential exports called “**merchanting trade**”
  - Merchanting trade refers to shipment of goods from one foreign country to another foreign country without touching Indian ports, involving an Indian intermediary. This will also enable exports of restricted goods
- The Key Approach to the policy is **based on 4 pillars:**



### Key Highlights of FTP 2023

#### 1. Process Re-Engineering and Automation

- Greater faith is being reposed on exporters through automated IT systems with risk management system for various approvals in the new FTP.
- The policy emphasizes export promotion and development, moving away from an incentive regime to a regime which is facilitating, based on technology interface and principles of collaboration.
- FTP 2023 **codifies implementation mechanisms in a paperless, online environment, building on earlier 'ease of doing business' initiatives.**
- **Reduction in fee structures and IT-based schemes** will make it easier for MSMEs and others to access export benefits.
- **Duty exemption** schemes for export production will now be implemented through Regional Offices in a rule-based IT system environment, eliminating the need for manual interface.

#### 2. Towns of Export Excellence

- Four new towns, namely **Faridabad, Mirzapur, Moradabad, and Varanasi**, have been designated as Towns of Export Excellence (TEE) in addition to the existing 39 towns.
- The TEEs will have priority access to export promotion funds under the MAI scheme and will be able to avail *Common Service Provider (CSP)* benefits for export fulfillment under the EPCG Scheme.
  - **Market Access Initiative (MAI) Scheme** is an Export Promotion Scheme envisaged to act as a catalyst to promote India's exports on a sustained basis.
  - The objective of the **Export Promotion Capital Goods (EPCG) Scheme** is to facilitate import of capital goods for producing quality goods and services and enhance India's manufacturing competitiveness.
- TEE is expected to boost the exports of handlooms, handicrafts, and carpets.

#### 3. Recognition of Exporters

- Exporter firms recognized with 'status', based on export performance, will now be partners in capacity-building initiatives.
- Similar to the “**each one teach one**” initiative, 2-star and above status holders would be encouraged to provide trade-related training based on a model curriculum to interested individuals.
- This will help India build a skilled manpower pool capable of servicing a \$5 trillion economy before 2030.

- Status recognition norms have been **re-calibrated** to enable more exporting firms to achieve 4 and 5-star ratings, leading to better branding opportunities in export markets.

#### 4. Promoting Export from the Districts –

- The FTP aims at building partnerships with State governments and taking forward the **Districts as Export Hubs (DEH) initiative** to promote exports at the district level.
- District specific export action plans to be prepared for each district outlining the district specific strategy to promote export of identified products and services.
- Identify export worthy products & services and **resolve concerns** at the district level will be made through an **institutional mechanism** – State Export Promotion Committee (State level) and District Export Promotion Committee (District level)

#### 5. Streamlining SCOMET Policy –

- India is placing more emphasis on the "export control" regime as its integration with export control regime countries strengthens.
- There is a wider outreach and understanding of SCOMET (**Special Chemicals, Organisms, Materials, Equipment and Technologies**) among stakeholders.

#### 5. Facilitating E-Commerce Exports –

- E-commerce exports are a promising category that requires distinct policy interventions from traditional offline trade.
- Various estimates suggest India's e-commerce export potential in the range of \$200 to \$300 billion by 2030.
- FTP 2023 outlines the intent and roadmap for establishing **e-commerce hubs** and related elements.
- As a starting point, the consignment wise cap on E-Commerce exports through courier has been raised from ₹5Lakh to ₹10 Lakh in the FTP 2023.

#### 6. Facilitation under Export Promotion of Capital Goods (EPCG) Scheme

- The EPCG Scheme, which allows import of capital goods at zero Customs duty for export production, is being further rationalized.

#### 7. Facilitation under Advance authorization Scheme

- Advance authorization Scheme accessed by *Domestic Tariff Area (DTA)* units provides duty-free import of raw materials for manufacturing export items.
- Based on interactions with industry and Export Promotion councils, certain facilitation provisions have been added in the FTP 2023.

#### 8. Amnesty Scheme

- Finally, the Government is strongly committed to reducing litigation and fostering trust-based relationships to help alleviate the issues faced by exporters.
- In line with "**Vivaad se Vishwaas**" initiative, which sought to settle tax disputes amicably, the government is introducing a special one-time Amnesty Scheme under the FTP 2023 to address default on Export Obligations.
- This scheme is intended to provide relief to exporters who have been unable to meet their obligations under EPCG and Advance Authorizations.

#### Challenges

- **Low credit access:** Indian exporters have very low access to trade finance and export credit compared to other countries. This is especially true for MSMEs. Export credit agencies doled out \$7.6 billion in funds in India while the figure for China stood at \$39.1 billion.
- **Bureaucracy:** The export process in India is more time-consuming due to a high documentation requirement. Indian exporters must prepare a large set of documents for each stage of the shipping process. It is also important to plan ahead because certification authorities at Indian ports are not available round the clock or on all days of the week.
- **Inadequate infrastructure:** Statista's ranking of 100 countries based on the quality of their infrastructure in 2019, India's score was 68.1. Top-ranked Singapore scored 95.4 while bottom-ranked Bolivia was 10-odd points behind India, at 57.1.
- **Lack of connectivity, Congested ports/ roads, outdated rail equipment**
- **High import duties, tariff inconsistencies, non-tariff barriers**

### Mediation Bill 2021

It aims to settle any **civil or commercial disputes** through mediation before seeking court or tribunal's intervention. This bill was introduced in the Rajya Sabha in December 2021 and was referred to Parliamentary Standing Committee on personnel, public grievances, law, and justice for review.

#### Key Features of The Bill

- **Pre-litigation Mediation**
  - ✓ Parties "**must**" attempt to settle civil or commercial disputes by mediation before approaching any court or certain tribunals.
  - ✓ Even if they fail to reach a settlement through pre-litigation mediation, the court or tribunal may at any stage refer the parties to mediation if they request for the same.
- **Disputes Not Fit For Mediation**
  - ✓ The Bill contains a list of disputes which are not fit for mediation.
  - ✓ These include disputes: (i) relating to claims against minors or persons of unsound mind, (ii) involving criminal prosecution, and (iii) affecting the rights of third parties.
- **Applicability**
  - ✓ The Bill will apply to mediations conducted in India: (i) involving only domestic parties, (ii) involving at least one foreign party and relating to a commercial dispute (i.e., international mediation), and (iii) if the mediation agreement states that mediation will be as per this Bill.
  - ✓ If the central or state government is a party, the Bill will apply to: (a) **commercial disputes**, and (b) other disputes as notified.
- **Mediation Process**
  - ✓ Mediation proceedings will be "**confidential**", and must be completed within 180 days (may be extended by 180 days by the parties).
  - ✓ A party may withdraw from mediation after **two sessions**.
  - ✓ **Court annexed** mediation must be conducted as per the rules framed by the Supreme Court or High Courts.
- **Mediators**
  - ✓ Mediators may be appointed by: (i) the parties by agreement, or (ii) a mediation service provider (**institutional mediation**: an **institution** administering mediation).

- ✓ They must disclose any conflict of interest that may raise doubts on their independence.
- ✓ Parties may then choose to replace the mediator.

• **Mediation Council of India**

- ✓ The central government will establish the Mediation Council of India.
- ✓ The Council will consist of a chairperson, two full-time members (with experience in mediation or ADR (Alternative dispute resolution)), three ex-officio members (including Law Secretary, and Expenditure Secretary), and a part-time member from an industry body.
- ✓ **Functions of the Council** include: (i) registration of mediators, and (ii) recognising mediation service providers and mediation institutes (which train, educate, and certify mediators).

• **Mediated Settlement Agreement**

- ✓ Agreements resulting from mediation (*other than community mediation*) will be **final**, binding, and enforceable in the same manner as court judgments.
- ✓ Section 29: They may be **challenged on grounds** of: (i) fraud, (ii) corruption, (iii) impersonation, or (iv) relating to disputes not fit for mediation.
- ✓ Mediation Settlement Agreement will be legally enforceable and can be registered with the State/ district/ taluk legal authorities within 90 days to ensure authenticated records of settlement.

• **Community Mediation**

- ✓ Community mediation may be attempted to resolve disputes likely to affect the peace and harmony amongst residents of a locality.
- ✓ It will be conducted by a panel of **three mediators** (may include persons of standing in the community, and representatives of resident welfare associations).

Pro's	Con's
<ul style="list-style-type: none"> <li>• The bill recognizes mediation as a profession &amp; acknowledges <u>mediator training institutes and service providers</u></li> <li>• To solve the confusion between the word's "mediation" and "conciliation", it opts for using the word "mediation" in accordance with international practice.</li> <li>• It recognizes <u>online dispute resolution.</u></li> <li>• It provides for enforcement of <b>commercial settlements</b> reached in international mediation as per the <u>Singapore Convention on Mediation</u> to which <b>India is a signatory.</b> <ul style="list-style-type: none"> <li>○ <b>Singapore Convention on Mediation</b> facilitates <u>international trade and</u></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Gross Impropriety (illegitimacy)</b> - It allows challenging any settlement on this basis <u>without defining the term.</u> This can lead to long and pending litigations.</li> <li>• <b>Community Mediation</b>- It may be contradictory to <b>individual rights</b> in general and women rights in particular.</li> <li>• <b>Mandatory Pre-litigation Mediation</b>- The requirement of parties to attend <b>at least two mediation sessions</b> will force the parties not interested in mediation to attend it and burden them with additional costs as the <u>cost of mediation is required to be borne by the parties.</u></li> <li>• <b>Section 29</b>- Under this, any settlement can be challenged on grounds of corruption, impersonation, and fraud but only within 90 days of the date of receipt of <b>mediation settlement agreement.</b></li> <li>• <b>Approaching the Court</b>- It envisages approaching courts for interim measures "before the commencement of" or "during the continuation of" mediation proceedings and not "after the conclusion of mediation proceedings but prior to enforcement" of the mediation agreement.</li> <li>• <b>Lack of jurisdiction</b>- The Bill fails to specify the provisions under</li> </ul>

<p><u>commerce</u> by enabling disputing parties to easily enforce and invoke settlement agreements across borders.</p>	<p>which international mediation will take place in India, related to <u>non-commercial dispute</u> arising under a foreign law.</p> <ul style="list-style-type: none"> <li>• <b>Consequences of Non-Registration of Settlement-</b> There is lack of clarity in this case.</li> </ul>
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**Recommendations By The Standing Committee**

- It recommended exploring the feasibility of designating other bodies like **State Mediation Council** to act as mediation service providers apart from the authority constituted under Legal Services Authority Act.
- Not to exclude government related disputes from the bill's ambit as **clause 2 (2)** of the bill has provisions to exclude the Central and State governments from non-commercial disputes with the government as one of the parties.
- The committee failed to understand how pre-litigation mediation will be implemented in matters pending before the tribunals, stated in **clause 6** of the bill. It suggested to make it optional and to introduce it in a phased manner instead of introducing it with immediate effect for all civil and commercial disputes. It also suggested to reconsider the compulsory provisions of pre-litigation mediation as it may result in delayed cases.
- Re-arrangement of clauses 6, 7, 8 and 9 for providing better clarity.
  - **Clause 7** provides an indicative list of disputes/matters which **cannot** be referred for mediation except compoundable/matrimonial offences.
  - **Clause 8** allows a party to file for appropriate proceedings before a court/tribunal/competent authority for interim measures before the commencement/during mediation.
  - **Clause 9** provides court/tribunal can ask the parties at any stage of proceeding to undertake mediation if requested by them.
- It recommended making specific provisions about court annexed mediation in place of providing powers to court to make rules for “court annexed mediation” under clause 26.
- It recommended reducing the time limit of completing the mediation process from 180 days to 90 days and an extension period of 60 days instead of 180 days.
- It recommended the appointment of chairperson and members of the Mediation Council of India to be made by a selection committee constituted by the central Government.

The government should take steps to promote mediation by creating general awareness in society. The first step in this direction would be to set a guideline in place for Public Sector Undertakings to resolve its disputes through mediation. Being the largest litigator, the government ought to set an example for the public.

**Competition (Amendment) Act, 2023**

President of India has given assent to the Competition (Amendment) Act 2023, which provides for augmentation of Competition regulation in India.

**About Competition Act, 2002**

- It was introduced to defend consumer interests from anti-competitive behaviour, foster and sustain market competition, and guarantee other market participants’ freedom of trade.
- It replaced the Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act) on the recommendations of the Raghavan committee.
- It laid down the foundation for National Competition Policy (NCP), the Competition Appellate Tribunal, and the **Competition Commission of India (CCI)**.

**Features:**

- **Anti-Competitive Agreements, Anti Cartels, Anti-Abuse of Dominance, Combination Regulations, Informative Nature of this Act**


**Major Amendments Introduced in Competition (Amendment) Bill, 2023**

Existing Law	Proposed Amendment	Anticipated Impact
The duration of the assessment was 210 days from the date of filing of the combination notice by the parties.	The assessment duration has been reduced to 150 days.	It will result in speedy approvals for combinations for a fair and transparent competition.
<b>Section 27 of the Competition Act, 2002</b> , allows the CCI to <b>impose penalties</b> as it may deem fit which shall be not more than <u>ten percent of the average of the turnover for the last three preceding financial years</u> , on enterprises or persons for participation in anti-competitive agreements or abuse of a dominant position.	The Commission will be able to impose penalties based on ' <b>global turnover</b> '.	It will impact multi-product companies and those with a global presence more significantly than purely domestic players. This could also lead to unfair outcomes and discrimination between domestic companies and entities with global operations.
As per <b>section 6</b> , any person or enterprise, who proposes to enter a combination, shall give notice to the Commission within <u>30 days of approval of the proposal</u> relating to merger or amalgamation or execution of any agreement.	The 30 day limit has been replaced with the condition that CCI needs to be intimated <u>after the approval process or execution of any agreement but before consummation of the combination</u> .	It will bring flexibility to the timeline for notifying the CCI as it would depend upon the circumstances of the case.
No existing provision related to " <b>transaction test</b> ".	Transaction test will be introduced in terms of 'value of transaction' as another criterion for notifying combinations. <b>Deals with transaction value of more than Rs 2,000 crore will require CCI's approval.</b>	<b>It will ensure that large-scale transactions do not result in anti-competitive practices in the market and will promote fair competition.</b>

**Digital Personal Data Protection Bill, 2022**

Ministry of Electronics and Information Technology (MeitY) released the **revised** Digital Personal Data Protection Bill (DPDPB), 2022 and invited public comments for the same. The latest DPDP Bill, 2022 is the 4<sup>th</sup> iteration of a data protection law in India.

**Objective:** To process digital personal data in a way that recognizes the right of an individual to protect his/her personal data and the need to process it for **lawful purposes**.



**PERSONAL DATA PROTECTION**

**BACKGROUND**

- Its first draft was proposed in 2018 by **Justice Srikrishna Committee**.
- The revised draft was introduced as the **Personal Data Protection Bill, 2019** in the Lok Sabha and was referred to a Joint Committee of both the Houses of Parliament (JPC) which submitted its report after two years and proposed a new draft bill.
- The bill was withdrawn by the government in August 2022 citing the report of JPC and "extensive changes" suggested by it.



**Key Provisions of the New Bill**

- **Global Principles of data protection**—The bill is based on globally accepted principles of data protection-
  - Lawfulness, fairness, and transparency.
  - Purpose limitation.
  - Data minimization.
  - Accuracy.
  - Storage limitation to fixed duration
  - Integrity and confidentiality.
  - Accountability.
- **Applicability** –

Includes	Excludes
<ul style="list-style-type: none"> <li>• <b>Within Indian Territory:</b> To process personal data collected online or offline and digitized.</li> <li>• <b>Outside Indian Territory:</b> To process digital personal data if it is concerned with profiling of or activity of <u>offering goods or services to individuals within India.</u> <ul style="list-style-type: none"> <li>✓ <i>Profiling</i> is any form of personal data processing that analyses or predicts the behavior, attributes or interests of an individual.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Data processing by <u>Indian data fiduciaries that collect and process personal data outside India, of data principals who are not located in India.</u></li> <li>• Non-automated processing of personal data</li> <li>• Offline personal data</li> <li>• Personal data processed by an individual for any personal or domestic use</li> <li>• Personal data about an individual that is contained in a record for at least 100 years.</li> </ul>

- **Defines Data Fiduciary and Data Principal:**
  - **Data Fiduciary-** Any person who alone or in conjunction with other persons determines the purpose and means of processing of personal data.
  - **Data Principal-** it is the individual to whom the personal data belongs and if such individual is a child, it includes his parents or lawful guardian.
- **Rights of Data Principal:**

<u>Right to Information</u>	<u>Right to Correction or Erasure</u>	<u>Right to Grievance Redressal</u>	<u>Right to Nominate</u>
About the following: <ul style="list-style-type: none"> <li>✓ <b>Confirmation</b> about processing personal data</li> <li>✓ <b>Summary</b> of personal data being processed</li> <li>✓ <b>Identities</b> of all the Data Fiduciaries with which data has been shared</li> </ul>	Upon receiving a request from Data Principal, a Data Fiduciary can make: <ul style="list-style-type: none"> <li>✓ <b>Corrections</b></li> <li>✓ <b>Updates</b></li> <li>✓ <b>Erase</b> any personal data no longer required except for legal purposes.</li> </ul>	If the data principal is unsatisfied with the response of a Data Fiduciary to a grievance or receives no response within <b>7 days</b> , it may register a complaint with the Board.	In the event of death or incapacity of the Data Principal, any nominated individual can exercise the rights on behalf of the Data Principal.

- **Notice and Consent** –
  - A Data Fiduciary is required to give the Data Principal a notice in clear and plain language with details of personal data being sought and the purpose of processing it.

- o The notice should be in either English or any of the 22 languages specified under the **8<sup>th</sup> Schedule** of the Constitution.
- o The Data Principal has the right to withdraw her consent at any time and its consequences shall be borne by the Data Principal.
- o The withdrawal of consent will not affect the lawfulness of processing of personal data based on consent before its withdrawal.

• **Data Protection Board-**

Functions	Powers	Working
<ul style="list-style-type: none"> <li>▪ Directs Data Fiduciary to adopt urgent measures to remedy personal data breach or mitigate any harm caused to Data Principals.</li> <li>▪ Mandate appointment of <b>Data Protection Officers</b> and <b>independent data auditors</b> to ensure compliance with the law. They will be appointed by businesses of “significant” size (based on the volume of data they process)</li> <li>▪ Hold companies responsible for <u>not storing</u> user data that no longer serves a business purpose, with special safeguards with respect to personal data of minors.</li> <li>▪ Act on complaints received from the affected person/ reference by the Central or State Government/ court orders/ non-compliance by a Data Principal.</li> </ul>	<ul style="list-style-type: none"> <li>▪ It has the power of a <b>Civil Court</b> as provided in the <u>Code of Civil Procedure, 1908.</u></li> <li>▪ <u>Its decisions can be appealed in a High Court.</u></li> <li>▪ Power to summon and enforce the attendance of persons, examine them on oath and inspect any data, book, document, register, books of account or any other document.</li> <li>▪ <u>Review its order</u> on a representation made to it, or on its own, and can modify, suspend, withdraw or cancel any of its orders.</li> <li>▪ Refer complaints for <b>Alternate Dispute Resolution.</b></li> <li>▪ Accept voluntary undertakings.</li> </ul>	<ul style="list-style-type: none"> <li>▪ On receiving a complaint, it will first determine whether there are sufficient grounds to proceed with an inquiry or not.                             <ul style="list-style-type: none"> <li>✓ <i>In case of insufficient ground-</i> Close the proceedings with reasons recorded in writing.</li> <li>✓ <i>In case of sufficient ground-</i> Set up an inquiry following the principles of natural justice i.e., giving reasonable opportunity of being heard.</li> </ul> </li> <li>▪ On completion of the inquiry, if the board determines non-compliance is-                             <ul style="list-style-type: none"> <li>✓ <i>Insignificant-</i> Inquiry will be closed.</li> <li>✓ <i>Significant-</i> Financial penalty will be imposed.</li> </ul> </li> <li>▪ At any stage after receiving the complaint, if the Board determines that the complaint is devoid of merit, it may issue a warning or impose costs on the complainant.</li> </ul>

- **Cross-border Transfer of Data**– Storage and transfer of data will be permissible in “**trusted**” jurisdictions as defined by the central government.
- **Financial Penalty:**
  - o Upon non-compliance, the board may impose a financial penalty between Rs 50 – 500 crores on companies in each instance.
  - o For users, a consumer who submits false documents for an online service or makes bogus grievance complaints may face a Rs 10,000 fine.
  - o Amount of financial penalty will be determined by -
    - Nature, gravity and duration of non-compliance.
    - Type and nature of personal data affected by non-compliance;
    - Repetitive nature of non-compliance;

- Whether the person has realized a gain or avoided any loss because of non-compliance.
- Whether the person took any action to mitigate the effects and consequences of the non-compliance.
- Likely impact of financial penalty on the person.

● **Exemption:**

- The bill exempts any or all of government agencies (as specified by government) from adhering to its provisions in the interest of “sovereignty and integrity of India, security of the state, friendly relations with foreign states, and maintenance of public order or preventing incitement to any cognizable offense.”
- The government also holds the power to exclude certain enterprises from Bill’s restrictions based on the volume of users and personal data handling.

**Difference Between New Bill and 2019 Draft**

New Bill	2019 Bill
Has less number of clauses.	Had around 90 clauses.
Proposes a <b>Data Protection Board</b> appointed by the central government.	Proposed <b>Data Protection Authority</b> which was recognized as a statutory body.
<u>Relaxes data localization</u> norms and permits cross border data transfer.	Prohibited cross border data transfer and mandated the companies to keep a copy of their data stored locally if located outside India.
Has revised penalties to Rs 50 crores and eliminated the possibility of any criminal convictions in case of violations.	Provided for penalties of ₹15 crore, or 4% of the total worldwide turnover of any data collection or processing entity, for violating provisions.
First ever legislation to use the pronouns 'she' and 'her' to refer to all individuals, as against the use of 'he', 'him' and 'his.'	No such use of pronouns.
Dropped hardware regulation terming its scope to be very large and prone to misuse, allegation and counter-allegations and legal disputes.	Mandated monitoring, testing and certification of hardware devices by the Data Protection Authority (DPA).
Right to post mortem privacy	No such provision
<b>Incorporates “deemed consent”</b> : DPDP Bill, 2022, states that personal data can be processed for " <b>lawful purposes</b> " or for which processing could be performed on the basis of "deemed permission." Deemed consent refers to consenting to voluntarily provide data that may be used for purposes other than what it was initially collected for.	Personal data can be processed <b>for the purpose consented to by the data principal</b> .

**Concerns Raised**

- **Overarching Powers:** The revised bill grants overarching powers to the central government for appointing data protection officials. This can be a serious threat to the independence of the Data Protection Board due to inadequate checks and balances.
- **Blanket Powers:** Granting exemptions to government agencies has been construed as a threat to the right to privacy of citizens. Clauses such as “public order” and “national security” can be ambiguously deployed and misused to deny consent-based data collection and processing.

- **Relaxing Data Localization:** Relaxing these norms will make it difficult to detect and investigate non-compliance and breaches in a foreign jurisdiction, making the data of Indian citizens' vulnerable.
- **Absence of Criminal Proceedings:** It may put a price on citizens' privacy as data breaches can be bought and sold by giant firms.
- **Ignoring Sensitive Personal Data:** The new bill ignores unlawful processing of certain categories of personal data such as biometric data, health data, genetic data etc. known as sensitive personal data that may require explicit consent before processing and mandatory data protection impact assessments.
- **Narrowed Scope:** The scope of the bill has significantly narrowed by removing provisions related to non-personal data, social media intermediaries and hardware like IoT (Internet of Things) etc.
- **Denies Right to Information:** The bill states that any information relating to an individual can be withheld and effectively enables Public Information Officers to use the Right to Information as Right to Deny.
- **No compensation:** The victim can't seek monetary compensation of any form, in case of a data breach.
- **Issue with deemed consent:** The 'deemed consent' provision may allow anyone to gather data with a 'take it or leave it' attitude, which goes against the letter and spirit of Puttaswamy's privacy judgment
  - The right to informational privacy has been upheld as a fundamental right by the Supreme Court (K.S. Puttaswamy vs Union of India) in 2017

### Amendments To IT Rules 2021

Government has notified amendments to the **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021** pushing towards an open, safe, trusted, and accountable internet.

#### About IT Rules, 2021

- The new rules were released under **Section 87(2)** of Information Technology Act, 2000 and superseded the earlier Information Technology (Intermediary Guidelines) Rules, 2011.
- They prescribe a framework for the regulation of content by **online publishers** of news and current affairs content, and curated audio-visual content.

#### Need For 2021 Rules

- Misuse of social media for persistent spread of fake news, sharing morphed images of women, settling corporate rivalries, use of abusive language, defamatory and obscene content and blatant disrespect to religious sentiments brought new challenges for law enforcement agencies.
- Lack of transparency and absence of robust grievance redressal mechanism left the users totally dependent on the whims and fancies of social media platforms.

#### Aim

- Protecting the rights of **Digital Nagriks**
- Enhancing due diligence requirements and ensuring accountability of social media and other intermediaries in case of infringement of rights

#### Features

- **Due Diligence to Be Followed by social media Intermediaries** failing which safe-harbour provisions will not apply to them.
  - **Social Media Intermediaries (SMI)** are the ones which primarily or solely enable interaction between two or more users and allow them to create, upload, share, disseminate, modify or access information using its services.
- **Grievance Redressal Mechanism:**

- A Grievance Officer will be appointed and his contact details will be shared on the website of SMI.
- The officer should acknowledge the complaint within 24 hours and resolve it within 15 days of its receipt.
- A **three-level grievance redressal mechanism** has been established
  - i. **Level I- Self-regulation by the Publisher:** Publisher shall appoint a Grievance Redressal Officer based in India. The officer shall take a decision on every grievance received by it within 15 days.
  - ii. **Level II- Self-Regulatory Body:** There may be one or more self-regulatory bodies of publishers. Such a body shall be headed by a retired judge of the Supreme Court / High Court or independent eminent person and have not more than six members. Such a body will have to register with the Ministry of Information and Broadcasting (Mol&B), and it will oversee the adherence by the publisher to the Code of Ethics and address grievances that have not been resolved by the publisher within 15 days.
  - iii. **Level III- Oversight Mechanism:** Mol&B, shall formulate an oversight mechanism and publish a charter for self-regulating bodies, including Codes of Practices. It shall establish an Inter-Departmental Committee for hearing grievances.
- **Categorization of SMIs:** The rules distinguish between Social Media Intermediaries (SMIs) and Significant Social Media Intermediaries (SSMIs) based on the number of users on their platform. Intermediaries with registered users above a **notified** threshold will be classified as SSMIs. SSMIs are required to follow additional due diligence which includes:
  - **Appointing:**
    - A Chief Compliance Officer for ensuring compliance with the Act and Rules.
    - Nodal Contact Person for 24x7 coordination with law enforcement agencies.
    - A Resident Grievance Officer for performing functions under Grievance Redressal Mechanism.
    - They should all be Indian residents.
- Publishing a monthly compliance report with details of complaints received and action taken as well as details of contents removed proactively by the SSMIs.
- **User Identification:** Enabling identification of the **first originator** of the information
- Publishing a physical contact address in India on its website or mobile app or both.
- **Voluntary User Verification Mechanism**
- **Opportunity to Be Heard:** Prior intimation should be communicated to the user whose content has been removed or disabled access to by the SSMIs explaining the grounds and reasons
- **Code of Ethics:** Prescribes the guidelines to be followed by OTT platforms and online news and digital media entities.
- **Self-Classification of Content:** Should be done by the OTT platforms into 5 age-based categories- U (Universal), U/A 7+, U/A 13+, U/A 16+, and A (Adult). Parental locks should be implemented for content classified as U/A 13+ or higher

### **Amendments to IT Rules 2021**

These amendments are called the IT (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2022 and include:

- **Imposing Legal Obligation:** Currently, Intermediaries are required to **only inform** users about not uploading certain categories of harmful/unlawful content under IT Rules 2021. The new amendments impose a legal obligation on these intermediaries to take reasonable efforts to prevent users from uploading such content.
- **Use of Regional Languages:** For effective communication of the rules and regulations

- **Judicial Review:** The grounds in rule 3 (subclause 1) have been rationalized by removing the words 'defamatory' and 'libellous'.
  - Whether any content is defamatory/ libelous will be determined through judicial review.
- **Respecting Constitutional Rights:** Intermediaries are required to respect the rights guaranteed to users under the Constitution including in the articles 14, 19 and 21 and ensure accessibility of its services to users with a reasonable expectation of due diligence, privacy and transparency.
- **Grievance Appellate Committee(s):**
  - To be established within 3 months from the date of commencement of the IT Amendment Rules, 2022.
  - It will allow users to **appeal** against the *inaction or decisions taken by intermediaries on user complaints*.
  - Each appellate committee will consist of a chairperson (ex-officio) and two whole time (independent) members appointed by the Central Government.
  - Any aggrieved person can appeal to the Grievance Appellate Committee within a period of 30 days from the date of receipt of communication from the Grievance Officer.
  - The appeal should be resolved within 30 days from the date of receipt.
  - It may seek assistance from any person having the requisite qualification, experience and expertise in the subject matter if required.
  - It will adopt an **online dispute resolution** mechanism wherein the entire appeal process, from filing of appeal to the decision shall be conducted through digital mode.
  - All its orders will be complied with by the intermediary concerned and its report will be uploaded on its website.

### Related Concerns

- The rules impose excessive government control on SMLs.
- They are restrictive in nature and may be used to curb government criticism.
- Imposes restrictions on freedom of speech.
- Identification of the first originator of information affects individual privacy.
- Early-stage Indian start-ups will be impacted by complying with the rules.

### Model Prisons Act

- The Ministry of Home Affairs (MHA) announced that it has finalised the preparation of the Model Prisons Act, 2023.
- The act will replace the current 130-year-old law i.e., Prisons Act, 1894.

### Rationale Behind Bringing A New Model Act

- **Attempt to shift the focus**
  - The focus of the existing 130-year-old colonial law was **retributive deterrence**.
    - It used punishment or the threat of punishment as a means to deter individuals from committing crimes.
    - It focused on keeping criminals in custody and enforcing discipline and order in prisons, leaving no provision for reform and rehabilitation of prisoners.
  - The new act aims to shift the focus of incarceration from "retributive deterrence" to "reform and rehabilitation".



- **Killings and gang violence within prisons**
  - The Model Prisons Act, 2023, is being introduced following the spate of killings and gang violence within prisons.
- **The presence of a criminal nexus operating from inside prisons**
  - In November 2022, the National Investigation Agency (NIA) asked the Union Home Ministry to shift several dreaded gangsters lodged in north India's prisons to those in the southern states.
  - The NIA's request to move nearly 25 gangsters was driven by the presence of a criminal nexus operating from inside prisons in Delhi, Punjab, Haryana, and Rajasthan.

#### **Key Highlights Of The New Provisions Being Proposed**

- **Aims to encourage good conduct:** The Model Act seeks to create provisions for the grant of parole, furlough, and remission to prisoners to encourage good conduct.
- **Intends to bring about attitudinal change towards prisoners:** The new Act also intends to bring about attitudinal change towards prisoners and initiate vocational training and skill development for prisoners for their reintegration into society.
- **Seeks to bring about transparency in prison management:** It includes provisions for security assessment and segregation of prisoners.
- Additionally, it aims to provide separate accommodation for women and transgender inmates, ensure the physical and mental well-being of prisoners.
- **Other provisions**
  - Individual sentence planning;
  - Grievance-redressal;
  - Prison development board and use of technology in prison administration;
  - Protecting society from criminal activities of hardened criminals and habitual offenders.
  - Establishing high-security jails and open, semi-open jails.
  - New measures for prisoners to video conference with courts have also been introduced.
    - However, if a prisoner is using prohibited items like mobile phones in jail, they will be punished.

#### **Is The Model Prisons Act, 2023, Binding On States?**

- **Constitutional Provision**
  - As per the provisions of the Constitution, 'prisons' and 'persons detained therein' fall under the State List.
  - Hence, the responsibility of prison management and administration solely vests with the state government, which alone is competent to make appropriate legislative provisions in this regard.
- **Supporting Role Played by the Centre**
  - Owing to the critical role played by 'efficient prison management' in the criminal justice system, the Centre finds it crucial to support the States and UTs in this regard.
  - The Ministry of Home Affairs had clarified while announcing the 2023 Act that it may serve as a guiding document for the States so that they may benefit from its adoption in their jurisdictions.

#### **Common Uniforms For Officers Of Brigadier Rank And Above**

- The Army has decided that brigadiers and above rank officers will have a common uniform from August 1 irrespective of their parent cadre and appointment.

- The Indian Army made the decision during the **Army Commanders Conference**.
- There will be no change to the uniform worn by Colonels and below-rank officers.
- In the current practice, senior officers of different ranks wear insignia of their respective arms and regiments on their uniform.

**What Is The Reason For Making The Change?**

- **Common identity for all senior-rank officers**
  - Although, the distinct identity strengthen camaraderie, esprit de corps and regimental ethos & is vital for junior leadership.
    - The identity fosters a strong bond in the same regiment.
  - However, brigadiers and above officers are those who have already commanded units, battalions. They are mostly posted at headquarters or establishments.
  - Hence, a standard uniform will ensure a common identity for all senior-rank officers while reflecting the true ethos of the Indian Army.
- **To reinforce the Indian Army’s character to be a fair and equitable organisation**
  - Regimental service in the Army ends at the rank of Colonel for most officers who rise further.
  - Therefore, affiliations with a particular regiment or corps must also end at that rank – in order to avoid regimental parochialism in the higher ranks.
  - Those at higher ranks often command troops from across regiments, thus it is only appropriate that these officers present themselves in a neutral uniform.

**Is This The First Time That This Is Being Done?**

- Army is now reverting to the practice that was followed almost 40 years ago, when the changes towards wearing regimental affiliations took hold in the service.
- Until about the mid-1980s, the regimental service was till the rank of Lt Colonel. Officers of the rank of Colonel and above had common uniform patterns and insignia.
  - Colonels and Brigadiers shed their regimental insignia and wore the Ashoka emblem on their cap badges. The colour of beret was khaki.

**Cinematograph (Amendment) Bill, 2023**

The Union Cabinet recently approved the Cinematograph (Amendment) Bill, 2023 aimed at curbing **transmission of pirated film content** on the internet and introducing new age categories for classifying films. It seeks to amend the Cinematograph Act, 1952.

**Key Features To be Introduced**

Offence & Penalty	Age Classification	Uniformity	Re-Examination
1. The act of piracy will be considered an offence legally and will include even transmitting pirated content punishable.	1. It will expand the U/A category (which can be viewed by minors with adult supervision) to <b>U/A 7+, U/A 13+ and U/A 16+</b> .	It seeks to bring about uniformity in categorization of films and content across platforms.	The government will be allowed to order the Central Board of Film Certification (CBFC) for re-examining the films already been cleared for exhibition.
2. Those engaged in film piracy will attract up to three years of imprisonment and ₹10 lakh penalty.	2. This will allow filmmakers to address mature themes without attracting an A certificate.		

**About Cinematograph Act, 1952**

**1) Objective:** To ensure that films are exhibited in accordance with the limits of tolerance of Indian society i.e., within the walls of Article 19(1)(a) and 19(2) of the Indian Constitution.

**2) Establishment of Central Board of Film Certification (CBFC) or Censor Board:**

- Act established CBFC to grant certification and regulate public exhibition of films.
- CBFC consists of a chairman and twelve to twenty-five members appointed by the Central Government to sanction and certify films.
- Certification should adapt to social change, while promoting clean and healthy entertainment. Films should meet standards of decent quality and aesthetic value and be judged by the CBFC without biased perspectives.

**3) Appeal Mechanism: Film Certificate Appellate Tribunal ('FCAT')**

- A quasi-judicial body, to which an appeal can be made by an aggrieved person against CBFC's order within thirty days from the receipt of the order.
- Once the appeal has been made, the film must go through the Examining Committee, the Revising Committee and FCAT.
- If it is rejected by all these three bodies, it is considered banned and moving to the Court remains the last resort.

*Note:* Recently, the Central Government of India introduced the **Tribunal Reforms (Rationalization and Condition of Service) Act 2021**, which has dissolved certain appellate bodies and including the FCAT too. Chapter IV Section 9 of the Tribunal Reforms Bill, 2021, which has rendered the dissolution of the FCAT by shifting the appellate jurisdiction under the Cinematograph Act, 1952 with the High Court, owing to the jurisdiction of the High Court.

**4) Action against contravention of Act:**

- The act lays down penalties for uncertified or unauthorized exhibition of film.
- The act also authorizes the police to conduct searches and seizures under CrPC.

**5) Certification Categories:**

<b>Universal (U)</b>	can be watched by everyone including children.
<b>Parental Guidance (U/A)</b>	(Unrestricted public exhibition subject to parental guidance for children under the age of 12).
<b>Adults Only (A)</b>	can be watched by adults only as the mental health of the children can be negatively influenced by the content.
<b>Special Class of Persons (S)</b>	suitable only for a specific class of persons or profession.

**Related Judgements**

**Bandit Queen (1994)-**

- Based on the life of Phoolan Devi, the film was granted 'A' certificate by CBFC on the condition that all scenes depicting nudity, rape, any form of violence or indecency would be deleted or modified.
- The makers appealed to an appellate tribunal which allowed the film's screening without any modifications.
- This was challenged in the Delhi High Court, which ordered the Board to grant 'A' certificate to the film only after the required modifications and deletions.
- An appeal was made against this order in the SC which held that the scenes depicting frontal nudity, indecency or even immorality were an important artistic expression for narrating the truth and the producer's rights guaranteed under Article 19(1)(a) cannot be restricted only because it poses threat to the moral system of the society.

**Unfreedom (2015)-**

- The film after going through Examining Committee, Revising Committee and FCAT was banned without any possibility of any 'cuts' on the grounds of nudity and homosexuality.
- The Board was also irked by the Islamic terrorism angle which might create religious tensions between the Hindu and Muslim community.
- But the film was released on Netflix and was an instant hit.

**Mudgal Committee Suggestions-**

- Changing the name of the 'advisory panel' to 'screening panel' consisting of 9 members with at least 2 women members to ensure language diversity via representation.
- Widening the scope of jurisdiction of the FCAT so that it can hear cases regarding film objections instead of courts to save time and resources.

**Criticism**

- Unreasonable orders for deleting major or effective parts of the film dampens film's creativity.
- Violates the fundamental right to freedom of expression under *Article 19(1)(a)*.
- Meaningless cuts ordered in a film may lead to not only wastage of effort but also financial resources.

**Draft Online Gaming Rules**

The Ministry of Electronics and Information Technology (MeitY) has released a **draft** of amendments to the **IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021** related to online gaming.

**Objectives**

- To ensure that the online games are offered in conformity with Indian laws.
- Regulate the content & Ensure transparency.
- Expand its innovative ecosystem while keeping it safe and trusted by users.

**Revenue Generation**

- In December 2022, Union Ministry of Finance announced that the online gaming would attract flat 28% GST. The rate will be chargeable on 'gross revenue' basis that is, on the total stake value and **not** on the platform fee paid by the user.
- Previously **games of skills** attract a comparatively lower tax rate (18% GST) as they charge usually small platform fee for participating in the game where as **games of chance** attract higher GST rate (28%) on the total bet value.

**Key Amendments**

<b>Online Gaming Definition</b>	Defined as a game offered on the Internet and accessible by a user through a computer resource if he makes a deposit with the expectation of earning winnings.
<b>Online Gaming Intermediary</b>	Defined as an operator of a gaming company.
<b>Self-Regulatory Body (SRB)</b>	<ul style="list-style-type: none"> <li>• Online games will have to register with a self-regulatory body, and only games cleared by the body will be allowed to legally operate in India.</li> <li>• There could be more than one SRB.</li> <li>• It will have a board of directors consisting of five members:                             <ul style="list-style-type: none"> <li>i) eminent person from the field of online gaming, sports or entertainment, or relevant field.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>ii) an individual representing online game players.</li> <li>iii) an individual from the field of psychology, medicine or consumer education, or relevant field.</li> <li>iv) an individual nominated by the Central Government with practical experience in the field of public policy, public administration, law enforcement or public finance.</li> <li>v) an individual from the field of information communication technology.</li> </ul> <ul style="list-style-type: none"> <li>• All SRBs will have to inform the Centre about the games registered by them along with a report based on following criteria:             <ul style="list-style-type: none"> <li>i) It does not contain anything against the interest of sovereignty and integrity of India, defense of India, security of the State, friendly relations with foreign States or public order, etc.</li> <li>ii) It is in conformity with Indian laws including any such laws that relates to gambling or betting or the age at which an individual is competent to enter a contract.</li> </ul> </li> </ul>
<b>Additional Due Diligence</b>	<p>To ensure users interest, online gaming companies must:</p> <ul style="list-style-type: none"> <li>i) Display a <u>demonstrable and visible mark of registration</u> on all online games registered by the SRB.</li> <li>ii) Inform the user about:             <ul style="list-style-type: none"> <li>• All the online games being offered.</li> <li>• Its policy related to withdrawal or refund of the deposit made, manner of determination and distribution of winnings, and the fees and other charges payable by the user for such games.</li> <li>• Associated risk of financial loss and addiction.</li> <li>• Know-Your-Customer (KYC) procedure followed for user registration.</li> <li>• Measures taken for protecting user deposit.</li> </ul> </li> <li>iii) Publish on its website or mobile application or both, a <u>random number generation certificate</u> and a <u>no bot certificate</u> from a reputed certifying body for each online game offered by it.             <ul style="list-style-type: none"> <li>• Random Number Generation Certificate, is used by platforms that offer card games to ensure that game outputs are statistically random and unpredictable.</li> </ul> </li> </ul>
<b>Compliance Officer</b>	An Indian citizen to be appointed to ensure offshore gaming entities abide by the rules.
<b>Nodal Officer</b>	An Indian citizen to be appointed for 24x7 coordination with law enforcement agencies and officers to ensure compliance with their orders
<b>Grievance Officer</b>	To resolve user complaints.
<b>Restrictions</b>	Online gaming companies will <b>not be allowed</b> to engage in betting on the outcome of games.

**Need:**

- **Growing Gaming Industry:** The revenue of the Indian mobile gaming industry is expected to reach \$5 billion in 2025. It grew at a compound annual growth rate (CAGR) of 38% in India between 2017-2020, as opposed to 8% in China and 10% in the US

- **Ensuring Safe Gaming Ecosystem:** Around 40 to 45% of the gamers in India are women, and therefore it is important to keep the gaming ecosystem safe.
- **Regulate Content:** To ensure that the games do not have violent, addictive or sexual content.
  - Some people are losing money and falling into a debt trap. Some of the victims took their own lives.
- **Reduce State Wise Regulatory Framework:** Online gaming was under the purview of the states. State governments in Assam, Meghalaya, Nagaland and Tamil Nadu, among others, were active in regulating gaming. Different states had different regulatory frameworks. A stable policy framework will render clarity on what is permissible and will bring uniformity across the country.
- **Loss of revenue:** Shifting of users to grey/ illegal offshore online gaming apps not only results in loss of tax revenue for the State and job opportunities for locals but results in users being unable to avail remedies for any unfair behaviour or refusal to pay out winnings.

**Concerns Raised:**

- **Lack of Clarity:** The draft rules do not distinguish between **skill-based (gaming) and chance-based games (Gambling)**

**Betting and Gambling:**

- **Public Gambling Act, 1867:** Chance based games (Gambling) is a non-cognisable and bailable offence in India. Now, the Public Gambling Act only allows exceptions if the game being bet on is a "game of skill" and not a game left purely up to chance.
- Betting and gambling can be found in **Entry 34 of List II of 7<sup>th</sup> Schedule**. It means that the state government can exercise full control & formulate their state-specific laws over betting and gambling practices in their state.

- **Burden Companies:** The rules bucket all gaming intermediaries into a broad category irrespective of size or risk and require similar compliance, including the need to have India-based officers. This can disproportionately burden young startups and make it difficult for global players to start offering their services in India.
- **Wagering on Outcome:** The biggest issue is who determines whether a game involves wagering on the outcome or not. If industry-led **self-regulatory bodies (SRBs)** are allowed to make this assessment driven by financial motives, they are likely to take an expansive view on the issue and permit as many games as possible as non-wager-based games.
- Protection of data and intellectual property rights, and Prohibiting misleading advertisements.

**Benefits:**

- Curb the menace of anti-national and illegal offshore gambling platforms.
- Establish a regulated and sustainable industry while promoting responsible gaming.
- Boost the legitimate domestic online gaming industry.
- Ensuring greater transparency, consumer protection, and investor confidence.
- Create employment opportunities.

These decisions are in line with the government's initiative to push for the growth of the animation, visual effects, gaming and comics (AVGC) sector and making India a global hub for online gaming.

**Multi-State Cooperative Societies Bill, 2022**

The Lok Sabha has referred the Multi-State Co-operative Societies (Amendment) Bill 2022 to a joint committee of Parliament. This bill amends the Multi-State Cooperative Societies Act, 2002.

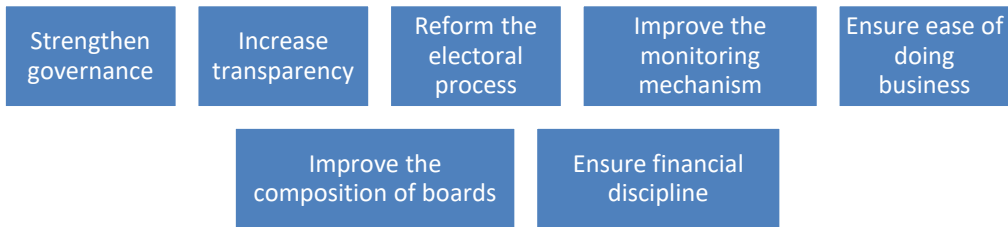


**• Issues with Cooperatives:**

- Increased mismanagement and corruption with increased government and legislative control.
- Given preference in development schemes for dispensing patronage to the supporters of ruling political parties, either by way of nomination to governing boards or sanctioning schemes specific to the cooperatives.
- State governments directly intervened in the working of cooperatives which were legally autonomous by contributing to the **share capital** of cooperatives and providing various forms of financial assistance.
- Trust issue among the MSCS.

**Multi State Cooperative Societies Bill, 2022**

**Objectives-** The bill seeks to:



**Key Provisions**

<b>Registration</b>	<ul style="list-style-type: none"> <li>• The Central Registrar should dispose of the application for registration of MSCS within a period of <b>four months</b> from the date of receipt.</li> <li>• If the Central Registrar refuses to register an MSCS, he should specify it with reasons within four months of receiving the application.</li> </ul>
<b>Amalgamation of Cooperative Societies</b>	<p>The bill allows “<b>any</b>” cooperative society to merge into an existing multi-state co-operative society by a resolution passed by a majority of not less than <b>two-thirds of the members present and voting</b> at a general meeting of such society.</p> <ul style="list-style-type: none"> <li>• At present, only MSCS can amalgamate themselves and form a new MSCS.</li> </ul>
<b>Disqualification for Being a Board Member</b>	<p>No member of any MSCS or nominee of a member, society or a national co-operative society shall be eligible for being chosen as a member of the board if-</p> <ul style="list-style-type: none"> <li>✓ He has been judged to be insolvent or of unsound mind by a competent court.</li> <li>✓ Any amount is due against him under a decree, decision or order.</li> </ul>
<b>Cooperative Election Authority</b>	<ul style="list-style-type: none"> <li>• It seeks to establish a “cooperative election authority” to bring “electoral reforms” in the cooperative sector.</li> <li>• The authority will consist of a <i>chairperson, a vice-chairperson and a maximum of three members to be appointed by the Centre.</i></li> <li>• All the members will hold office for 3 years or until they attain the age of 65 years (whichever is earlier) and shall be eligible for re-appointment.</li> <li>• Functions of election authority: Conduct elections, Supervise and control the preparation of electoral rolls.</li> </ul>
<b>Appointment of Auditors</b>	<ul style="list-style-type: none"> <li>• Every MSCS will appoint an auditor at each annual meeting from a panel of auditors approved by the Central Registrar.</li> <li>• The bill proposes to insert a new Section 70A relating to <b>concurrent audit</b> for such multi-state societies with an annual turnover or deposit of more than the amount as</li> </ul>

	determined by the Centre.
<b>Winding up of MSCS</b>	If the Central Registrar, after an audit, is of the opinion that society ought to be wound up, he may after giving the society a reasonable opportunity of making its representations direct it to be wound up.
<b>Redressal of Complaints</b>	<ul style="list-style-type: none"> <li>• It proposes to appoint one or more “<b>cooperative ombudsman</b>” with a territorial jurisdiction to inquire into members’ complaints regarding: <ul style="list-style-type: none"> <li>○ Their deposits.</li> <li>○ Equitable benefits of society’s functioning.</li> <li>○ Issues affecting the individual rights of the members.</li> </ul> </li> <li>• After receiving a complaint, the ombudsman needs to complete the inquiry and adjudicate within a period of <b>three months</b>.</li> <li>• It may issue necessary directions to the society during inquiry which shall be bound to comply with the same within a period of <b>one month</b> from the date of issuance of such directions.</li> <li>• Appeals against the directions of the Ombudsman may be filed with the Central Registrar within a month.</li> </ul>
<b>Cooperative Rehabilitation, Reconstruction and Development Fund</b>	<ul style="list-style-type: none"> <li>• It seeks to establish a fund for the revival of <b>sick multi-State co-operative societies</b> and for their development. A sick MSCS is the one which has: <ul style="list-style-type: none"> <li>○ Accumulated losses equal to or exceeding the total of its paid-up capital, free reserves and surpluses at the end of any financial year.</li> <li>○ Suffered cash losses for the past two years.</li> </ul> </li> <li>• MSCSs, which are in profit for the preceding three financial years, will contribute either <b>one crore rupees or one per cent of their net profits</b>, whichever is less to this fund.</li> <li>• The Central Government may grant financial assistance to a MSCS for infrastructural requirement which has contributed to the Fund for continuous five preceding financial years provided that at least 50% of the total requirement is borne by the MSCS.</li> </ul>
<b>Board of Directors</b>	<ul style="list-style-type: none"> <li>• The board consists of 21 directors, 2 co-opt directors and functional directors.</li> <li>• The bill seeks to amend the composition of board of directors and states that- <ul style="list-style-type: none"> <li>○ Out of the 21 board members one Member shall be from <u>Scheduled Caste or Scheduled Tribe and two shall be women</u>.</li> <li>○ The 2 co-opt members shall have experience in the field of banking, management, co-operative management and finance or specialization in any other field related to the objects and activities undertaken by the MSCS.</li> </ul> </li> <li>• The members will be <b>ineligible</b> to either vote in any election of office bearers or be elected as office bearers.</li> <li>• It excludes the directors of the MSCS from being present in the discussion or voting of any contract in which they may have any direct or indirect interest.</li> </ul>
<b>Penalties</b>	<ul style="list-style-type: none"> <li>• A MSCS or an officer or member willfully making a false return or furnishing false information, or any person willfully or without any reasonable excuse disobeying any summons, requisition or lawful written order issued, or not furnishing any information required from him shall be punishable with a fine of not less than two thousand rupees extendable up to ten thousand rupees.</li> </ul>

	<ul style="list-style-type: none"> <li>The failure to file any return or information will also be an offence and the fine will extend from Rs 5,000 to one lakh rupees.</li> </ul>
<b>Cooperative Information Officer</b>	Will be appointed to provide information on affairs and management of MSCS concerned to members of such society.

**Difference Between New Bill and MSCS Act 2002**

MSCS Act 2002	MSCS Bill 2022
Provided for the amalgamation and division of MSCS.	Proposes merger of any cooperative society into an existing MSCS.
Elections to the board were conducted by its existing board.	A Co-operative Election Authority will be established for conducting the elections.
There were no such criteria for board members.	Proposal to include women and Scheduled Caste/Scheduled Tribe members on MSCS boards for promoting equity and inclusiveness.
No such fund existed earlier.	Establishes a rehabilitation, reconstruction and development fund for sick MSCS.
Not found.	Appoints a cooperative ombudsman.
Not found.	Concurrent audit.

**Issues Regarding The Bill**

- Concentration of Power:** The Bill may lead to the concentration of power in the hands of the Centre further impacting the *autonomy* of MSCSs and resulting in potential misuse.
- Merger beyond Legislative Competency:** The bill allows the merger of any State cooperative society with an existing MSCS. This is beyond the Centre’s legislative competency as State cooperatives are out of its domain.
- Burdens the MSCS:** The rule to contribute either 1 crore or 1% of total net profit to the rehabilitation fund will burden the MSCS and affect their autonomy.

**Regulations for Tackling Misleading Ads and Claims**

- The Advertisement Monitoring Committee at the **Food Safety and Standards Authority of India (FSSAI)** flagged 32 fresh cases of food business operators (FBOs) making misleading claims and advertisements.
- They were found to be in contravention of the Food Safety and Standards (Advertisements & Claims) Regulations, 2018.

**Observation in the Food Advertising Ecosystem in India**

- FSSAI seeks that the advertisements and claims be **truthful, unambiguous, meaningful, not misleading and help consumers** to comprehend the information provided.
- Claims must be **scientifically substantiated** by validated methods of characterising or quantifying the ingredient or substance that is the basis for the claim.
- According to the Advertising Standards Council of India (ASCI), food advertising has been a **“fairly violative sector”**.
- Last month, an uproar ensued after allegations were made against health drink **Bournvita**.



**Some Misleading Words In the Food Advertising Ecosystem In India**

- **Natural:** A food product can be referred to as ‘natural’ if it is a *single food* derived from a recognised natural source and has nothing added to it.
  - Therefore, **composite foods** - a mixture of plant and processed constituents, can be called ‘made from natural ingredients’ instead of ‘natural’.
- **Fresh:** It can be used for products which are not processed in any manner other than washing, peeling, chilling, trimming, cutting or irradiation by ionising radiation (not exceeding 1 kGy {gamma radiation} to delay in ripening, killing of insects/pests, etc).
  - The regulations forbid the ‘fresh’ reference **if the processing endeavours to achieve an extension in the shelf-life** of the product (may instead use ‘fresh frozen’).
- **Pure and Original**
  - ‘Pure’ is to be used for **single-ingredient foods** to which nothing has been added and which are devoid of all avoidable contamination.
  - ‘Original’ is used to describe food products **made to a formulation, with a traceable origin** that has remained unchanged over time.
- **Nutritional Claims**
  - Nutritional claims may either be about the specific contents of a product or comparisons with some other foodstuff.
  - **Claims of equivalence** such as “contains the same of (nutrient) as a (food)” or “as much (nutrient) as a (food)” may be used in the labelling.
  - According to the ASCI, **most complaints of misleading Ads were related to the nutrition of a product, its benefits and the ingredient mix** not being based on adequate evidence.

**Regulations for Tackling Misleading Ads and Claims**

- **Food Safety and Standards Act, 2006:**
  - **It prohibits product claims** suggesting suitability for prevention, alleviation, treatment or cure of a disease, disorder or particular psychological condition unless specifically permitted under the Act.
  - Making deceptive claims or advertisements are **punishable offences** and may invite penalties of up to Rs 10 lakh apart from suspension/cancellation of licenses for repeated offences.
- **The Food Safety and Standards (Advertisements & Claims) Regulations 2018:** The focus of the regulation is to make the Companies accountable for their claims on food products and cater to the interest of customers.
- **The Consumer Protection Act 2019:** Under this, Central Consumer Protection Authority (CCPA) was set up as a regulatory body in relation to matters (such as wrong advertisements) affecting rights of consumers.
- **The Programme and Advertising Codes:** These are prescribed under the Cable Television Network Rules 1994 and underlines that advertisements must not give claims which are difficult to be proved.

**Way Ahead**

- **FBOs must desist** from making any unscientific and/or exaggerated claims and advertisements to promote their product sales to avoid enforcement actions and in larger consumer interest.
- They must be in consonance with principles of **Good Clinical Practices (GCP)** and peer-reviewed or **published in a peer-reviewed scientific journal.**

Aiming to make India drug-free by 2047, the Ministry of Home Affairs (MHA) plans to link recovery and usage of narcotics and banned substances in a particular area to the annual appraisal report of a District Superintendent of Police.

### Reasons for Widespread Drug Abuse in India

- **To escape from hard realities of life**
  - The disintegration of the old joint family system, decline of old religious and moral values etc. lead to a rise in the number of drug addicts who take drugs to escape hard realities of life.
- **Loosening of the traditional methods of social control**
  - The loosening of the traditional methods of social control left an individual vulnerable to the stresses and strains of modern life.
- **Peer pressure**
  - Many youths start using drug under the pressure from their friends, seniors at educational institutions, or by members of their informal groupings.
- **Easy Availability**
  - India is situated in the sense that on its west is the 'Golden Crescent' and on east is the 'Golden Triangle'.
    - Golden Crescent - Iran-Afghanistan-Pakistan
    - Golden Triangle - Thailand, Laos, and Myanmar
  - The usage of drugs in India is increasing, particularly in the border areas due to their porous nature.
- **Economic Prosperity**
  - The agricultural reforms and other industrial activity have led to increase in income in regions like Punjab, Haryana, Maharashtra etc.
  - Increase in disposable money and easy availability of drugs has led to increase in its use.

### Steps Taken

- Article 47 of the Indian Constitution directs the State to endeavour to bring about prohibition of the consumption of intoxicating drugs injurious to health.
- India is a signatory to
  - Single Convention on Narcotic Drugs 1961, as amended by the 1972 Protocol,
  - Conventions on Psychotropic Substances, 1971 and
  - United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988.
- **Legislative Steps:**
  - Enacted Drugs and Cosmetics Act, 1940,
  - Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 and
  - The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988.
- **Institutions Involved**
  - Narcotics Control Bureau (NCB) was created in 1986 as a nodal agency to fight against this menace.
  - Ministry of Health and Family Welfare (MoHFW) and Ministry of Social Justice and Empowerment (MSJE) are involved with alcohol and drug demand reduction policies and drug de-addiction programme.

- **Opium and cannabis cultivation targeted**
  - Opium and cannabis cultivation in area the size of over 89,000 football fields has been destroyed in the past three years.
  - According to NCB, in the past three years, 35,592 acres of poppy cultivation and 82,691 acres of cannabis cultivation has been destroyed across the country.
  - The States where the crops were destroyed are:
    - Arunachal Pradesh, Assam, Manipur, Jharkhand, Madhya Pradesh, Himachal Pradesh, Jammu and Kashmir, Gujarat, Maharashtra, Odisha, Tripura, and Telangana.
- **Fixing accountability**
  - MHA is planning to link recovery and usage of narcotics and banned substances in a particular area to the *annual appraisal report of a District Superintendent of Police*.
  - This will bring accountability and fix responsibility.
- **Use of technology**
  - The MHA has constituted a study group to analyse the use of drones in the destruction of illegal crops in remote areas.
  - The NCB also shares satellite images with the affected States.
  - On the ***National Narcotics Coordination portal (NCORD)***, the source and destination of drugs are highlighted too, and information up to the district levels is maintained.
  - Another database, called ***NIDAAN***, has the photographs, fingerprints, court orders, information and details of all suspects and convicts arrested under the Narcotic Drugs and Psychotropic Substances (NDPS) Act so far.
    - This can be accessed by State and Central law enforcement agencies.
- **Liberal application of the PITNDPS Act**
  - The Ministry is encouraging the liberal application of the *Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act (PITNDPS), 1988*.
    - Earlier, this act was not being used much.
  - This includes a provision to detain an individual for up to two years without a court's intervention.
- **Tackling the issue of dark net and crypto currency**
  - The use of the 'dark net' and crypto currency in illegal drugs is increasing, and in 2020, 2021 and 2022, NCB investigated 59 such cases.
  - A sub-group on the counter-terrorism portal, the **Multi Agency Centre (MAC)**, has been created to share inputs on the use of the dark net and crypto currency for trade in narcotics.
- **Anti-Narcotics Task Forces (ANTF)**
  - All States have created dedicated Anti-Narcotics Task Forces (ANTF). The first ever conference of State ANTFs was held on April 19-20.
- **Destruction of seized drugs through proper process**
  - Unless seized drugs were destroyed through proper process, there will be chances of rotation of drugs due to corruption.
  - Recently, the MHA said that the destruction should be held in public.
  - So far, 6.7 lakh kilogrammes of drugs have been burnt by government agencies.



- **Alternate livelihood scheme**

- State governments have also launched alternate livelihood scheme for farmers growing poppy illegally.
- They are also provided cash incentives to destroy the illegal crops.

### Civil Liability for Nuclear Damage Act (CLNDA) 2010

The issues regarding India's nuclear liability law - the **Civil Liability for Nuclear Damage Act (CLNDA) 2010** - are holding the six nuclear power reactors in Maharashtra's Jaitapur.

#### Why Are Laws on Nuclear Liability Needed?

- They ensure that **compensation is available to the victims** for nuclear damage caused by a nuclear incident/disaster and set out **who will be liable for those damages**.
- The international nuclear liability regime consists of **multiple treaties** and was strengthened after the **1986 Chernobyl nuclear accident**.
- The umbrella **Convention on Supplementary Compensation (CSC)** was adopted in **1997** with the aim of establishing a *minimum national compensation amount*.
- The amount can further be increased through **public funds** (to be made available by the contracting parties), if the amount to compensate for the damage is insufficient.

#### Laws Governing Nuclear Liability in India

- India was a signatory to the CSC, but ratified the convention only in **2016**.
- To keep in line with the international convention, India enacted the **CLNDA** in 2010, to put in place a **speedy compensation mechanism** for victims of a nuclear accident.
- India currently has **22** nuclear reactors with over a dozen more projects planned.
  - All the existing reactors are operated by the **state-owned** Nuclear Power Corporation of India Limited (NPCIL).

#### Salient Provisions of the CLNDA

- The CLNDA provides for **strict and no-fault liability on the operator of the nuclear plant**, where it will be held liable for damage regardless of any fault on its part.
- **It also specifies the amount (₹1,500 crore)** the operator will have to shell out in case of damage and requires the operator to cover liability through **insurance**.
- **In case the damage claims exceed ₹1,500 crore**, the CLNDA expects the government to step in.
- **The Act has limited the government liability amount** to the rupee equivalent of 300 million Special Drawing Rights (SDRs) or about **₹2,100 to ₹2,300 crore**.

#### Supplier Liability and CLNDA's position on it

- The "**international legal framework**" is based on the central principle of **exclusive liability of the operator of a nuclear installation** and no other person.
  - This is because excessive liability claims against suppliers of nuclear equipment **would make their business unviable and hinder the growth of nuclear energy**.
  - This is also to avoid legal complications in establishing separate liability in each case and to make just one entity in the chain (operator) to take out insurance.
- However, **the CSC lays down two conditions** under which the national law of a country may provide the operator with the "right of recourse", where they can extract liability from the supplier.
  - If it is expressly agreed upon in the contract
  - If the nuclear incident results from an act or omission done with intent to cause damage

- However, *India went beyond these two conditions* and introduced the concept of supplier liability over and above that of the operator's in the CLNDA.

#### Why Did CLNDA Introduce the Concept of Supplier Liability?

- **Section 17(b) of the CLNDA:** The operator of the nuclear plant, after paying their share of compensation, shall have the right of recourse **where the nuclear incident has resulted as a consequence of an act of the supplier or his employee.**
  - This includes **supply of equipment or material** with patent or latent defects or sub-standard services.
- Defective parts were partly responsible for historical incidents such as the **Bhopal gas tragedy in 1984.**

#### Why is the Supplier Liability clause an Issue in Nuclear Deals?

- **Foreign suppliers** of nuclear equipment as well as **domestic suppliers** have been wary of operationalising nuclear deals with India.
- Concerns about potentially getting **exposed to unlimited liability** under the CLNDA and **ambiguity** over how much insurance to set aside have been sticking points for suppliers.
- **For example,**
  - **Section 46** of CLNDA allows victims of a nuclear catastrophe to **seek claims for damages** against the operator or the supplier under *criminal law*, **even though such legal actions fall beyond the purview of the CLNDA.**
  - Absence of a comprehensive definition on the types of 'nuclear damage'.

#### Stalled Projects in India

- **The Jaitapur nuclear project** has been stuck for more than a decade - the original MoU was signed in 2009 with France's Areva.
- **Other nuclear projects**, including the nuclear project proposed in **Kovvada** (Andhra Pradesh) have also been stalled.
- Despite signing civil nuclear deals with a number of countries, including the U.S., France and Japan, **the only foreign presence in India is that of Russia in Kudankulam** - which predates the nuclear liability law

#### Indian Government's stand

- The Indian law is in consonance with the CSC. **For example**, Section 17(b) "permits" but "does not require" an operator to include in the contract or exercise the right to recourse.

#### Stand-Up India Scheme

As much as Rs 40,710 crore sanctioned to over 0.18 million accounts under the government's flagship Stand Up India Scheme during the last seven years since its inception. The scheme has been extended up to 2025.

#### Stand Up India Scheme

- It was launched on April, 2016 to promote entrepreneurship at grassroot level focusing on economic empowerment and job creation. The scheme has been extended till 2025.
- **Aim:** The scheme aimed to promote entrepreneurship amongst **women and SC/ST** to help them in starting a *greenfield enterprise* in manufacturing, services or the trading sector and activities allied to agriculture.
- **Objective:** Facilitate bank loans between Rs.10 lakh and Rs.1 crore to at least one Scheduled Caste/Scheduled Tribe borrower and at least one woman borrower per bank branch of Scheduled Commercial Banks.
- **Eligibility**
  - SC/ST and/or women entrepreneurs, above 18 years of age;

- Loans under the scheme is available for only green field project.
- In case of non-individual enterprises, 51% of the shareholding and controlling stake should be held by either SC/ST and/or Women Entrepreneur.
- Borrowers should not be in default (failure to repay an earlier loan) to any bank/financial institution.

#### **Achievements of Stand Up India Scheme**

- Stand Up India initiative has played an important role in empowering the SC/ ST communities and ensuring women empowerment.
- 90% of the loan applications and 86.3 per cent of the loan amount have been sanctioned so far.
- **Amount sanctioned since the inception of this scheme**
  - Rs 40,710 crore sanctioned to over 0.18 million accounts under the scheme since its inception.
    - Rs 33,152.43 crore was sanctioned to 0.14 million accounts of women while Rs 5,625.5 crore was sanctioned to 26,889 SC accounts.
    - Rs 1,932.5 crore was sanctioned to 8,960 accounts of ST members.
- **Women empowerment**
  - Of the funds sanctioned till March 21, 2023, about 80 per cent of the loans have been given to women entrepreneurs.
  - So far, more than 1 lakh women promoters have benefitted from this Scheme.
- **Funding the unfunded**
  - The scheme is based on the third pillar of National Mission for Financial Inclusion namely “Funding the unfunded”.
  - It has ensured availability of seamless credit flow from branches of Schedule Commercial Banks to SC/ST and women entrepreneurs.

### **Important Aspects of Governance, Transparency & Accountability**

#### **CAG’s 2022 Performance Audit on Derailment in Indian Railways**

According to the Performance Audit on Derailment in Indian Railways, **nearly three fourth of 217 consequential train accidents** across the country between 2017-18 and 2020-21 were caused by **derailments**.

#### **Highlights of the ‘Performance Audit on Derailment in Indian Railways’:**

- The audit report was tabled in Parliament in December 2022 by the **Comptroller and Auditor General of India (CAG)**.
- The focus of the audit was **to ascertain whether measures to prevent derailments and collisions were clearly laid down and implemented** by the Ministry of Railways.
- It also analysed the performance of **Rashtriya Rail SanrakshaKosh (RRSK)**.
  - The RRSK was created in **2017-18 with a corpus of Rs 1 lakh crore** over a period of five years with an annual outlay of Rs 20,000 crore (Rs 15,000 crore from Gross Budgetary Support and Rs 5,000 crore out of Railways Internal Resources).
  - **The proposed safety fund will be utilised for** track improvement, bridge rehabilitation, rolling stock replacement, human resource development, improved inspection system and safety work at level crossing, etc.

**Classification of Train Accidents:**

- **Consequential Train Accidents:** Includes train accidents with serious repercussions in terms of either: loss of human life/human injury/loss of Railway property/Interruption to railway traffic.
  - Out of 217 “consequential train accidents”, **163 were due to derailments** during 2017-18 to 2020-21.
  - This was followed by accidents due to fire in trains (20), accidents at unmanned level-crossings (13), collisions (11), accidents at manned level crossing (8), and miscellaneous (2).
- **Other Train Accidents:** Includes all other accidents not covered under consequential train accidents.
  - In this category, **1,800 accidents took place**. The derailments account for **68% (1,229 derailments)**.

**Main Reason Behind Train Accident:**

- Out of 2017 consequential and non-consequential accidents (1,800 + 217), **the accidents due to derailments were 1,392 (69%)**.
- The total damages/loss of assets was reported as **Rs 33.67 crore** in the selected cases of derailments.

**Major Factors Responsible for Derailments:**

- Maintenance of tracks (167 cases).
- Deviation of track parameters beyond permissible limits (149 cases)
- Bad driving/over speeding (144 cases)

**Performance of RRSK:**

- The Gross Budgetary Support of Rs 15,000 crore had been contributed.
- But the actual generation of **internal resources** of Railways for funding of the remaining Rs 5,000 crore per year to RRSK **fell short of target during these four years**.
  - Thus, short deployment of funds by Railways to the tune of Rs 15,775 crore (78.88%) out of the total share of Rs 20,000 crore had defeated the primary objective of creation of RRSK.
- **The allotment of funds for track renewal works declined** from Rs 9,607.65 crore (2018-19) to Rs 7,417 crore in 2019-20 and even these funds were **not “fully utilised”**.
  - Out of 1127 derailments during 2017-21, **289 derailments (26%) were linked to track renewals**.

**Recommendations of the CAG Report:**

- **Development of a strong monitoring mechanism** to ensure timely implementation of maintenance activities by adopting fully mechanised methods of track maintenance and improved technologies.
- Railway administration must follow the **guiding principles for deployment of RRSK funds**.
- Indian Railway may prepare the **Detailed Outcome Framework** for each item of safety work.
- Ensuring strict adherence to the **scheduled timelines for conducting and finalising accident inquiries**.

**Aadhaar-enabled Payment Services Breach**

Cybercriminals have started using Aadhaar biometrics to withdraw money from users' bank accounts through Aadhaar-enabled Payment Services (AePS).

**Aadhaar-enabled Payment Services (AePS)**

- It is a type of payment system that is based on the Unique Identification Number and allows Aadhaar card holders to seamlessly make financial transactions through Aadhaar-based authentication.
- It is a **bank led model** which allows online interoperable financial transaction at PoS (Point of Sale) & Micro ATM through the Business Correspondent (BC)/Bank Mitra of any bank using the Aadhaar authentication.
- The model removes the need for OTPs, bank account details, and other financial details. It allows fund transfers using only the bank name, Aadhaar number, and fingerprint captured during Aadhaar enrolment.

**Need for AePS**

- The government intends to bring all the **unbanked sections** of the society in the banking framework. However, this is not geographically possible for people who live in distant and remote places.
- AePS enables people in far off places to easily send/receive money and avail banking and non-banking facilities with the help of micro-ATM and banking executives.
- It also helps in eliminating the hassle of carrying bank passbooks and debit card as the transaction can be done with only the Aadhaar number and fingerprint authentication.

**Significance**

- AePS is **delivering the 4As for financial inclusion** to rural parts of India — authentication of customer, availability of services, accessibility through AePS channel and affordability as it is free of cost to the customers
- It is helping in the empowerment of all sections of the society by making financial and banking services available to all through Aadhaar.
- It enables **both financial and non-financial transactions** with the help of a banking correspondent. The process is easy-to-use for individuals who are not tech-savvy.
- Banking correspondents of one bank can perform transactions of other banks as well.
- It helps in facilitating disbursements of different government schemes such as MGNREGA, Social Security pension, Handicapped Old Age Pension etc using Aadhaar authentication.

**Enabling AePS Transactions**

- Neither Unique Identification Authority of India (UIDAI) nor National Payments Corporation of India (NCPI) mentions clearly whether AePS is enabled by default.
- Cashless India, a website managed and run by MeitY, says the service does not require any activation, with the only requirement being that the user’s bank account should be linked with their Aadhaar number.
- Users who wish to receive any benefit or subsidy under schemes notified under **section 7** of the Aadhaar Act, have to mandatorily submit their Aadhaar number to the banking service provider, according to UIDAI.
- Aadhaar is also the preferred method of KYC for banking institutions, thus enabling AePS by default for most bank account holders.

**Securing Aadhaar Biometric Information**

- **Sharing redacted or blacked(masked) out Aadhaar numbers**
  - UIDAI is proposing an amendment to the Aadhaar (Sharing of Information) Regulations, 2016.
  - This amendment will require entities in possession of an Aadhaar number to not share details unless the Aadhaar numbers have been redacted or blacked out through appropriate means, both in print and electronic form.
- **UIDAI has implemented Two-factor authentication mechanism**
  - This mechanism uses a machine-learning-based security system, combining **finger minutiae** and **finger**

image capture to check the liveness of a fingerprint.

**Locking Aadhaar information**

- Users have been asked to lock their Aadhaar information by visiting the UIDAI website or using the mobile app.
- This will ensure that their biometric information, even if compromised, cannot be used to initiate financial transactions.
- Aadhaar can be unlocked when the need for biometric authentication arises, such as for property registration and passport renewals, after which it can again be locked.

**SCO Members Adopted Proposal On Digital Public Infra**


- Inter-governmental body Shanghai Cooperation Organization members have unanimously adopted India's proposal for developing **Digital Public Infrastructure**.

- The proposal includes platforms such as Aadhaar, United Payments Interface (UPI), and DigiLocker.

- This was done during a recently held meeting of **Digital Ministers of SCO member**. The meeting was **chaired by India**.

### Digital Public Infrastructure (DPI)

- **DPI refers to platforms such as identification (ID), payment and data exchange systems that help countries deliver vital services to their people.**
- **Put simply, DPIs mediate the flow of people, money and information.**
- **In this context, the following three sets become the foundation for developing an effective DPI ecosystem:**
  - **First, the flow of people through a digital ID System**
  - **Second, the flow of money through a real-time fast payment system**
  - **And third, the flow of personal information through a consent-based data sharing system to actualise the benefits of DPIs and to empower the citizen with a real ability to control data.**



**Benefits of DPI**

- **Promotion of economic activities and support to inclusive growth**
  - Countries are using DPI to implement widespread adoption of digital payments, data-sharing infrastructures, and growing their e-commerce sector.
  - It has the potential to transform economies and support inclusive growth.
    - E.g., Aadhar, UPI, and Jan Dhan were instrumental in promoting financial inclusion in India.
- **To address common challenges as outlined in the Sustainable Development Goals**
  - DPI can drive forward global efforts to address our common challenges as outlined in the 17 Sustainable Development Goals — everything from advancing gender equality to restoring our natural world.
  - E.g., **Data in Climate Resilient Agriculture, or DiCRA, program in India.**
    - It makes climate data accessible — providing instant information on where, when, and what to plant, thereby boosting livelihoods and enhancing food security.
- **Efficient service delivery**
  - Like health, education, or social protection systems or even public parks and libraries, societies need infrastructure to function.
  - That is also true for DPI. Citizens can access public services 24 hours a day at their fingertips.
- **Support during COVID-19 crisis**
  - Countries that used digital databases to extend social assistance programs such as cash transfers during the COVID-19 pandemic were able to reach more than half of their populations on average.



- E.g., India was able to vaccinate one billion people within a matter of months due to an existing digital vaccination registration system known as **CoWIN**.

**India and DPI**

- The concept of digital public infrastructure has been pioneered by India and is a current global leader in developing DPI.
- India, through **India Stack** (India Stack is the moniker for a set of open APIs and digital public goods), became the first country to develop all three foundational DPIs:
  - **digital identity** (Aadhar);
  - **real-time fast payment** (UPI)
  - **platform to safely share personal data without compromising privacy** (Account Aggregator built on the Data Empowerment Protection Architecture or DEPA).
    - DEPA is a joint public-private effort for an improved data governance approach.
    - It creates a digital framework that allows users to share their data on their own terms through a third-party entity, Consent Mangers.
- Other components of Indian DPI include:
  - **DigiYatra** -Biometric Enabled Seamless Travel (BEST) experience based on a Facial Recognition System (FRS).
  - **DigiLocker** - a platform used for storing document and verifying credentials.
  - **Open Network for Digital Commerce (ONDC)** - An alternative e-commerce platform promoting open networks for exchange of goods and services.

**Challenges Faced by DPI**

- **Data Colonisation**
  - There is a disturbing trend of the weaponisation of data and technology. This is resulting in a loss of sovereignty and privacy.
- **Financing models for developing DPI**
  - To develop sustainable financing models for developing DPI for the world is a major challenge.
- **Global standards for the development of DPI**
  - Currently, there is no uniform standard across the world for the development of DPIs.

**Role of Civil Services in a Democracy**

**National Training Conclave**

Prime Minister recently inaugurated the **first-ever National Training Conclave** at the International Exhibition and Convention Centre in New Delhi to strengthen the training infrastructure for civil servants across India.

<b>What?</b>	It is a part of the <u>National Programme for Civil Services Capacity Building (NPCSCB)</u> - ‘ <u>Mission Karmayogi</u> ’ aimed at bringing together all Civil Service Training Institutions (CSTIs) in a common setting and identifying strategies to improve together.
<b>Objective</b>	<ul style="list-style-type: none"> <li>● To foster <u>collaboration among civil services training institutes</u> and bolster the training infrastructure for civil servants across the country.</li> </ul>

	<ul style="list-style-type: none"> <li>To provide a platform for networking, knowledge exchange, identifying challenges and key areas of collaboration.</li> </ul>			
<b>Hosted By</b>	Capacity Building Commission			
<b>Participants</b>	<ul style="list-style-type: none"> <li>More than 1500 representatives from Central Training Institutes, State Administrative Training Institutes, Regional and Zonal Training Institutes, and Research institutes participated in the conclave.</li> <li>It also included civil servants from central, state and local governments along with experts from private sector.</li> </ul>			
<b>Features</b>	It had eight panel discussions, each focusing			
	Identifying Training Needs and Linking to Course Designs	Promoting Knowledge Sharing	Effective Assessment of Conducted Trainings	Strategic Resource Planning
	Faculty Selection, Onboarding and Development	Transforming to a 'Phygital' (Physical + Digital) World of Capacity Building	Overcoming Governance Challenges	Competencies For Civil Service Officials

**About 'Mission Karmyogi'**

It is the National Programme for Civil Services Capacity Building (NPCSCP) launched in 2020 to reform Indian Bureaucracy and prepare civil servants for the future through a *Competency Framework for Civil Services* that will be totally indigenous to India and will cover around 4.6 million central employees.

**Objective**

To build a future-ready civil service with the right attitude, skills and knowledge, aligned to the vision of New Indian by making them more creative, constructive, imaginative, proactive, innovative, progressive, professional, energetic, transparent, and technology-enabled.



**Features**

The programme encapsulates three transitions-

1. Change in the Mindset- Government officials should consider themselves *karmayogis* instead of considering themselves *karmacharis*.
2. Change in the Workplace- From assigning individual responsibility for performance, to diagnosing the constraints in a civil servant's performance using Means, Motives and Opportunity (MMO) framework
3. Moving the public HR management system- from being rule-based to role-based.

**Institutional Framework**

1. **Prime Minister's Human Resource Council (PMHRC)**- It is the apex body for driving and providing strategic direction to civil service reforms and capacity building. It is headed by the Prime Minister and consisting of:
  - Union Ministers and Chief Ministers along with Eminent public HR practitioners, Thinkers, Public service functionaries, Global thought leaders
2. **Cabinet Secretary Coordination Unit**: Chaired by the Cabinet Secretary, it has representation from the Central and State bureaucracy (including representation from Departments and training institutes) to monitor the implementation of NPCSCB, align stakeholders and provide mechanism for overseeing capacity building plans.

3. **Capacity Building Commission:** Conceived as an independent body, this three-member commission with full executive powers has been setup for functional supervision of training institutions and facilitating preparation of annual capacity building plans.
4. **Karmyogi Bharat-Special Purpose Vehicle (SPV):** It is an autonomous company setup under Section 8 of the Companies Act, 2013 to own and operate all the digital assets created for NPCSCB on behalf of the Government of India.
5. **Programme Management Unit (PMU):** It will provide Program Management and Support services to the Department.

### Approach

1. **Defining the Vision-** The first step is to define government's vision for civil service performance as it defines the goal towards which the capacity of the civil service is being built.
2. **FRAC (Framework of Roles, Activities and Competencies)-** Through this framework, the Ministries will be able to clearly and explicitly specify the roles and activities associated with each position across different Ministries, and the competencies required to perform those roles and activities well. This will help in transitioning the capacity building system from being rule-based to role-based.
3. **iGOT-** The Integrated Government Online Training (iGOT) is an online learning platform that owns all the digital learning resources to be used in the capacity building process and consists of six hubs:

**Competency Hub-** to identify the competencies required for a role.

**Learning Hub-** to access a marketplace of courses called Competency Building Products (CBPs) as they are laser-focused on building officers' competencies.

**Career Hub-** to view all the competencies required for other positions in the civil service.

**Discussion Hub-** to discuss various topics relevant to work

**Network Hub-** to connect with other government officials and receive mentoring and guidance from more senior officers.

**Events Hub-** to learn about and participate in various online and offline events

4. **Annual Capacity Building Plan (ACBP):** To bring comprehensive reform to the existing capacity building framework at both, the individual and organizational level

### Benefits

1. It will improve human resource management practices among civil officers.
2. There will be more focus on role-based management as officers will be allocated roles and jobs based on their competencies.
3. Training programs will be aligned with the roles assigned to the officer. This will help in providing right knowledge, skill and attitude.
4. There will be uniform training programs for all civil servants,
5. There will be more focus on 'on-site learning' in complementing "off-site learning".

### Extra Mile

#### **DAKSHTA (Development of Attitude, Knowledge, Skill for Holistic Transformation in Administration) For Young Professionals**

- It is a collection of 18 courses launched on the **iGOT Karmayogi platform** to build functional, domain and behavioral competencies in the learners by acquainting them with subjects crucial for discharging their duties, and responsibilities effectively.

- These courses can be accessed by Young Professionals, and Consultants engaged in various Ministries, Government Departments, and Organizations to enhance their knowledge, skills, and abilities.

### Civil Servants Right To Free Speech On Matters Of Law And Governance

The Gujarat government released 11 men convicted on charges of gang-raping Bilkis Bano. Soon thereafter, a senior IAS officer from Telangana, Smita Sabharwal tweeted from her personal account questioning the Gujarat government's decision sparking off a row whether she was in breach of the **Central Civil Services (Conduct) Rules of 1964** and reviving the debate on freedom of civil servants to express their personal views on matters of law and governance.

### Provisions And Rules Governing Civil Servants Right Of Free Speech

- Article 19(1)(a) of the constitution guarantees fundamental right of freedom of speech and expression to citizens (which include civil servants) subjected to reasonable restrictions under Article 19(2) in the interest of:

securing state's security, sovereignty and Integrity

public order

friendly relations with foreign countries

Decency and Morality

Contempt of Court

Defamation

Incitement to an offence

- **Rule 9 of the Central Civil Services (Conduct) Rules of 1964**

It states that "No government servant shall make any statement of fact or opinion which has the effect of an adverse criticism of any current or recent policy or action of the Central government or a state government.

It is imposed on them:

- ✓ To prevent chaos in governance and ensure administrative stability
- ✓ To establish discipline in the organization
- **Rule 5 of the All India Services (Conduct) Rules, 1968** deals with the involvement of a government employee in politics and elections. It places reasonable restrictions on the expression of opinions which extend to political issues.
  - ✓ Sub Rule 1 of Rule 5 prohibits "government servants from being members of or being associated with any political party or political activity."
  - ✓ Sub Rule 4 of Rule 5 states that "no member of the Service shall canvass or otherwise interfere with, or use his influence in connection with, or take part in, an election to any legislature or local authority.

### Arguments Against Freedom Of Speech To Civil Servants On Matters Of Law And Governance

- Laws, policies and decisions of government are products of collective wisdom. Open criticism by civil servants on questions of law and governance would:
  - ✓ Weaken public trust on government
  - ✓ Bring anti-government feeling in Public
- While undertaking government service, they subjected themselves to certain disciplinary rules and restrictions on fundamental rights which include restrictions on their freedom of speech.
- Existence of established processes in place to express their opinions:
  - ✓ Every policy goes through a process from bottom to the top of the bureaucratic hierarchy.
  - ✓ Bureaucrats will be given opportunity to give their notes of objection.
  - ✓ But once the policy is decided by the political executive it has to be obeyed and complied by the bureaucracy.

- Indian bureaucracy has been conceived to be an anonymous entity. Expressing particular views on matters of law and governance by civil servants would prevent Public from fearlessly approaching them for any grievance redressal.
- Civil Services associations can be approached if they feel very strongly about something that is being done or acted upon instead of speaking up about them in Public.
- Constitution does provide for reasonable restrictions on free speech
- Threat of Political victimization of civil servants

**Arguments In Favour Of Freedom Of Speech To Civil Servants**

- Laws by the legislature: A fundamental right cannot be curtailed except by a valid law made by a legislature.
- The Dharma of civil servants is to uphold the constitutional principles in letter and spirit and the rule of law. They can express and speak up if they are subverted.
- The All-India Services (Conduct) Rules, 1968 *expects* them to maintain “*High ethical standards, integrity and honesty*”.
- Speaking upon injustices by them would have a deterrent effect on the **arbitrary abuse** of executive/ Legislative power.
- Restrictions on their free speech is a legacy of British era.

**Judicial Verdicts On Civil Servants Freedom Of Speech****Lipika Paul v/s The State of Tripura (2020) judgment**

- Tripura High Court held that “A government servant is entitled to hold his/her own beliefs and express them in the manner one desired, subject to not crossing the borders laid down in the conduct rules which were applicable in Tripura.

**Kerala High Court Judgment (2018)**

- One can't be prevented from expressing his views merely he is a government employee. In a democratic society every institution is governed by democratic reforms. Healthy criticism is a better way to govern public institution.

**Conclusion**

Clearly public platforms and social media should be utilized by civil servants to connect people to government benefits and schemes as well as to communicate government policies to the public, but while expressing their views on matters of law and governance, they should subject themselves to established conduct rules in the larger interest of the country.



## Welfare Schemes, Laws, Mechanism, And Institutions For Vulnerable Sections

### Children

#### A Decade of POCSO

The analysis, titled "**A Decade of Pocso**," was conducted by the Justice, Access, and Lowering Delays in India (JALDI) Initiative at Vidhi Centre for Legal Policy in partnership with the **World Bank's** Data Evidence for Justice Reform (DE JURE) initiative.





#### POCSO Rules 2020

- **Mandatory police verification:** Any institution housing children or coming in regular contact is required to conduct a periodic police verification and background check of every employee. Such an institution must impart regular training to sensitise its employees on child safety and protection.

**Protection of Children from Sexual Offences (POCSO) Act**

- It is the **first comprehensive law** in the country dealing specifically with sexual abuse of children, enacted in 2012 and is administered by Ministry of Women and Child Development.
- It was intended to protect children from sexual assault, sexual harassment and pornographic violations, as well as to establish Special Courts for such trials.

**Key provisions:**

-  **Gender-neutral legislation:** The Act defines a child as "any person" under the age of 18.
-  **Non-reporting is a crime:** Any person in charge of an institution (excluding children) who fails to report the commission of a sexual offense involving a subordinate, faces punishment..
-  **No time limit for reporting abuse:** A victim may report an offence at any time, even years after the abuse has occurred.
-  **Keeping victim's identity confidential** in any form of media unless authorised by the special courts established by the Act.

**Amendment to the Act**

- The Act was amended for the first time in **2019** for enhancing the punishments for **specific offences**.
- This amendment enhanced the punishment to include **death penalty for aggravated penetrative sexual assault** of the child. It also provides for levy of fines and imprisonment up to 20 years to curb child pornography.
- The **new definition of child pornography** reads, "Any visual depiction of sexually explicit conduct involving a child which include photographs, video, digital or computer-generated image indistinguishable from an actual child and an image created, adapted or modified but appear to depict a child."

- **Support persons:** It also made a provision for appointment of support persons for victims to render assistance to them through the process of investigation and trial.
  - A support person may be a person or organisation working in the field of child rights or child protection, an official of a children's home or a shelter home having custody of the child, or a person employed by the District Child Protection Unit (DCPU), who hand holds the victim through the entire legal process.

#### Implementation Hurdles in POCSO Act

- **Such abuse is on the rise:** According to a recent survey, one in every two children is a victim of sexual abuse in India. In 2018, Delhi had the highest number of POCSO trials, with 13.54 cases per 100,000 people.
- **Limited POCSO courts:** The POCSO courts have not been designated in all districts. As of 2022, only 408 POCSO courts have been set up in 28 States as part of the Government's Fast Track Special Court's Scheme.
  - There is also a **lack of Special Public Prosecutors** appointed to handle POCSO cases.



- **Excessive delays:** The slow pace of designation of Special Courts, delay in investigation and filing of charge sheets, delay in depositing samples with the Forensic Science Laboratories, non-appointment of support persons for child victims in most case leads to tardy implementation of the Act.
  - **Uttar Pradesh** has the highest pendency with more than three-fourths (77.77%) of the total POCSO cases filed between November 2012 and February 2021 pending.
- **Poor disposal rate:** On an average, it takes 509.78 days for a POCSO case to be disposed of whereas it has been stipulated under the Act that such cases need to be disposed of within a year.
  - **Chandigarh and West Bengal** are the only states where the average time taken for convictions is within one year.
- **High acquittal rate:** 43.44% of trials under POCSO end in acquittals while only 14.03% end in convictions, i.e., for every one conviction in a POCSO case, there are three acquittals.
  - This goes contrary to the data published by the National Crime Record Bureau (NCRB) in 2021 wherein 96% of the cases filed under the POCSO Act, the accused was a person known to the child victim.
  - The accused were known to the victims in 22.9%, which is about fourth of the 138 judgments examined in detail.
  - Acquittals were 7 times more common in Andhra Pradesh than convictions, and 5 times more common in West Bengal.
  - **In Kerala**, however, the difference between acquittal and conviction is not as large.
- **Absence of support persons:** Supreme Court had noted that in 96% of cases, a support person was not provided to the victim.
- **Lack of awareness:** The general knowledge of the POCSO Act remains severely inadequate in India.
- **New challenges:** Incidents of child abuse have also risen exponentially since the Covid-19 pandemic, with the emergence of new forms of cybercrime.

#### Way forward

- **Adopting best practices:** Strong data systems and digital platforms can also help transfer learning across states and contextualize the best practices to the local courts.
- **Policy interventions:** Legislative changes to improve the functioning of the Act and one-size-fits-all approach should be avoided.
- **Making POCSO courts functional:** The appointment of adequately trained Special Public Prosecutors exclusively for POCSO courts should be expedited. Progress for this can be monitored by respective High Courts.
- **Gathering evidence:** Employing a 'hybrid' approach for recording of evidence wherein the evidence of certain witnesses like doctors, forensic experts etc. can be recorded virtually.
- **Uniformity in e-Courts data:** A standardised drop-down menu for putting information pertaining to the name of the legislation, case type, court complex, police station etc. need to be incorporated.
- **Periodic training:** Integrated capacity building programmes for stakeholders like judicial officers, magistrates, police officers, medical practitioners etc., with a focus on sensitivity training to be conducted to improve coordination between them.
- **Comprehensive outreach system:** Engagement of parents, schools, communities, NGOs partners and local governments, police and lawyers are needed
- **Other measures:** Educating children about the legislation and its provisions, proper implementation of the Fast Track Special Court's Scheme, etc.

**Poshan Bhi, Padhai Bhi**

- The Union Ministry of Women and Child Development (MoWCD) launched the Centre’s flagship programme ‘Poshan Bhi, Padhai Bhi’, which will focus on **Early Childhood Care and Education (ECCE)** at *anganwadis* across the country.
- ECCE is an important component of **Mission Saksham Anganwadi and Poshan 2.0** envisaged under the **National Education Policy 2020**.

**Mission Saksham Anganwadi and Poshan 2.0**

- In Financial Year 2021-22, the Government of India restructured the **ICDS** and **POSHAN** (Prime Minister's Overarching Scheme for Holistic Nourishment) **Abhiyaan** into **Saksham Anganwadi and POSHAN 2.0**
- It is an **Integrated Nutrition Support Programme** approved for implementation during the 15th Finance Commission period **2021-22 to 2025-26**.

**Anganwadi Ecosystem in India**

- Considering global evidence that **85% of brain development is achieved by the age of 6 years**, the Anganwadi eco-system becomes a critical access point for building the children’s base.
- Close to **13.9 lakh** operational Anganwadi centres across the country are providing **supplementary nutrition and early care and education to around 8 crore beneficiary children (under the age of 6 years)**.
  - This makes it the largest public provisioning of such services in the world.
- MoWCD has allocated **Rs 600 crore for the training of anganwadi workers** to implement the ECCE.
  - The **National Institute of Public Cooperation and Child Development (NIPCCD)** has been roped in for the training of Anganwadi workers.



- It seeks to **address the challenges of malnutrition** in children, adolescent girls, pregnant women and lactating mothers through -
  - A strategic shift in nutrition content and delivery and
  - Creation of a **convergent eco-system** to develop and promote practices that nurture health, wellness and immunity.
- **Components:**
  - **Nutrition Support through Supplementary Nutrition Programme (SNP)** for children (6 months to 6 years), pregnant women and lactating mothers (PWLM); and for Adolescent Girls (14 to 18 years) in Aspirational Districts and North Eastern Region (NER);
  - ECCE [3-6 years] and early stimulation for (0-3 years);
  - Anganwadi Infrastructure including modern, upgraded Saksham Anganwadi; and
  - **Poshan Abhiyaan:** Launched in 2018, its focus is to lay emphasis on nutritional status of adolescent girls, pregnant women, lactating mothers and children from 0-6 years age.

**What is Poshan Bhi Padhai Bhi Programme?**

- It is a path breaking ECCE program **to ensure that India has the world’s largest, universal, high-quality pre-school network**, as suggested by the NEP 2020.
- The aim is not only to make anganwadi centres **nutrition hubs** but also **education-imparting centres** - providing at least two hours of high-quality preschool instruction on a daily basis.
- Under this, the government will target children’s development in every domain mentioned in the **National Curriculum Framework**, viz., physical and motor development, cognitive development, socio-emotional-ethical development, etc.
- It will also ensure the **use of developmentally appropriate pedagogies** and emphasising the links with primary education as well as early childhood health and nutrition services.

- It will help build a **Jan Andolan**, to involve communities in strengthening the foundations of the country's future generations.

**Buy Mid-Day Meal Pulses from NAFED, Centre Tells States**

- The Union Ministry of Education has written to State governments to procure pulses (chana dal) for the Prime Minister's Overarching Scheme for Holistic Nutrition (POSHAN) from NAFED.
- However, major states like Uttar Pradesh and West Bengal has rejected the Union Ministry's recommendation.
- West Bengal government has argued that **during the Covid-19 pandemic, the chana supplied by NAFED was of extremely inferior quality, mixed with dust and gravel.**
- Uttar Pradesh government has argued that the **state has plenty of local supply and hence is not in need to procure pulses from NAFED.**

**About Mid-Day Meal Scheme:**

- The Mid-Day Meal Scheme was started in India on 15th August 1995 as '**National Programme of Nutritional Support to Primary Education (NP-NSPE)**'.
- It was renamed as '**National Programme of Mid-Day Meal in Schools**' in October 2007, also known as the Mid-Day Meal (MDM) Scheme.
- Under the scheme, hot cooked meal per day is provided to all children (**studying in Class I to VIII**) enrolled in government schools, local body schools, government-aided schools, special training centres (STC), maktabs and madrasas supported under the Sarva Shiksha Abhiyan.



**Objectives of Mid-Day Meal Scheme:**

- To increase the enrolment in the schools of the children who belong to disadvantaged sections of the society.
- To increase the attendance of the children in government and government-aided schools.
- To retain the children studying in class I to VIII.
- To give nutritional support to the children studying in the elementary stage, especially in the drought-affected areas.
- To address hunger and malnutrition and improve socialisation among castes.

**Features of Mid-Day Meal Scheme**

- Every school should have a hygienic cooking infrastructure for hygienically cooked mid-day meals.
- The Food and Drugs Administration Department of the State can collect samples for ensuring the quality and nutritional value of the meals.
- **Food allowance is provided to the children when the cooked meals cannot be provided because of unforeseen circumstances** in the following manner:
  - Quantity of the food grains according to the entitlement of a child, and
  - Cooking cost prevailing in the respective state.

**Calorie Intake** prescribed per child per school day:

Calorie Intake	Primary School	Upper Primary School
Energy	450 calories	700 calories
Protein	12 grams	20 grams

**Implementation and Funding**

- Each State/UT has to set up State Steering-cum Monitoring Committees (SSMCs) at the State, District and Block level to oversee the implementation of this scheme, including establishing a mechanism to maintain the quality and nutritional standards of the meals.
- This is a **Centrally Sponsored Scheme**. Hence, the cost is shared between Centre (60%) and States (40%).
- **Nodal Ministry** – Ministry of Education

**PM POSHAN Scheme**

- In September 2021, Mid-Day Meal Scheme was renamed as **Pradhan Mantri POSHAN Scheme**.
- Major Changes introduced to the scheme are –
  - The scheme is proposed to be **extended to students studying in pre-primary or Bal Vatikas of Government and Government-aided primary schools.**

- This is in addition to all the **11.80 crore** children from elementary classes covered under the Mid-Day Meal scheme.
- The concept of ‘**TithiBhojan**’ will be encouraged extensively.
  - TithiBhojan is a community participation programme in which people provide special food to children on special occasions/festivals.
- Government is promoting development of **School Nutrition Gardens** in schools to give children first-hand experience with nature and gardening.
  - The harvest of these gardens will be used in the scheme to provide additional micro nutrients.
- **Social Audit of the scheme** is made mandatory in all the districts.
- Special provision is made for providing supplementary nutrition items to children in aspirational districts and districts with high prevalence of **Anemia**.
- **Cooking competitions will be encouraged at all levels** right from village level to national level to promote ethnic cuisine and innovative menus based on locally available ingredients and vegetables.
- Involvement of Farmers Producer Organizations and Women Self Help Groups in implementation of the scheme will be encouraged.
- **Use of locally grown traditional food items** for a fillip to local economic growth will be encouraged.
  - Field visits for progress monitoring and inspections will be facilitated for students of eminent Universities/Institutions.

### Assam Crackdown On Child Marriage

Assam has arrested over 2,000 men in a state-wide crackdown on child marriages that have taken place in the state. Assam has a high rate of maternal and infant mortality, with child marriage being the primary cause, according to reports by the National Family Health Survey (NFHS-5).

#### Legal Interventions

- There are several laws including the **Prohibition of Child Marriage Act, 2006** and the **Protection of Children from Sexual Offences Act, 2012**, which aim at protecting children from violation of human and other rights.
- In 2021, **Child Marriage (Amendment) Bill, 2021** was introduced in the Lok Sabha. Currently, it is studied by the Standing Committee.
  - The Bill seeks to amend the Prohibition of Child Marriage Act and **increase the marriage age of women from existing 18 years to 21 years**.
  - Ministry of Women & Child Development in 2020 had formed a committee headed by **Jaya Jaitly** to examine the matter. The committee submitted a report stating that the **marriageable age for women should be increased from 18 to 21 years of age, in light of factors like reproductive health, education, etc.**

#### Schemes/ Policies for preventing Girl child marriage

- **Sukanya Samridhi Yojana (SSY)** –
  - Launched in 2015, it encourages parents **to invest and build funds for the future studies and marriage expenses of the girl's children**.
- **Balika Samridhi Yojana** –
  - This central government scheme ensures the enrolment and retention of girl child in primary and secondary schools. It aims at the **prosperity of a girl's child and provides them with a better quality education**.



**Beti Bachao Beti Padhao –**

- This scheme celebrates girl children, literally translating to Save the Girl Child, Educate the Girl child. It believes in women empowerment and creating an inclusive ecosystem for the same.
- This scheme is to **promote girl children’s safety before and after they are born.**

**Child Marriages in India:**

- In India, **child marriage reduced from 47.4% in 2005-06 to 26.8% in 2015-16.**
- In the last five years, it declined by 3.5% points to reach 23.3% in 2020-21, according to the latest **NFHS-5** data.
- There is a growing trend for a decline in the overall prevalence of child marriage, but 23.3% is still a disturbingly high percentage in a country with a population of 141.2 crores.
- Eight States have a higher prevalence of child marriage than the national average –
  - **West Bengal, Bihar, and Tripura** top the list with more than 40% of women aged 20-24 years married below 18, according to NFHS data.
  - Some States have shown a reduction in child marriages, like **Madhya Pradesh** (23.1% in 2020-21 from 32.4% in 2015-16), **Rajasthan** (25.4% from 35.4%), and **Haryana**.

**Global Scenario:**

- According to data from UNICEF, **the total number of girls married in childhood stands at 12 million per year.**
- The 2030 UN Sustainable Development Goals aim to eliminate **all harmful practices**, such as child, early and forced marriage and female genital mutilations, under goal 5.

**Under What Law Are The Arrests Being Made?**

- Men who married girls below 14 years of age would be booked under the Protection of Children From Sexual Offences Act, 2012 (commonly known as **POCSO Act**).
  - The POCSO Act criminalises sex between a minor and an adult.
  - The law does not recognize a minor’s consent as valid.
- Meanwhile, those marrying girls between 14 and 18 years would be booked under the **Prohibition of Child Marriage Act, 2006.**

**Debate on Muslim Age of Marriage**

- Under Muslim personal laws, the marriage of a bride who has attained puberty is considered.
  - Puberty is presumed, in the absence of evidence, on **completion of the age of 15 years.**
- However, under Child Marriage Act, the minimum legal age to get married is 18 for girls and 21 for boys.
- This gap between Muslim personal law and special legislations prohibiting child marriages or sexual activity of minors puts a shadow on criminality on such marriages.

**Judiciary’s Opinion**

- The Supreme Court is currently examining this issue since different High Courts have ruled differently on it.
  - **Punjab and Haryana High Court** in a string of rulings has held that a Muslim girl can legally marry after attaining puberty.
  - In October 2022, the **Karnataka High Court** quashed a POCSO case against a Muslim man.
    - He was arrested after a hospital made mandatory disclosures under the law when his pregnant wife, aged 17 years and two months visited a doctor.

**Child Trafficking In India**

- Child trafficking manifests in the form of domestic labour, forced child labour across industries, and illegal activities such as begging, organ trade and commercial sex purposes.
- Estimates show that children account for *one in every three* detected victims of trafficking worldwide; this rises to *one in two* in low-income countries.

Reasons Behind Child Trafficking

- **Sex trade industry and domestic labour:** Minor girls in the age bracket 15-18 years are more vulnerable to trafficking due to these reasons.
- **Economic factors:** Poverty, hunger, and lack of work are the main reasons for this.
- **Social factors:** The caste and community-based discrimination and unfair treatment in rural areas are also at the root of this problem.



- **Other factors:** Externalities such as the COVID-19 pandemic, armed conflict, and climate change further increases vulnerability for children.

What Has India Done So Far?

- **Status of India**
  - The 2022 Trafficking in Persons Report released by the U.S. Department of State categorises India as Tier 2 in terms of progress.
  - It implies that India “does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so.
- **Laws governing anti-trafficking crimes**
  - India **doesn't have a composite anti-trafficking law** that addresses prevention, protection, rehabilitation and compensation of survivors.
  - There are, however, separate regulations that address different crimes related to trafficking.
  - **The Immoral Traffic (Prevention) Act, 1956 (ITPA)** is targeted at stopping immoral trafficking and sex work.
    - Experts, however, have criticised ITPA for falsely presuming that all trafficking is done for sex work only.
    - They say that it criminalises sex workers without providing sufficient legal recourse or scope for rehabilitation.
  - **Prohibition of Child Marriage Act, 2006**, prohibits & penalises the act of child marriage.
  - **The Child Labour (Prohibition and Regulation) Act, 1986**, prevents children from partaking in certain employments and regulates the conditions of work for children in other fields.
    - In 2016, an amendment completely banned the employment of children below 14 years.



- However, adolescents aged 14-18 years are allowed to work in family-related businesses but not in fields that have hazardous working conditions.
- **India has pledged to eliminate child labour by 2025.**
- **The Bonded Labour System (Abolition) Act, 1976**, prohibits systems of labour where people, including children, work under conditions of servitude to pay off debt, and also provides a framework for rehabilitating released labourers.
- The **Juvenile Justice (Care and Protection of Children) Act 2015**, governs laws relating to children alleged and found to be in conflict with law.
- **The Transplantation of Human Organs and Tissues Act, 1994**, makes commercial dealing in human organs a punishable offence.
- **Protection of Children from Sexual Offences (POCSO) Act, 2012**, which seeks to prevent commercial sexual exploitation of children.
- The **Criminal Law (Amendment) Act, 2013**, revised Section 370 of the Indian Penal Code, which deals with buying and selling of any person as a slave, to include the concept of human trafficking.
- **Institutional setup**
  - India set up **Anti-Human Trafficking Units (AHTUs) in 2007**.
  - AHTUs are tasked with:
    - addressing the existing gaps in the law enforcement response,
    - ensuring a victim-centric approach which ensures the ‘best interest of the victim/ survivor’, and
    - developing databases on traffickers.

#### **Trafficking in Persons (Prevention, Care and Rehabilitation) Bill**

- MWCD published the Draft Trafficking in Persons (Prevention, Care and Rehabilitation) Bill in June 2021.
- It has 11 chapters detailing measures to prevent, protect and rehabilitate victims.
- The law will apply to **all citizens of India**, within and outside the country, persons on any ship or aircraft registered in India wherever it may be or carrying Indian citizens wherever they may be, and a foreign national or a stateless person who has residence in India.
- There are specified penalties for offences divided into “trafficking” and “aggravated trafficking”.
- The bill has:
  - widened the scope of victims to include transgender persons and others,
  - introduced mechanisms for the prevention and rehabilitation of victims (such as providing shelter and food) and
  - extended the framework to include cross-border trafficking cases.
- It proposes **district- and State-level “anti-trafficking units”** with designated police officers and a National Anti-Trafficking Bureau which looks after investigations involving two or more States.
- Investigations are required to be completed within 90 days of the offender’s arrest, and there are appointed sessions courts for speedy trials.

#### **Challenges In Preventing Child Trafficking**

- Prevailing challenges include a lack of coordination among AHTUs and disjointed operations by State and Central Governments.
- There is no comprehensive programme for tackling trafficking, an absent witness protection framework (the victim is also the witness).

- There are challenges in accessing compensation.
  - Some States had not created the fund to compensate victims.
  - A lack of awareness about compensation and opaque documentation requirements bog down survivors.

**Way forward**

- There is a need to revisit existing laws, such as the Child Labour (Prohibition and Regulation) 1986 Act, to plug legal holes around the minimum working age.
- Children between the ages of 14 and 18 are also vulnerable to exploitation; in domestic labour.
- There is need to cultivate awareness about different trafficking crimes, form targeted child protection schemes, provide survivors with psychological and emotional support systems during rehabilitation, and offer incentives to keep children in school.
- The antidote to poverty-driven child labour is decent work for adults, so they can support their families and send their children to school, not to work.



**Fixing PC- PNDT Act**

The Delhi High Court recently highlighted the need to review the **Pre-Conception and Pre-Natal Diagnostic Technique Act (PC-PNDT)** for its effective implementation.

**About the PC & PNDT Act**

<b>What?</b>	It is an act of Parliament to prohibit sex selection, before or after conception, and for regulation of pre-natal diagnostic techniques for detecting genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide.
<b>When?</b>	It was first enacted in 1994 as Prenatal Diagnostic Techniques Act but after undergoing various amendments it finally became Pre-Conception and Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) (PCPNDT) Act in 2004.
<b>Objective</b>	Restricting pre-birth sex assurance and to save the girl child.
<b>Provisions</b>	
<ul style="list-style-type: none"> <li>• No place including a registered Genetic Clinic can be used for pre-natal diagnostic techniques except-                             <ul style="list-style-type: none"> <li>✓ for the purpose of detecting any abnormality in the fetus.</li> <li>✓ if the woman-                                     <ul style="list-style-type: none"> <li>➤ is above 35 years of age</li> <li>➤ undergone two or more miscarriages</li> <li>➤ if she and her husband have a family history of some genetic disease.</li> </ul> </li> </ul> </li> <li>• A written consent from the patient is mandatory before undergoing an ultrasound.</li> <li>• The person conducting the ultrasound and any other persons are prohibited from the revealing the gender of the fetus.</li> </ul>	
<b>Central Supervisory Board</b>	
The Act establishes a board to-	

- Advise the central government on policy matters relating to use of pre-natal diagnostic and sex-selection techniques and against their misuse.
- Review and monitor implementation of the act.
- Create public awareness against the practice of pre-conception sex selection and pre- natal determination of sex of fetus leading to female foeticide.
- Lay down code of conduct to be observed by persons working at genetic counselling centers, genetic laboratories and genetic clinics;
- Oversee the performance of various bodies constituted under the act and take appropriate steps to ensure its proper and effective implementation.

**Appropriate Authority**

- The act provides for appointing a 3-member appropriate authority at the state/UT level within 3 months of the act coming into force. The members include-
  - (i) an officer of or above the rank of the Joint Director of Health and Family Welfare- Chairperson
  - (ii) an eminent woman representing women’s organization
  - (iii) an officer of Law Department
- Functions-
  - To grant, suspend or cancel registration of a genetic clinic or a lab.
  - To enforce standards prescribed for genetic clinics and labs.
  - To investigate complaints of breach of the provisions of this act and take immediate action.
  - To seek and consider the advice of the advisory committee.
- Powers-
  - Summon any person in possession of any information relating to violation of the provisions of this act.
  - Production of any document or material object.
  - Issuing search warrant for any place suspected to be indulging in sex pre-natal sex determination.

<b>Offences &amp; Penalties</b>	<ol style="list-style-type: none"> <li>1. Advertisement relating to pre-natal determination of sex is prohibited and punishable with imprisonment up to three years and with fine up to ten thousand rupees.</li> <li>2. Any registered medical practitioner with a clinic who contravenes any of the provisions of this Act is punishable with imprisonment up to three years and with fine up to ten thousand rupees and on any subsequent conviction, imprisonment extending to five years and with fine extending to fifty thousand rupees.</li> <li>3. Suspension of registration of the medical practitioner on framing of charges by the court and removal of name from the register of the Council for a period of five years for the first offence on conviction and permanently for the subsequent offence.</li> </ol> <p>Every offence under this Act shall be cognizable, non-bailable and non-compoundable.</p>
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**Concerns Raised by the Court**

- **Raids and Seizures-** The court noted that there is no need to involve the police in raids, seizure, etc. As per the PC-PNDT Act as far as possible, the practicality of this aspect needs to be reconsidered as such action must be as per the CrPC for conducting raids at facilities/clinics.
- **Investigation and Arrest-** The Appropriate Authorities have the power to investigate complaints, suspend the convict and summon any person but do not have the power to arrest.
- **Lower Rate of Conviction** as it is incredibly difficult to prohibit prenatal diagnosis of sex.

**Previous Judgements**

- *Centre For Enquiry into Health and Allied Themes (CEHAT) v. Union of India & Others, 2003*- the petitioners appealed to the court for effective implementation of PNDT Act, 1994 as it failed in achieving its goal of preventing female foeticide. The court while giving its judgement warned the Centre and state governments to effectively comply with the mandates of the Act and clarified to the appropriate authorities that it was empowered to take criminal action against violators. It made way for amending the act to Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2004.
- *Vinod Soni &Anr. v. Union of India, 2005*- the constitutional validity of PC-PNDT Act was challenged on the grounds of violation of Article 14 and 21. It was dismissed by the Bombay High Court and the act was held constitutionally valid.
- *Voluntary Health Association of Punjab v. Union of India, 2015*- It was filed to examine the steps taken by the state governments to address the problem of sex-selective abortion in India. The court issued directions to map out unregistered clinics to ensure they did not purchase ultra-sonography machines, seize illegally sold ultrasonography machines, and hold workshops to inform communities about the Act’s obligations.
- In a significant judgement of 2019, the supreme court upheld the provision of PC-PNDT Act, 1994 which ‘criminalizes non-maintenance of medical records by obstetricians and gynaecologists and suspends their medical license indefinitely.

**About Female Foeticide**

Causes	Consequences
1. Patriarchal system of society 2. Desire of son in the family 3. Dowry system 4. Fear of family lineage coming to an end 5. Increasing crimes against women creates a fear in the mind of parents for daughters 6. Lack of education	1. Skewed sex ration- sex ratio as per 2021 census is 943 females per thousand males. 2. Rise in women trafficking cases. 3. Increased cases of assault and rapes.

**Prevalent Laws against Female Foeticide**

1. **Medical Termination of Pregnancy Act, 1971**- made abortion legit in almost all states of the country.
2. **Pre-Conception and Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) (PCPNDT) Act, 2004**- for prevention of prenatal sex screening and female foeticide.

**Government Initiatives**

1. **Beti Bachao, Beti Padhao Abhiyan**- Launched in 2015, it aims to address disparity in the sex ratio across the nation by Preventing foeticide-biased abortion and post-natal discrimination against daughter and ensuring holistic growth and protection of the girl child.
2. **Sukanya Samridhhi Yojana**- Launched in 2015, this Scheme offers incentives to save money for future use by female children in families.
3. **The National Plan of Action for Children, 2016**: It identifies the elimination of gender-biased sex selection as one of the key priority areas for children’s rights and well-being.
4. **Ladli Scheme**- A cash incentive scheme initiated by the Haryana Government provides a payout of Rs. 5000 annually for a period of 5 years to families with a second girl child born on or after 20th August 2015.
5. **Karnataka Bhagyashree Scheme**- To promote the birth of girl child among families below the poverty line. Under the scheme, health insurance cover up to a maximum of Rs. 25,000, is provided to the girl child, annually.

## Conclusion

The restrictions on ultrasound preventing the medical practitioners from accessing a valuable imaging modality, have not translated into the social change intended by the PCPNDT Act. It requires a solution as complex as the problem of female foeticide.

## PoSH Act

A recent investigation done by a government committee headed by M.C. Mary Kom to look into allegations against the President of Wrestling Federation of India (WFI) revealed that more than half of India's 30 national sports federations don't have an Internal Complaints Committee (ICC) which is a legal requirement under the Prevention of Sexual Harassment (PoSH) Act, 2013.

- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act/PoSH Act, which came into force in 2013 **applies to all public and private sector organisations throughout India.**
- **The court issued some key directions to the Centre, states and UTs:**
  - **To undertake a time-bound exercise** to verify whether all Ministries, Departments, Government organisations, authorities, PSUs, institutions, bodies, **have ICCs.**
  - **The information regarding the constitution and composition** of these committees are to be made readily available on the website of the concerned authority.
  - **Immediate and effective steps by the authorities** to "familiarise" committee members with their duties and the manner in which an inquiry ought to be conducted.
  - The bench directed the **National Legal Services Authority and State Legal Services Authorities** to organise awareness programmes to sensitise employers, employees and adolescent groups.

## How Was PoSH Act Formed?

- **SC 1997 guidelines/Vishakha Guidelines:** While hearing pleas filed against the crime, the SC noted the **absence of any law** that guarantee against "sexual harassment at workplaces".
  - The apex court laid down a set of guidelines **to fill the statutory vacuum** till a law could be enacted.
- **The Court drew its guidelines from:**
  - **Article 15** (protection against discrimination on grounds only of religion, race, caste, sex, and place of birth) of the Indian constitution.
  - **International Conventions and norms** such as the General Recommendations of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which India ratified in 1993.
- **The PoSH Bill:** It was introduced by the **Women and Child Development Ministry** in 2007. It went through several amendments and came into force on **December 9, 2013**, after being enacted by the Parliament.

## Key Provisions of PoSH Act

- **Defines sexual harassment:** To include **unwelcome acts** such as physical, verbal/non-verbal conduct - a demand or request for sexual favours, making sexually coloured remarks, showing pornography, etc.
- **Lists down five circumstances that would constitute sexual harassment:**
  - Implied or explicit promise of preferential treatment in employment
  - Implied or explicit threat of detrimental treatment in employment
  - Implied or explicit threat about present or future employment status
  - Interference with work or creating an intimidating or offensive or hostile work environment and
  - Humiliating treatment likely to affect health or safety.

- **Defines an employee (not just in accordance with the company law):** All women employees, whether employed regularly, temporarily, contractually, on an ad hoc or daily wage basis, as apprentices or interns, can seek redressal to sexual harassment in the workplace.
- **Expands the definition of 'workplace':** Beyond traditional offices to include all kinds of organisations across sectors, even non-traditional workplaces (for example, telecommuting) and places visited by employees for work.

### Internal Complaints Committee (ICC) and Local Committees (LC)

- The law requires any *employer with more than 10 employees* to form an ICC, where a formal sexual harassment complaint can be filed by a woman. ICC has powers similar to those of a civil court in respect of summoning and examining any person on oath, and requiring the discovery and production of documents.
- **Composition of ICC:** It is required to consist of a **minimum of four members** (at least half of whom should be women):
  - A Presiding Officer who **has to be a woman** employed at a senior level at the workplace.
  - Two Members from amongst employees and who have had experience in social work or have legal knowledge.
  - One **"External Member"** from NGOs to pre-empt any undue pressure from senior levels.
- The MoWCD introduced (in 2017) an online platform - **SHe-Box** - that directs complaints to the employer or organisation's ICC.
- Besides, the Act mandates **every district in the country to create a LC** to receive complaints from women working in **firms with less than 10 employees and from the informal sector, including domestic workers, etc.**

#### Role of ICCs and LCs:

- These two bodies have to **conduct inquiries** in line with the POSH Act and comply with the **"principles of natural justice"** stated in the Rules of the Act.
- There are two ways to resolve the issue by the committee -
  - **"Through conciliation"** between the complainant and the respondent (**which cannot be a financial settlement**), or
  - **Committees could initiate an inquiry**, taking appropriate action based on what it finds.

- Post COVID, the POSH Act recognizes **home as a workplace** as it is the "place visited by the employee arising out of during the course of employment" due to increasing sexual harassment cases while working remotely.
- Stalking, sharing of inappropriate images and videos, Zoom bombing, sexist or derogatory WhatsApp messages, pressurizing lady employees to come on video calls were some of the many ways of harassment when working from home.

Thus, PoSH made it obligatory for the organizations to redress the grievance of employees facing sexual harassment when working from home.

- **Applicability**
  - ✓ Every Public/Private establishment that carries out any commercial, vocational, educational, entertainment, industrial or financial activities in India.
  - ✓ Organized and Unorganized Sectors
  - ✓ Non-Governmental Organizations.

### Procedure for Complaint Against Sexual Harassment At Workplace

- An aggrieved female **has three months** from the date of the tragedy to make a written complaint with the ICC.
  - According to the SC, the time limit can be extended if the lady is unable to submit the complaint owing to mitigating circumstances.
- Before initiating an investigation, the committee can try to resolve the matter through **mediation** between the women and the responder.



- If a settlement is reached, **no further investigation will be launched.**
- If the proposed conciliation does not provide any results, a **fresh investigation** (to be concluded in 90 days) will be launched.
  - While directing the investigation, the Committee has the same authority as a **civil court.**
- If the ICC determines that the claim against the defendant is **false**, the **woman may be fired.**
- If the complaint is **proven**, the committee will recommend to the District Officer that sexual harassment be considered as improper conduct in accordance with the Act and the victim woman should be **compensated.**
- Any individual who is harmed by the ICC guidelines, **may file an appeal** with the court (HC) within 90 days of their implementation.

### Duties of The Employer

- **An employer has to file an annual audit** report with the district officer about the number of sexual harassment complaints filed and actions taken at the end of the year.
- An employer is duty-bound to organise **regular workshops and awareness programmes** to educate employees about the Act, and conduct orientation and programmes for ICC members.
- If the employer fails to constitute an ICC or does not abide by any other provision, **they must pay a fine of up to ₹50,000, which increases for a repeat offence.**

### Hurdles to The Act's Implementation

- **The law is largely inaccessible to women workers in the informal sector:** As more than 80% of India's women workers are employed in the informal sector.
- **Huge underreporting:** Due to the power dynamics of organisations, fear of professional repercussions (loss of employment), concrete evidence is often lacking.
- **Lacunae in the constitution of ICCs:** 16 out of the 30 national sports federations in the country had not constituted an ICC to date.
- **Improper composition of ICCs:** ICCs either had an inadequate number of members or lacked a mandatory external member.
- **Lack of clarity in the law:** About how to conduct such inquiries, lack of awareness in women employees about who to approach in case of facing harassment, etc.
- **The Act does not satisfactorily address accountability,** not specifying who is in charge of ensuring that workplaces comply with the Act, and who can be held responsible if its provisions are not followed.
- **The government maintains no centralised data** regarding cases of harassment of women at workplaces.

### Way Forward

- **Awareness and Training:** Conduct regular awareness sessions and training programs to educate employees, employers, and members of ICC about the provisions of the PoSH Act, the process of filing complaints, and the consequences of sexual harassment. This will help in creating a culture of respect and prevention.
- **Prompt Investigation:** Once a complaint is received, ensure a prompt and fair investigation. The ICC should conduct a thorough and impartial inquiry, respecting the principles of natural justice. *Maintain confidentiality throughout the process* and provide regular updates to the complainant and the accused.
- **Support and Counseling** to the complainant to help them cope with the emotional and psychological impact of the incident. Make resources available for both the complainant and the accused
- **Regular Monitoring and Review:** Continuously monitor the implementation of the PoSH Act within the organization.
- **Encourage a Culture of Respect:** Foster a work environment that promotes gender equality, diversity, and inclusion. Encourage open communication, respect for boundaries, and a zero-tolerance policy towards

sexual harassment. Promote a culture where individuals feel safe and empowered to report incidents without fear of repercussions.

### Maternity Benefits To Adoptive Mothers

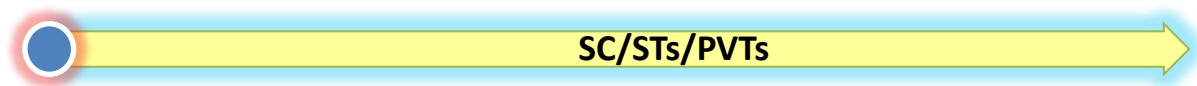
- The Supreme Court agreed to hear a petition challenging the constitutional validity of **Section 5(4) of the Maternity Benefit Act 1961**.
- This section states that a woman who legally adopts a child **below three months** old will be entitled to 12 weeks of maternity leave.
- A woman adopting a child older than three months gets **no benefits**.
- A Public Interest Litigation (PIL) was filed challenging Section 5(4) of the Act on grounds of being **“discriminatory” and “arbitrary”** towards adoptive mothers and orphaned children over three months.
  - **This is completely incompatible** to the object of the Maternity Benefit Act as well as the **Juvenile Justice Act**.
- The purported benefit of 12 weeks’ maternity leave (compared to the 26 weeks’) **fails to stand the basic scrutiny of Part III** (Fundamental Rights) of the Constitution, which is linked to the concept of non-arbitrariness.

### Maternity Benefits (Amendment) Act 2017

- It amended Section 5 of the erstwhile Act **to allow 26 weeks of paid leave after childbirth**, although **only to biological mothers**.
- The amendment inserted **Section 5(4)** which said that adoptive or surrogate (**commissioning**) mothers legally adopting a child below three months will be entitled to a maternity benefit period of **12 weeks** from the date the child is handed over to the mother.
- Further, it inserted provisions **to allow women to work from home under Section 5(5)**, where the nature of work assigned to a woman is of such nature.
  - The employer may allow her to do so after availing of the maternity benefit for such period.
- Under the amended Act, **every establishment having fifty or more employees** shall have the facility of **creche** and the employer must allow four visits a day to the creche as well as rest intervals for her.

### Criticisms of The Amended Act

- Women in the **unorganised** sector cannot avail maternity benefits.
- Even five years after the amendment Act was passed, it was **yet to deliver a positive impact on job opportunities for women**.
- **The women’s participation dropped** in more than five out of 10 sectors (surveyed by a human resource organisation) since the implementation of the Act.
- After maternity, **women face several challenges** - 30% cited wage cuts followed by resistance or lack of support from family and access to childcare.



### Centre Looking to Design Human Development Index for PVTGs

The Union government is now looking to design a survey that can gauge the **Human Development Index (HDI)** specifically for about 28 lakh people of the **Particularly Vulnerable Tribal Groups (PVTGs)**.

- Union Minister for Tribal Affairs addressed media persons on 9-year achievements and Transformational initiatives of the Ministry.
- He said that development of PVTGs in mission mode has been taken up as focus area for the first time ever.
- The Ministry is now looking to design a survey that can gauge the HDI specifically for about 28 lakh people of the PVTGs.
- A fund of **Rs 15,000 crore** has been allocated for the socio-economic development of the group for the next 3 years.
  - The programme envisions **connecting all 22,544 PVTG villages to basic government services like communications, electricity, public education, healthcare, water supply, and connectivity.**
- Giving details of the strides made in the education of tribal people, the minister said that the Government is setting up **740 Eklavya Residential Model Schools (EMRS)** which will serve 3.5 lakh tribal students with quality education.
  - Over the next three years, **38,800 teachers and support staff will be recruited** centrally for the 740 EMRSs.
  - These schools will also lay emphasis on local languages to ensure that the students are not detached from their roots.
- In 2023-24, a budget of **Rs 12,460 Crores** has been allocated to the Ministry.

#### **What Is a Particularly Vulnerable Tribal Group (PVTG)**

- PVTGs are **more vulnerable among the tribal groups.**
  - Due to this factor, more developed and assertive tribal groups take a major chunk of the tribal development funds, because of which PVTGs need more funds directed for their development.
- In this context, in 1975, the Government of India declared 52 tribal groups as PVTGs on the recommendation of **Dhebar commission.**
  - Currently, there are **75 PVTGs out of 705 Scheduled Tribes.**
- The PVTGs are spread over 18 states and one UT, in the country (2011 census).
  - **Odisha has the highest number (more than 2.5 lakh) of PVTGs.**
- **Characteristics of PVTGs:**
  - Population – stagnant/declining
  - Technology – pre-agricultural
  - Literacy Level – extremely low
  - Economy – Subsistence level

#### **Government Scheme for PVTGs**

- Ministry of Tribal Affairs implements a scheme in the name of **'Development of Particularly Vulnerable Tribal Groups (PVTGs)'**.
- It is a **Centrally Sponsored Scheme** having a provision of 100% Central assistance to 18 states and UT of Andaman & Nicobar Islands.
- The scheme of Development of PVTGs aims at socio-economic development of PVTGs in a comprehensive manner, while retaining their culture and heritage.
- As a part of the scheme, State Governments undertakes projects that are tailored to cater to sectors like education, health and livelihood schemes for the PVTGs.

**Kudmis' Agitation In Bengal And Jharkhand For Scheduled Tribe Status**

The Kudmi community had been sitting on protest in the areas of West Bengal and Jharkhand. The community was demanding Scheduled Tribe (ST) status and the inclusion of their language in the Eighth Schedule of the Constitution.

**Criteria to begin the process:** To establish whether a community is a ST, the government looks at several criteria, including its -Ethnological traits, Traditional characteristics, Distinctive culture, Geographical isolation and Backwardness.

**What are the Criticisms Of The Existing Criteria For Granting ST Status?**

- **Obsolete criteria**
  - These set of criteria set were out by the Lokur Committee nearly 60 years ago and hence may have become obsolete considering the process of transition and acculturation over the time.
    - Acculturation is cultural modification of an individual, group, or people by adapting to or borrowing traits from another culture.
- **Condescending in nature**
  - Terms like primitive and the requirement of primitivity to be a characteristic of Scheduled Tribe indicates a condescending attitude by outsiders.
  - What we consider primitive is not considered by the tribals themselves.
- **Rigid and dogmatic approach**
  - Many experts believe that the committee followed a rigid and dogmatic approach while setting out the criteria.
  - E.g. – with respect to the geographical isolation criterion, they point out that as infrastructure development continued across the country, how can any community remain in isolation?

**Steps Taken By The Government To Develop New Set Of Criteria**

- The government task force on Scheduling of Tribes was constituted under the leadership of then Tribal Affairs Secretary, Hrusikesh Panda in February 2014.
- Based on this, the Tribal Affairs Ministry had, in June 2014, prepared a draft Cabinet note to overhaul the criteria and procedure for scheduling of new communities as STs.
- **The new criteria under the government's consideration included:**
  - **Socio-economic**, including educational, backwardness, vis-a-vis, the rest of the population of the State;
  - **Historical geographical isolation** which may or may not exist today;
  - **Distinct language/dialect;**
  - **Presence of a core culture** relating to life-cycle, marriage, songs, dance, paintings, folklore;
  - Endogamy, or in case of exogamy, marital relationship primarily with other STs
    - This criterion is for scheduling of a community as ST and not for determining ST status of an individual.

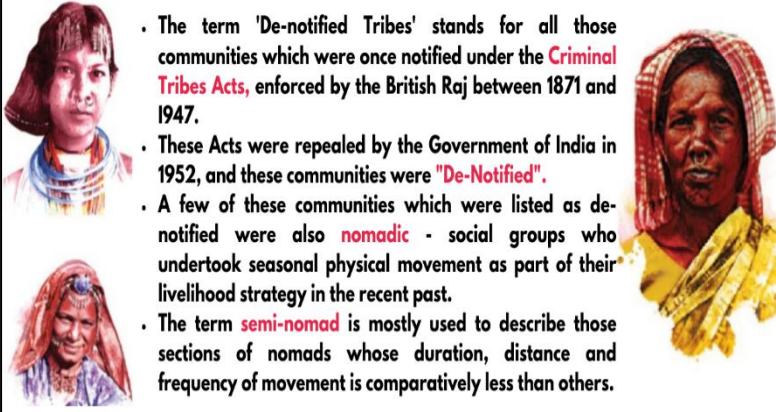
**Denotified, Nomadic, Semi-Nomadic Tribes**

- The **Parliamentary panel** on Social Justice and Empowerment has pulled up the Union government over the very slow process to categorise over 260 denotified, nomadic and semi-nomadic tribes (DNTs) under either the SC/ST/OBC lists.
- This has led to delay in the approval of benefits under the **SEED** (Scheme for Economic Empowerment of DNTs) scheme.

**Status In India**

- More than 10 crore Indians from over 1,400 communities are either denotified (settled in various States of the country), nomadic or semi-nomadic.
- The Government of India in 2014 had constituted **National Commission for Denotified, Nomadic and Semi-Nomadic Tribes (NCDNT)**/Idate Commission for a period of 3 years to-
  - Prepare a **State-wise list of castes** belonging to Denotified and Nomadic Tribes
  - Suggest **appropriate measures** in respect of Denotified and Nomadic Tribes that may be undertaken by the Central or the State Government.

Who are DNTs?



- The term 'De-notified Tribes' stands for all those communities which were once notified under the **Criminal Tribes Acts**, enforced by the British Raj between 1871 and 1947.
- These Acts were repealed by the Government of India in 1952, and these communities were "**De-Notified**".
- A few of these communities which were listed as denotified were also **nomadic** - social groups who undertook seasonal physical movement as part of their livelihood strategy in the recent past.
- The term **semi-nomad** is mostly used to describe those sections of nomads whose duration, distance and frequency of movement is comparatively less than others.

- **The NCDNT/Renke Commission (2008)** was earlier commissioned to identify and list the DNT communities.

**Development and Welfare Board for Denotified, Nomadic & Semi-Nomadic communities (DWBDNCs)**

- **The Idate commission** recommended the setting up of a permanent commission for these communities.
- But since most DNTs are covered under SC, ST or OBC, the government felt setting up a permanent commission would be in conflict with the mandate of the National Commission for Scheduled Castes (NCSC), NCST and NCBC.
- The government therefore set up the DWBDNCs (in 2019, under the chairmanship of BR Idate) as a society under the aegis of the **Ministry of Social Justice and Empowerment** for the purpose of implementing welfare programmes.

**Panel’s Report**


- It flagged the **inability** of the Department Social Justice and Empowerment **to take necessary action on the speedy and accurate categorisation** of these communities.
- Delay in locating them **would increase their suffering** and they would not be able to get benefit of the prevailing Schemes meant for the welfare of SC/STs.
- As of now, a total of over 5,400 applications have been received under the SEED scheme, none of which have been approved and no amount has been sanctioned.
- The panel expected that the government would **expedite** this exercise and finish it in a time-bound manner and sought detailed timelines for the same.

**Department’s Response**

- **The Idate Commission** had categorised 1,262 communities of 1400 under SC/ST/OBC lists and 267 communities were left uncategorised.
- **The communities categorised by the Idate Commission are not accurate** with many communities appearing in SC lists in one State or district and on the ST list in others.
- **The Anthropological Survey of India (AnSI)** has submitted reports on categorisation of 48 DNT communities so far and is expected to finish studying the remaining communities by the end of 2022.
- According to the DWBDNC,




- SEED scheme was launched along with a system for online applications and live status-tracking.
- However, with many DNT communities unable to navigate the online system themselves, **officials have been conducting camps** across the country with community leaders to help the applicants sign up on the web portal.
- But unless the **bureaucratic exercise of their accurate categorisation** is completed, the application will not be processed.



### SEED (Scheme for Economic Empowerment of DNTs)

The scheme was launched in (February) 2022 by the Ministry of Social Justice and Empowerment, with an allocation of ₹200 crore, to be spent over five years from FY 2021-22 to FY 2025-26.



**Components:**

- **Educational empowerment:** Providing free competitive exam coaching for DNT candidates.
- **Health:** Health insurance (through PM Jan Arogya Yojana).
- **Livelihoods:** Through National & State Rural Livelihood Missions (NRLM and SRLMs).
- **Land and Housing:** Financial assistance for construction of houses through PM Awas Yojana.

**Implementation:**

DWBDCs has been tasked with the implementation of this scheme.

**Beneficiaries:**

The DNT communities whose family income from all sources is **Rs. 2.50 lakhs or less** and who are not availing benefits under any other central/state schemes are eligible.

**Prisoners**

**Support For Poor Prisoners Scheme**

- The Ministry of Home Affairs (MHA) has decided to launch a **special scheme to provide financial support to poor** people who continue to be in jails because they are unable to afford the penalty or the bail amount.
- This will **enable poor prisoners**, the majority of whom belong to socially disadvantaged or marginalised groups with lower education and income level, **to get out of prison and decongest prisons.**

**Share of Undertrial Burgeoning In Indian Jails**

- According to the National Crime Records Bureau (NCRB), among the 5,54,034 inmates across India's prisons (at the end of 2021), **77.1% were under-trials** and 22.2% were convicted by a court of law.
- According to the World Prison Brief, India currently has the **sixth highest share of pre-trial detainees** (after Liechtenstein, San Marino, Haiti, Gabon and Bangladesh) in the world.
- This large share of the under-trial prison population is not a recent phenomenon, but has **persisted for decades now** (57.6% in 1975).
- India's justice processes have been infamous for the **slow dispensation of cases** due to
  - The denial of pretrial release to criminal defendants and the **excessive duration** of criminal proceedings.
  - Additionally, the **inability of several (poor) inmates** to pay for their bail bonds means they end up languishing in prisons even when they could be out.
- **The COVID-19 pandemic** further decelerated judicial processes violating human rights norms and constitute a **grievous affront to justice.**

**Steps Taken By The Govt. To Address The Issue Of Undertrials**

- Insertion of **Section 436A** in the Code of Criminal Procedure (CrPC)
  - It provides that in a case where punishment for the offence cannot be death and a person has undergone detention for a period extending up to one-half of the maximum period of imprisonment specified for the offence, he shall be released on bail.



- Insertion of a new chapter XXIA 'Plea Bargaining' in the CrPC
- **Free legal aid** is being provided to poor prisoners through the **Legal Services Authority** at various levels

#### About the Support for Poor Prisoners Scheme

- Under the scheme, the Government of India will **provide financial support to States** in order to extend relief to those poor prisoners who are unable to afford the penalty or the bail amount.
- To further strengthen the process, **technology driven solutions will be put in place** to ensure that benefits reach the poor prisoners -
  - Reinforcing the **E-prisons platform**;
  - Strengthening of **District Legal Services Authority** and
  - **Sensitisation and capacity building of stakeholders** to ensure that quality legal aid is made available to needy poor prisoners



#### Integrating Transgender Concerns in Schooling Processes

- The draft manual titled “Integrating Transgender Concerns in Schooling Processes” has been released.
- It is prepared by a new committee convened by the National Council of Educational Research and Training’s (NCERT) Department of Gender Studies head (Jyotsna Tiwari).

#### Key Highlights of the New Draft

- **Diverse gender expressions have a long history of acceptance in India:** It was documented in various art forms and multiple texts of ancient period, including epics of Ramayana and Mahabharata.
- **Recognise people with diverse sexualities:** It includes LGBTQIA+ communities and the present module is specifically focusing upon transgender persons by birth.
- **Recommends the introduction of gender-neutral uniforms:** From Grade VI onward, the schools can introduce gender neutral uniforms which are comfortable, climate appropriate, fit and do not conform to a particular gender.
- **Toilets exclusively for transgender students:** In case there is a toilet for Children with Special Needs (CWSN) that can also be shared by transgender students.

#### Concerns Related to New Draft

- The two manuals (old and new), prepared by two different committees, **are starkly different in nature despite dealing with the same subject.**
- For instance, the previous manual, categorically stated that -
  - The dominant social system of caste patriarchy in India had **relegated transgender persons to occupations that are stigmatised.**
  - **Textbooks should provide all students with a critical lens** to investigate a variety of issues that continue to confront us, such as caste, class, gender and power relations, patriarchy, diverse sexual identities and marginalisation, etc.
- **Does not deal with all categories of gender non-conforming children:** No information for teachers on dealing with children who may not be transgender but show signs of “**Gender Dysphoria**”.
  - Gender Dysphoria indicates psychological distress resulting from a conflict between a person’s assigned gender at birth and the gender with which they identify or the “agender” category (neither man nor woman).

### Triple Test Formula for OBC Quota

The Uttar Pradesh Government set up a *five-member commission* to conduct surveys and ensure OBC reservation in the local body is provided based on the **triple test**. This test will be carried out for the first time in Uttar Pradesh and its rules will be laid down by the Law department and the Urban Development department.

#### What is the Triple Test?

- In a landmark judgement in the **K.Krishna Murthy & Ors. Vs. Union of India** (2010), the Supreme Court had laid down a triple test for reserving seats in local body polls.
- It was reiterated by the Supreme Court in the case of *Vikas Kishanrao Gawali vs. State of Maharashtra and others in 2021*.
- It requires the government to complete the following three tasks before finalizing reservation for OBCs in local body elections:

- Set up a dedicated commission to conduct a rigorous **empirical inquiry** into the nature and implications of the backwardness in local bodies.
- Specify the **proportion of reservations required** in local bodies considering recommendations of the commission, so as not to *fall foul of overbreadth*.
- Ensure reservations for SCs/STs/OBCs taken together do not exceed an aggregate of 50% of the total seats.

- The reservation cannot be notified without meeting these conditions.

#### Previously Used Method

- The UP government used the method of **rapid survey** for determining the population of OBCs as determined by the Urban Development Department. It was used for the polls held in 1995, 2000, 2006, 2012 and 2017.
- Based on this survey, seats were reserved in proportion to the population of the backward class of citizens in the constituency/ward concerned.

#### Why Triple Test?

- Allahabad High Court, while rejecting the reservation provided to OBC's in local body elections *based on the rapid survey method* stated that an exercise cannot be confined to counting heads alone.
  - It pointed out that granting reservation based on population misses a **very crucial factor** ie “political representation of the class or group” **for determination of backwardness**
- Quoting the Supreme Court's observation in the **K Krishna Murthy case**, the court stated that the nature of disadvantages which restrict access to education and employment cannot be readily equated with disadvantages in the realm of political representation.
  - **Nature of reservation provided:** Supreme Court observed that there is an inherent difference between the nature of benefits that accrue from **access to education (Article 15(4))** and **employment (Article 16(4))** on one hand and **political representation at the grassroots level (Article 243-D )** on the other hand.
  - Thus, backwardness in the social and economic sense does not necessarily imply political backwardness.

### Guidelines In Medical Admission For The Disabled

- The National Medical Commission (NMC) is currently developing new guidelines that will be used to determine whether candidates with disabilities can enroll in medical programs and if they can avail benefit of quotas.
- A 16-member expert panel was set up after the Delhi High Court directed the NMC to explore the possibility of candidates with disability pursuing some disciplines (if not all) of medical education.

### The Existing Guidelines of NMC

It says that anyone with more than 40% disability will be eligible for medical course and quota if their disability can be brought below the 40% mark with aids.

### Recommendations of The Panel

- It ranges from a -
  - “**Progressive outlook**” for those with mental illness - suggesting that anyone who can complete all course requirements be allowed to study medicine
  - To “**extremely restrictive**” requirements for locomotor disabilities, suggesting wheelchair-bound people or those using two crutches be disqualified.

### Inclusive Recommendations

- The panel recommended that **everyone** should be allowed to pursue a medical course, and those with a **disability of more than 40% be allowed to compete for the 5% seats under the quota for persons with disabilities.**
- When it comes to **locomotor disabilities** - disability of bones, joints or muscles that restrict the movement of limbs - the committee suggested that students will be allowed if they are able to perform activities.
- These recommendations are in line with disability guidelines that are followed in **countries such as the UK.**

### Concerns

- Despite the mandate, much of the recommendations **do not talk of advancements in assistive devices or treatments.**
- **Lack of objective method** to establish that disability is equal to or more than 40%.

### Pradhan Mantri Virasat Ka Samvardhan (PM VIKAS) Scheme

- The Ministry of Minority Affairs (MoMA), shared that the Pradhan Mantri Kaushal Ko KaamKaryakram (PMKKK) has now been named as **Pradhan Mantri Virasat Ka Samvardhan (PM VIKAS) Scheme.**
- The integrated scheme **converges five erstwhile schemes** of MoMA viz. Seekho aur Kamao, USTTAD, HamariDharohar, Nai Roshni and Nai Manzil.
- The scheme has been approved by the Cabinet for the period of **15th Finance Commission.**
- PM VIKAS aims to **improve livelihoods of the minorities**, particularly the artisan communities, using the components of skill development, education, women leadership & entrepreneurship.
- These components complement each other in the ultimate objective of the scheme to increase the incomes of the beneficiaries and provide support by facilitating **credit and market linkages.**

**Seekho aur Kamao (Learn and Earn)**

- It is a **placement-linked skill development scheme** for minority youth in the age group of 14-45 years.
- It aims to upgrade the skills of minority youth in various modern/traditional skills depending upon their qualification, present economic trends and market potential.

**Upgrading the Skills and Training in Traditional Arts/ Crafts for Development (USTTAD)**

- USTTAD was launched to **preserve the rich heritage** of traditional arts/crafts of minorities.
- It aims at capacity building and upgrading the traditional skills of **master craftsmen/artisans**, training of minority youths in various identified traditional arts/crafts, and developing national and international market linkages.

**Hamari Dharohar**

- Hamari Dharohar scheme has been formulated to preserve rich heritage of minority communities under overall concept of Indian culture which includes curating exhibitions, preservation of literature/ documents etc.

**Nai Roshni**

- It aims to empower and enhance confidence in **minority women** by providing knowledge, tool and techniques **for leadership development of women.**
- It is a six-days non-residential/five-days residential training programme conducted for women from minority community between the age group of 18 years to 65 years.
- The training modules cover programmes related to women health and hygiene, legal rights of women, financial literacy, digital literacy, swachhbharat, life skills, and advocacy for social and behavioural changes.

**Nai Manzil**

- It aims to benefit the youth (both men & women) belonging to minority communities of 17-35 years of age, who do not have formal school leaving certificate, i.e., those in the category of school dropouts or educated in community education institutions like Madrasas.
- It provides a combination of formal education (Class VIII or X) and skills to enable beneficiaries seek better employment and livelihood.

**Issues Relating to Development & Management of Social Sector/Services**

**Health**

**Right To Health Bill**

Recently, Rajasthan became the first state to introduce a Right to Health bill. This bill gives every resident of the state the right to avail free **Outpatient Department (OPD) services and In Patient Department (IPD) services** at all public health facilities and selected private facilities. It extends a total of 20 Rights to the citizens of the state.

**Objective**

- To provide protection and fulfilment of rights and equity in health and well-being under Article 47.
  - ✓ Article 47- It is one of the Directive Principles of State Policy which guides the state to raise the level of nutrition and the standard of living and to improve public health.
- To secure the Right to Health as per the expanded definition of Article 21 (Protection of life and personal liberty)”.

**Key Highlights of Bill**

<p><b>Obligations on Government</b></p> <ul style="list-style-type: none"> <li>• To formulate a public health model with appropriate provisions in the state budget.</li> <li>• Develop and institutionalize a <u>Human Resource Policy</u> to ensure the equitable distribution of health workers.</li> </ul>	
<p><b>Health Authorities</b></p> <ul style="list-style-type: none"> <li>• Independent bodies will be set up at the state and district levels, called the <u>State Health Authority (SHA)</u> and <u>District Health Authority (DHA)</u>, respectively.</li> <li>• They will formulate, implement, and monitor mechanisms for quality healthcare and management of public health emergencies.</li> <li>• The State Health Authority will be chaired by an Indian Administrative Service officer not below the rank of Joint Secretary, appointed by the state government.</li> <li>• The District Health Authority will be chaired by the district collector.</li> </ul>	
<p><b>Right of Residents</b></p> <ul style="list-style-type: none"> <li>• Avail free outdoor and indoor patient department services, medicines, diagnostics in public health institutions and free transport facility.</li> <li>• The hospital can't delay treatment on grounds of police clearance if it is a medico-legal case.</li> <li>• After emergency care, stabilisation and transfer of patient, if patient does not pay requisite charges, the healthcare provider shall be entitled to receive requisite fee and charges or proper reimbursement from the state government.</li> <li>• Avail tertiary healthcare by referral from primary and secondary level institution.</li> <li>• Informed consent &amp; Confidentiality before specific tests or treatments.</li> </ul>	<p><b>Duties of Residents</b></p> <ul style="list-style-type: none"> <li>• Provide relevant and important information to the healthcare provider &amp; comply with prescribed healthcare.</li> <li>• Refrain from misconduct with healthcare provider.</li> </ul>
<p><b>Rights of Healthcare Provider</b></p> <ul style="list-style-type: none"> <li>• Protection from complaints relating to adverse consequences.</li> <li>• To be treated with respect and dignity by patients and attendants.</li> <li>• Decent working conditions</li> <li>• Right to physical safety.</li> </ul>	<p><b>Duties of Healthcare Provider</b></p> <ul style="list-style-type: none"> <li>• Follow standard treatment guidelines and protocol.</li> <li>• Maintain confidentiality, privacy and dignity of residents.</li> <li>• Respect residents' right to take a decision.</li> <li>• Explain/inform patients/relatives about disease severity, progression and treatment.</li> </ul>

**Grievance Redressal**

- A web portal and helpline centre will be established for filing complaints and the officer concerned will have 24 hours to respond to a complaint.
- The District Health Authority will take up unresolved complaints exceeding the above timeframe, take appropriate action and upload the action taken report on the web portal within 30 days.
- If the grievance remains unresolved within 30 days, the complaint will be forwarded to the State Health Authority who will then hear appeals against the District Authority's decisions.

**Penalty**

- Anyone found in contravention of the Act will be punishable with a fine of up to Rs 10,000 for the first contravention, and up to Rs 25,000 for the subsequent contraventions.

**Bar of Jurisdiction**

- No civil court shall have jurisdiction to entertain any suit with respect to any matter which an appellate authority constituted under the act is empowered.

**Concerns In The Bill**

**Obligations on the Private Sector-**

- It violates Article 19(1)(g) of the Constitution, which guarantees the right to practice any profession or carry on any occupation, trade or business as this bill will allow a resident avail free healthcare service from any clinical establishments including private ones.

**Implications of Mandatory Free Healthcare-**

- It will require incremental funds for deployment of human resources, infrastructure development, and public health functions for fulfilling all the obligations cast on the state.

**Shortage of Healthcare Workers-**

- There may be a shortage of workers in the state which may further affect the effective implementation of the right to health.

**Concerns w.r.t Doctors**

- **No Prepayment Option-** The Bill mandates that all hospitals, both public and private must offer emergency treatment without any prepayment.
- **Contentious emergency provision**
  - ✓ As per the bill, emergency treatment can be availed without prepayment of requisite fee or charges.
  - ✓ The Act does mention that the government will reimburse the hospitals, but the protesters say there is no clarity on how or when these funds will come.
  - ✓ Also, the bill has not defined what an emergency is. It could range from a heart attack to a delivery of a child coming in with stomach ache in the middle of the night.
  - ✓ The bill does not say who should treat what. If one runs an eye clinic, he/she cannot treat a heart attack case.
  - ✓ The govt has said that more clarification will be provided when the rules for the Bill are framed.
- **Futile and Over-regulation-** Doctors have argued that clinics and hospitals are required to abide by State regulations and norms.



**Redressal mechanisms**

- As per the bill, local politicians and government-nominated members would be a part of the district authority to look into patients’ complaints.
- Protestors claim that if a doctor has a tiff with someone, they can lodge a complaint to impede the functioning of private hospitals.
- In such cases, it will just become another machine of corruption.

The right to health is a fundamental human right that is recognized by Indian constitution under article 21. Despite the recognition of this right, many people across India still face significant barriers to accessing essential healthcare services, particularly in low-income pockets of India.

Addressing these challenges requires a coordinated effort from governments, international organizations, and civil society groups. By working together to ensure that everyone has access to the resources they need to maintain good health, we can make significant progress towards realizing the right to health for all.

**Existing Schemes**

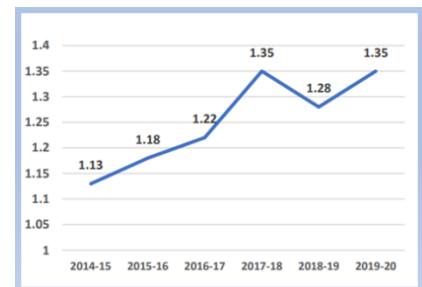
1. **Chiranjeevi Health Insurance Scheme**- provided free treatment of up to Rs. 10 Lakhs initially which has now been increased to Rs 25 lakh in the latest budget and will be implemented from this financial year.
2. **NishulkNirogi Rajasthan**- includes the Free Medicine scheme. Under this, all OPD and IPD services in government hospitals, including the registration fee, are provided for free. It covers about 1,600 medicines, 928 surgical and 185 sutures.

**Latest National Health Account figures about India’s Healthcare Sector**

Ministry of Health and Family Welfare has released the National Health Account Estimates 2019-20.

**Major Findings of NHA Estimates 2019-20**

- **Government Expenditure on Health –**
  - During this period, the share of Government Health Expenditure (GHE) in the overall GDP of the country has **increased from 1.13% in 2014-15 to 1.35% in 2019-20.**
  - In per capita terms, GHE has doubled from Rs. 1,108 to Rs. 2,014 between 2014-15 to 2019-20.
- **Out-of-Pocket Expenditure (OOPE) –**
  - The share of OOPE in total Health Expenditure (THE) **declined from 62.6% to 47.1%.**
  - The continuous decline in the OOPE in the overall health spending show progress towards ensuring financial protection and Universal Health Coverage for citizens.
  - In the Total Health Expenditure (THE) of the country between 2014-15 and 2019-20, the **share of GHE has increased from 29% to 41.4%.**
- **Increase in Social Security Expenditure (SSE) –**
  - This increase in social security has a direct impact on reducing out-of-pocket payments.
  - A robust social security mechanism ensures that individuals will not face financial hardship and the risk of poverty as a consequence of accessing essential healthcare services.
  - The share of SSE on health, which **includes government-funded health insurance, medical reimbursement to government employees, and social health insurance programs**, in THE, has **increased from 5.7% in 2014-15 to 9.3% in 2019-20.**



**Comparing India’s Government Health Expenditure with other Countries’**

- As per the NHA estimates for 2019-20, India spends 1.35% of total GDP on public health expenditure.
- Compare this with countries like the United Kingdom, Netherlands, New Zealand, Finland and Australia where all these countries **spend over 9% of their total GDP** in public healthcare system.
- Neighbouring countries like Bangladesh and Pakistan have over 3% of their GDP going towards public healthcare system.

**Way Ahead**


- Increasing public spending on health –
  - The National Health Policy (2017) recommends government expenditure on health to be **increased to 2.5% of GDP by 2025**.
- Improve Doctor-to-Patient ratio –
  - As of February 2021, **India’s doctor-to-population ratio stood at 1:1404**, while the WHO recommends the doctor-to-population ratio to be 1:1000.
  - For people in the rural India who are completely dependent on government healthcare facilities, the doctor to patient ratio is abysmally low with **1:10,926 doctors**.
- Optimizing the use of technology –
  - Technology-enabled community health workers, nurses and other frontline care providers can perform many functions in primary care.

**Rural Health Statistics Report 2021-22**

Ministry of Health and Family Welfare (MoHFW), has published the **Rural Health Statistics Report 2021-22**.

**Key Highlights of 2021-22 Report**

- **Rural Health Centers** –
  - As per norms, each sub center (**SC**) is supposed to cater to a population of 3,000-5,000, each Primary Health Centers (**PHC**) to a population of 20,000-30,000 and each Community Health Centers (**CHC**) to a population of 80,000-1,20,000.
  - The RHS estimates as of 31 March, 2022, has revealed that each SC catered to an average of 5691 people, each PHC to 36049 people and each CHC to 164027 people.
- **Urban Health Statistics** –
  - There is a vacancy of 18.8% of doctors, 16.8% of pharmacists, 16.8% of lab technicians and 19.1% of staff nurses at the U-PHCs (Urban PHCs).
  - The population covered by a U-PHC may vary from 50,000 to 75,000.
  - Urban Community Health Centre (U-CHCs) is set up as a referral facility for every 4-5 U-PHCs. The U-CHC caters to a population of 2,50,000 to 5 lakhs.



**About Rural Health Statistics (RHS) Report**

- It is an annual publication of MoHFW since the year 1992.
- This provides the data on health infrastructure including manpower up to 31st March of every year.
- The publication is **based on the data uploaded by States/UTs on Health Management Information System (HMIS) Portal** and published only after getting verified by respective States/UTs.
  - HMIS portal provides periodic reports on the status of the health services’ performances.
- It serves as a **vision document in identifying the gaps in the existing Healthcare Infrastructure and Human Resources** in rural, urban and tribal areas of the country.
- It also serves as an important source of information for citizens.

**Rise in Number of Allopathy Doctors –**

- There has been an over 50% rise in the number of allopathy doctors in primary health centers since the launch of the National Rural Health Mission (NRHM) in 2005.
- The allopathic doctors at PHCs have increased from 20,308 in 2005 to 30,640 in 2022.

**Shortage of Specialist Doctors –**

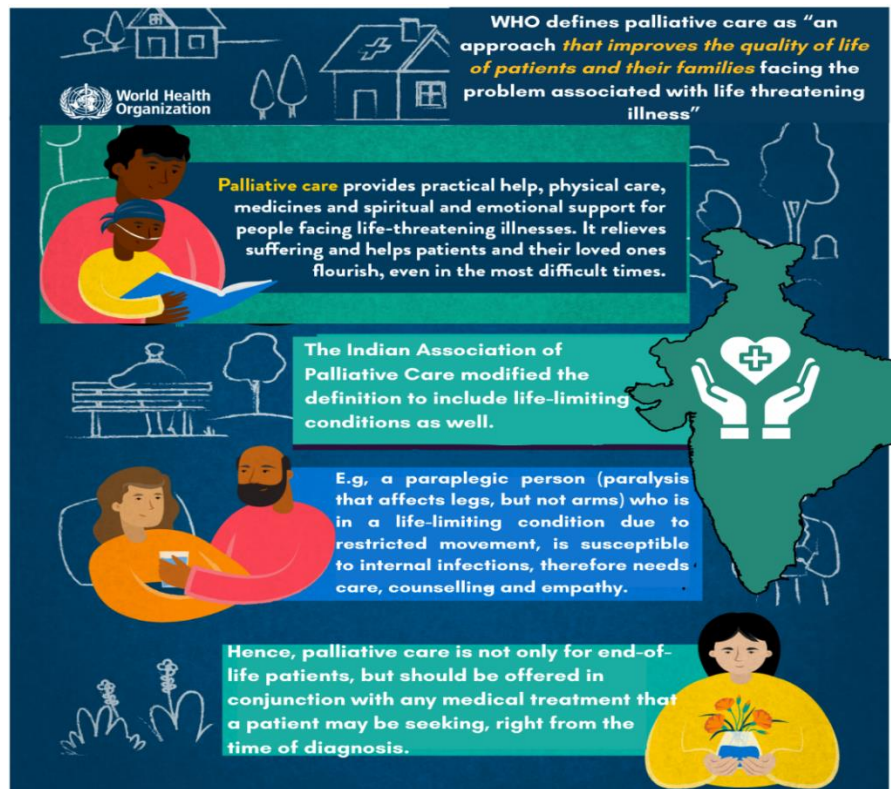
- India is reeling under an acute shortage of specialist doctors, with a shortfall of nearly 80% of the required specialists at CHCs.
  - CHCs are 30-bed block-level health facilities which are ideally supposed to provide basic care related to surgery, gynecology, pediatrics and general medicine.
  - There are **6,064 CHCs across India** and the Health Ministry has been unsuccessful in meeting the requirement for specialist doctors in most of these centers.
- The report points out that there is a shortfall of specialist doctors, including surgeons (83.2%), obstetricians and gynecologists (74.2%), physicians (79.1%) and pediatricians (81.6%).
- Apart from specialist doctors, there is also a **shortage of female health workers and auxiliary nursing midwives**, with up to 14.4% of these posts lying vacant in PHCs and SCs.

**Palliative Care**

According to Health Ministry data analysis report, only 1-2% of the population who need palliative care have access to it in India compared to the global average of 14%. This report has been released by the health unit of FICCI.

**Why India's Palliative Care Is Lagging Behind?**

- **Disease Focused Healthcare System:** With the advent of technology, healthcare has become disease-focused.
- **Lack of trained doctors and medical staffs-**
  - Palliative care needs extra training in pain management, care and empathy. However, absence of well-trained cadre is affecting Indian healthcare system.
  - It was only in 2010, that the Medical Council accepted palliative medicine as a medical specialty and announced an MD course in palliative care. Still, training at the nurse level is missing.
- **Political Apathy**
  - Morphine, critical to pain management, was extremely difficult to procure in India until Narcotic Drugs and Psychotropic Substances (NDPS) Act of 1985 was amended in 2014.



- In 2012, the Ministry of Health announced a National Programme for Palliative Care (NPPC) in the 12th Five-Year Plan. Unfortunately, the proposed budget allocation did not materialise.
- **Lack Of Awareness And Widespread Poverty**
  - Patients and their families remain unaware of the nuances of palliative care.
  - Also, most of the patients belong to poor section of the society who cannot afford such services.
- **Absence of community/home based palliative care facilities**
- **Role of medical insurance:** In most of the cases medical claims for such services are rejected.
- **Economic factors:** Patients suffering from critical illness often do not choose the options which they think would create burden for their families.

### Key Highlights Of FICCI Report

- **Cancer Incidence In India**
  - The report notes that the cancer incidence in India is now estimated to be 19 to 20 lakhs, whereas real incidence is 1.5 to 3 times higher than the reported cases.
  - Kerala, Mizoram, Tamil Nadu, Karnataka, Punjab, and Assam report the highest overall crude incidence rates of cancers which is greater than 130 cases per lakh population.
  - As per the report, Cancer disease burden in India continues to be characterised by poor detection. Late-stage detection coupled with sub-optimal access to quality cancer treatment at affordable prices significantly impacts the outcomes.
- **Unaffordable Cancer treatment**
- **Despite rise in cancer incidence in India, no coherent policy towards palliative care**
- **Only three Indian states (Kerala, Karnataka and Maharashtra) have palliative policy**
- **Suggestions**
  - The need of the hour is training auxiliary nurses and Asha workers to provide counselling to cancer patients.
  - Also, govt needs to undertake efforts to include palliative care packages under reimbursement schemes of government as well as private insurance plans.

### Health Ministry's Response

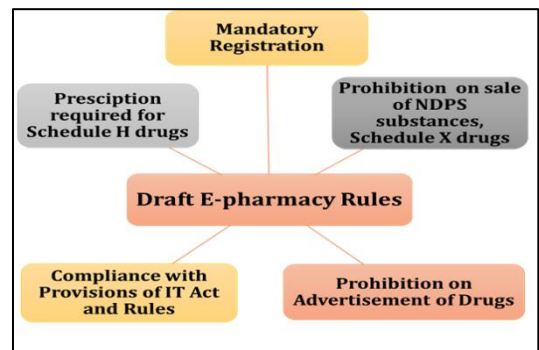
- A population-based initiative for prevention, control, and screening for diabetes, hypertension, and common cancers has been rolled out in the country under **National Health Mission (NHM)**.
- Screening of common cancers is an integral part of service delivery under **Ayushman Bharat – Health and Wellness Centres**.
- Treatment for Cancer is also available under **Ayushman Bharat – Pradhan Mantri Jan Arogya Yojana (PMJAY)**.
- Besides, quality generic medicines are made available at affordable prices to all, under **Pradhan Mantri Bhartiya Janaushadhi Pariyojana (PMBJP)**.
- **Affordable Medicines and Reliable Implants for Treatment (AMRIT)** Pharmacy stores have been set up in some hospitals/institutions, with an objective to make available Cancer drugs at a substantial discount vis-à-vis the Maximum Retail Price.
- Under the umbrella scheme of **Rashtriya Arogya Nidhi (RAN)**, financial assistance is provided to families living below the threshold poverty line for their treatment, including treatment of Cancer in Government hospitals.

**e-Pharmacies: On Regulating Online Sale Of Drugs In India**

Union Ministry of Health and Family Welfare (MoH&FW) **pulled up at least twenty companies** including Tata-1mg, Flipkart, Apollo, PharmEasy, **for selling medicines online**. This happened after the All-India Organisation of Chemists and Druggists (AIOCD), a powerful lobby of over 12 lakh pharmacists, threatened to launch a country-wide agitation if the government didn't act.

**Legislative Framework For e-Pharmacies In India**

- As of now, **no exact rules are in place for E-drug stores in India**, and this is a significant inhibitor to the online drug store market in India.
- At present, E-pharmacies in India follow the **Drugs and Cosmetics Act 1940, the Drugs and Cosmetics Rules 1945, the Pharmacy Act 1948, and the Indian Medical Act 1956**.
- However, the electronic sale of physician-prescribed drugs from online drug store sites is expressed under the **IT Act, 2000**.
- E-pharmacies are managed by **state drug controllers** and approvals for E-pharmacies should be given by the **Drug Controller General of India (DCGI)**.
- The MoH&FW in **2018** came out with **draft rules** to control the online offer of medications and availability of genuine drugs from certifiable online sites. But, after being sent to a group of ministers, the proposal was immediately put on hold.
- Since then, **multiple court orders** and the 172nd Parliamentary Standing Committee report have called for regulating e-pharmacies.
- **An administrative structure** to oversee/regulate e-pharmacy sector is necessary when antimicrobial resistance (AMR), criminal and risky movement of drugsetc is on the rise.



**How Are e-Pharmacies Competing With Chemist Shops**

- Flushed with billions of dollars of private equity, e-pharmacies started offering hefty discounts on medicines in a bid to garner more market share.
- Companies like PharmEasy are building a supply chain from the ground up by buying out big and small wholesale drug distributors like Ascent Health, Desai Pharma, etc.
- **But this aggressive growth is coming at a cost**. Since 2015, e-pharmacies have recorded losses year-on-year. For example, Tata-1 Mg posted a loss of ₹146 crore in FY22.

**Is Banning e-Pharmacies A Viable Option?**

- The demand for online delivery of drugs is burgeoning. The year 2020 marked a watershed moment for the growth of e-pharmacies as it saw nearly 8.8 million households using home delivery services during lockdown.
- There is a possibility that some of these businesses **will go underground if banned**.

**What Lies Ahead - A hybrid Model of e-Pharmacies and Brick and Mortar Stores**

- In a climate where drug delivery is driven by consumer sentiments, it is futile to stick to any one way of doing business.
- For acute care and emergency, patients still rely on their neighbourhood pharmacy stores. This has led e-pharmacy players to now open capital-intensive brick and mortar stores.
- Stiff competition has forced chemist shops to also offer home delivery options over their own store apps/Whatsapp.



- In an ecosystem that is moving towards a **hybrid mode**, all eyes are on the government which will have to effectively regulate the new way of doing e-commerce in the drug space.

### Mental Healthcare Act 2017

- The National Human Rights Commission (NHRC) in a report flagged the “**inhuman and deplorable**” condition of all 46 government-run mental healthcare institutions across the country.
- The NHRC’s observations were made after visits to all operational government facilities, **to assess the implementation of the Mental Healthcare Act (MHA), 2017.**

### Mental Healthcare Act 2017

- It **discourages long-term institutionalisation of patients** and reaffirms the rights of people to live independently and within communities.
- The government was made responsible for **creating opportunities to access less restrictive options for community living** - such as halfway homes, rehab homes, etc.
- The Act also **discourages using physical restraints** (such as chaining), objects to unmodified electro-convulsive therapy (ECT).
- It pushes for the **rights to hygiene, sanitation, food, recreation, privacy, and infrastructure** and recognises that **people have a capacity of their own** (unless proven otherwise).
- It also empowers people to make “**advance directives**” and can nominate a representative for themselves.

#### Background in which the MHA was Enacted

- MHA’s predecessor - the Mental Healthcare Act, of 1987, **prioritized the institutionalization** of mentally-ill people and did not afford any rights to the patient.
  - It also provided **disproportionate authority to judicial officers and mental health establishments** to authorize long-stay admissions against the informed consent of the individual.
- The 1987 Act embodied the ethos of the colonial-era **Indian Lunacy Act, 1912**, which linked criminality and madness.
- Hence, the intention was never to define illness but to protect social order, which -
- **Not only violates Article 21** of the Indian Constitution which protects personal liberty,
- It also indicates a **failure of the government(s) to discharge the obligation** under various UN Conventions (ratified by India) relating to the rights of persons with disabilities.
- The MHA 2017 was a **watershed moment** for the right-to-health movement in India, after the enactment of the **Rights of Persons with Disabilities Act of 2016.**
- This was the first time a **psychosocial approach** (not only a psychiatric approach) to mental healthcare was adopted and has shifted from providing only treatment to centring the rights and the will of the person.

### Challenges To Implementation of MHA

- According to a 2018 report, **almost 36.25%** of residential service users at state psychiatric facilities were **found to be living for one year or more** in these facilities.
- The main reasons are -

- Non-compliance to MHA regulations
- Absence of community-based services
- **Social stigma** that looks at a person with mental illness as a “criminal” deserving of incarceration

- Under the MHA, all States are required to establish a **State Mental Health Authority and Mental Health Review Boards (MHRBs)**, to oversee the functioning of the mental healthcare institutes.
  - In a majority of the States, these bodies are yet to be established or remain defunct, which makes redressal in case of rights violations difficult.



- In 2022, the Bombay HC held that mental healthcare institutes **do not routinely assess the condition of patients to ascertain if they can be discharged.**
- **Poor budgetary allocation and utilisation** of funds further create a scenario where shelter homes remain underequipped, understaffed, service providers are not adequately trained, etc.
- People are either put in these establishments by **families or through the police and judiciary.** In many cases, **families refuse to take them** because of the social stigma.
- **Gender discrimination** plays a role here, as **women are more likely to be abandoned** due to family disruption, marital discords and violence in intimate relationships.
- **The dearth of alternative community-based services** and socio-economic opportunities further complicates access to rehabilitation.

### What Needs to be Done to Strengthen Mental Healthcare

- The State Mental Health Authority **should meet at least four times** (as mandated under the Act), to oversee that the entire mental healthcare system is functioning effectively.
- **The model of reintegration and recovery** (needs to be replicated elsewhere):
  - **Chennai's Institute of Mental Health** launched five halfway homes, where people can access the confidence and skills needed to manage themselves outside a structured institution.
  - **Kerala** has also started half-way homes and community living centres, providing rehabilitation to people who are abandoned by family members.
- The need of the hour is to implement **rights and recovery-based approaches** to change attitudes and practices on the ground.

### Changes in Organ Transplant Rules

The Union health ministry modified national organ transplantation guidelines to allow even those **above 65 years** of age to register to receive an organ for transplantation from deceased donors.

- The Union Health Ministry is working on a **'One Nation, One Organ Allocation'** policy in consultation with states to come up with uniform guidelines for registration, allocation and other aspects of the process.
- The government is also planning to introduce a chapter in school curriculum regarding organ donation awareness for students.

### Regulatory Frameworks Guiding The Organ Transplantation In India

- **Legislation**
  - In 1994, The **Transplantation of Human Organs Act (THOA)** was promulgated by the government of India.
  - The **Transplantation of Human Organs Rules** followed in 1995 and were last amended in 2014, increasing the

#### Organ transplantation in India: Statistics



- According to data accessed from the Health Ministry, the number of organ transplants have **increased by over 3 times from 4,990 in 2013 to 15,561 in 2022.**
- Of the 15,561 transplants, a majority — **12,791 (82%)** — are from **live donors** and **2,765 (18%)** are from **deceased organ or cadavers transplants.**
  - Up to 11,423 of the 15,561 organ transplants are for the kidney, followed by liver (766), heart (250), lung (138), pancreas (24) and small bowel transplants (3).
- There is also a **geographical skew in deceased donations.**
  - All but two deceased organ donations in 2021 were in 15 states.
  - The top five — Telangana, Tamil Nadu, Maharashtra, Gujarat, and Karnataka — accounting for more than 85% of the total.
- One reason for the geographical skew could be that most organ transplant and harvesting centres are concentrated in these geographies.
- India has an **organ donation rate of about 0.52 per million population.**
  - In comparison, the organ donation rate in **Spain, the highest in the world, is 49.6 per million population.**

scope of donation and including tissues for transplantation.

- The act made commercialization of organs a punishable offence and legalized the concept of brain death in India allowing deceased donation by obtaining organs from brain stem dead person.

- **Institution**

- **National Organ and Tissue Transplant Organization (NOTTO)** is a national level organization set up under Ministry of Health and Family Welfare.
- It functions as apex centre for all India activities of coordination and networking for:
  - procurement and distribution of organs and tissues; and
  - registry of Organs and Tissues Donation and Transplantation in country.

### **Changes Brought In Organ Transplantation Policy**

- **Upper age limit for registration has been removed**

- The new guidelines have done away with the 65-year age limit for registration of patients seeking organs from a deceased donor.
- There was no age cap for living donor transplants, where family members donate organs like kidneys and livers.
- However, people over the age of 65 years couldn't register to receive organs from deceased donors as per guidelines of NOTTO

- **No domicile requirement**

- It has asked states to remove the domicile criterion for registering those seeking organs from deceased donor for transplant procedures.
- Now the needy person can go to any state of the country and register for getting organ and also get the transplant done.
  - The patient will be allotted a unique ID by NOTTO on registering.
  - This will get carried forward even if the patient changes multiple hospitals in different States.

- **No registration fee required**

- Noting that some states have been charging fees ranging between Rs 5,000 to 10,000 for registering such patients, the Union Health Ministry has asked them not to charge money.

### **Need To Increase Deceased Donations**

- **Increased Demand**

- There is a gap in the number of organs needed and the number of transplants that happen in India.
  - In absolute numbers, India conducts the third highest number of transplants in the world.
  - Of the estimated 1.5-2 lakh persons who need a kidney transplant every year, only around 8,000 get one. And of the 10,000 who need a heart transplant, only 200 get it.
- Demand is on the rise because of the increasing prevalence of lifestyle diseases.
- Besides, organs like heart and lungs can be retrieved only from deceased donors.

- **Precious resources are wasted**

- Without deceased donations, a precious resource is wasted.
- Nearly 1.5 lakh persons die in road traffic accidents every year in India, many of whom can ideally donate organs.

**Reasons For Low Organ Donation Rate In India**

- **Existing System**
  - In India a person has to register to be an organ donor and the family has to consent to it after death.
    - Even with a donor card, the family's consent is sought for organ donation after the death of the individual.
    - If the family refuses, the organs are not harvested.
  - On the other hand, Spain has an opt-out system where a person is presumed to be a donor unless otherwise specified.
- **Availability of Transplant Coordinator**
  - Having a medically qualified transplant coordinator helps in organ donation.
    - A transplant coordinator is the patient's link to the transplant hospital.
    - They also serve as information resources for patients and families after the transplant.
  - India has smaller number of such coordinators.
- **Transport Infrastructure**
  - Good transport networks between cities and states can help boost organ donation. There is need to improve coordination among the Road, Railway, and Aviation Ministries to facilitate the creation of green corridors for faster transportation of organs.
- **Less Awareness:** There is need for more awareness about organ transplant so that people register as donors.

**Global Digital System To Face Pandemic Challenges**

Union Health Minister of India proposed the convergence of all digital initiatives through a **global initiative on digital health** housed at the WHO headquarters. He made this proposal while addressing the G7 health ministers' meeting in Japan.

**Need For Such Initiative**

- As on April 2023, only 34% of the populations in low- and middle-income countries have access to Covid-19 vaccines as compared to 73% in high income countries.
- The Covid pandemic exposed the fault lines in the existing system. Hence, a more robust and inclusive system is needed.
- This initiative will help move from Silos to Systems with collaboration of all countries for enhanced coverage and quality of healthcare services.

**DIGITAL HEALTH**

- Digital health refers to the use of technology, such as mobile devices, software applications, and other digital tools, to improve health and healthcare delivery.
- Basically, it is a multidisciplinary concept that includes intersection between technology and healthcare.
- India's CoWIN, UNICEF's RapidPro and FamilyConnect etc. are few notable examples of digital health initiatives.
  - The real-time information platform, RapidPro, is a core solution in UNICEF's digital health portfolio.
  - UNICEF's FamilyConnect sends targeted life cycle-based messages via SMS to pregnant women, new mothers, heads of households etc.

### Why Is Digital Health Important

- **Empowers patients**
  - Digital tools are giving providers a more holistic view of patient health through access to data and giving patients more control over their health.
  - Hence, it empowers patients to make better-informed decisions about their own health.
    - E.g., wearable devices can monitor vital signs and provide real-time feedback to patients and clinicians.
- **Treatment of disease:** Digital health tools provide new options for facilitating prevention, early diagnosis of life-threatening diseases, and management of chronic conditions outside of traditional health care settings.
- **Other benefits:** Reduce inefficiencies; Improve access; Reduce costs; Increase quality, and Make medicine more personalized for patients.
- **Support overall universal health coverage targets**
  - Digital health is a great enabler in delivery of healthcare services and has the potential to support overall universal health coverage targets.
    - This is because it can ensure availability, accessibility and affordability, and equity of health services.
    - For example, telemedicine allows patients to connect with healthcare providers remotely.

### What Are The Challenges Of Digital Health?

- **Equitable access**
  - Universalization of digital health and enabling of equitable access to healthcare services across the world, particularly for low- and middle-income countries is challenging.
  - The issue of accessibility becomes more daunting against the backdrop of low digital literacy and low-level of internet penetration.
- **Ethical Challenges related to privacy, security and data ownership**
  - The increasing digitization of healthcare and the growth of mobile and IoT devices as data collection tools raises many ethical issues.
  - One commonly recurring theme relates to the exact nature of the role of consumer tech companies, such as Amazon, Apple etc. who have all entered the digital health domain.
  - Such companies offer solutions for collecting, storing and analysing health data which raises issues relating to **privacy, data protection and informed consent**.
  - Analysts also raise ethical concerns relating to data ownership.
- **Ethical challenges related to regularisation of digital health technologies**
  - The growth of apps and technologies developed for a consumer market blurs the lines between what are medical and non-medical devices.
  - Hence, it raises ethical challenges relating to how to regularize such technologies.
- **Data management**
  - Due to the massive amounts of data collected from a variety of systems that store and code data differently, data interoperability is an ongoing challenge.

### India Leads The Way- Digital Health Initiatives Driving Change

- **Ayushman Bharat Digital Mission (ABDM)**

- It will eventually connect the digital health solutions of hospitals across the country.
- This will not only make the processes of hospitals simplified but also will increase ease of living.
- **CoWIN**
  - The Covid Vaccine Intelligence Network (CoWIN) system has provided the technological backbone to India's Covid-19 vaccination programme, which has administered more than 220 crore doses, so far.
- **Tele-MANAS: Tele Mental Health Assistance and Networking Across States**
  - It aims to provide free telemental health services, including counselling, integrated medical and psychosocial interventions through video consultations.
- **Ni-kshay 2.0 Portal**
  - This digital health tool has enabled the community across the country to register as **Ni-kshay Mitra** and helped them in adopting TB patients in their preferred geography.
- **Health Technology Assessment (HTA)**
  - It provides evidence to decide the choice of technology for the best possible healthcare to address public health challenges at different levels.

**Conclusion**

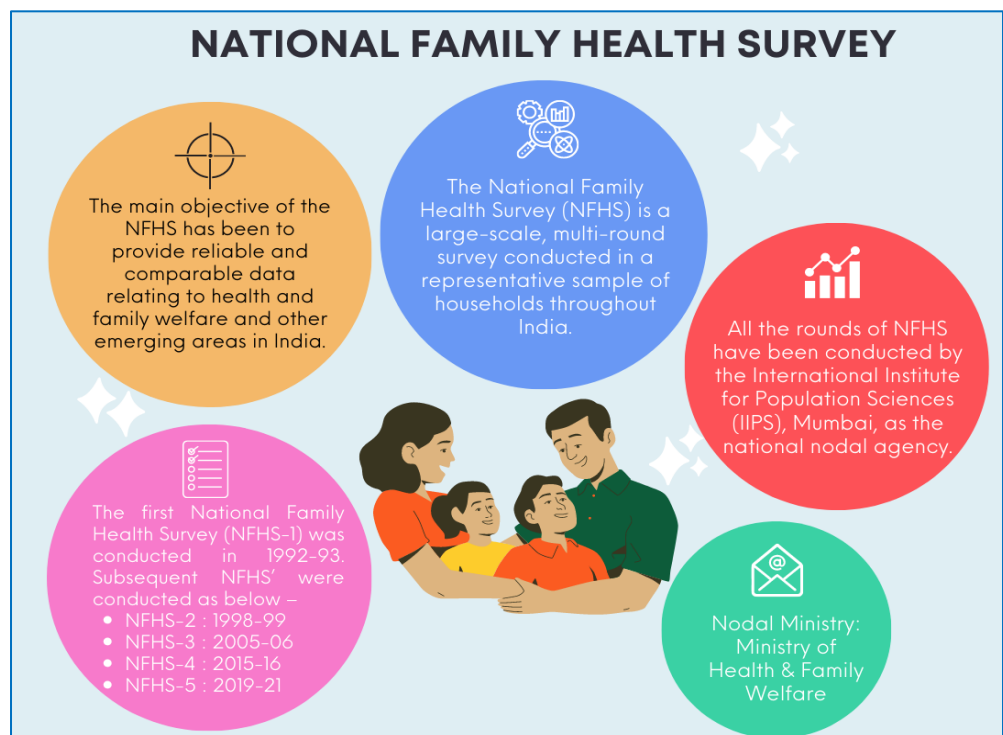
- Some of the key features of the digital interventions launched by the Government of India are inclusiveness, multilingual platforms, scalability, and interoperability.
- India is leading the way in providing digital healthcare solution to its citizen and to the world.

**India Rethinking Its Anaemia Policy**

- Questions related to anaemia are slated to be dropped from the National Family Health Survey (NFHS-6) scheduled to begin on July 6.
- The omission comes after health experts questioned the efficacy of the method being used to estimate haemoglobin levels.

**Anaemia**

- According to the WHO, anaemia is a condition in which the number of red blood cells or the haemoglobin concentration within them is lower than normal.
  - Haemoglobin is needed to carry oxygen.
  - If there are too few red blood cells, or not enough haemoglobin, there will be a decreased



capacity of the blood to carry oxygen to the body's tissues.

- This results in symptoms such as fatigue, weakness, dizziness and shortness of breath among others.

- **Factors**

- The most common nutritional cause of anaemia is iron deficiency although deficiencies in folate, vitamins B12 and A are also important causes.
- Certain chronic diseases, such as kidney disease, liver disease, cancer, or autoimmune disorders, can interfere with the production of red blood cells.
- Inherited conditions, such as sickle cell anemia or thalassemia, affect the structure or function of red blood cells, leading to chronic anemia.

### India's Anaemia Burden

- India's anaemia burden has grown alarmingly with NFHS-5 (2019-21) finding that:
  - 57% of women in the age group 15-49 and
  - 67% children between 6 months -59 months are anaemic (from the corresponding 53% and 58.6% respectively in NFHS-4 (2015-16)).
- The Health Ministry has noted that **anaemia is a public health challenge**.

### What Prompted The Change?

- WHO cut-offs for haemoglobin may not be suited to India
  - The WHO defines:
    - anaemia in children **aged under five years** and **pregnant women** as a haemoglobin concentration <110 g/L at sea level, and
    - anaemia in non-pregnant women as a haemoglobin concentration <120 g/L and <130 g/L in men.
  - Experts had cautioned that there is a danger of anaemia being over-diagnosed in India as it follows WHO cut-offs for haemoglobin.
  - This may not be suited to India, because the cut-off point depends on the age, gender, physiological status, altitude and other factors.
- **Differences in the way blood is drawn for sampling in NFHS**
  - The NFHS survey measured haemoglobin in a drop of capillary blood that oozes from a finger prick.
  - This, as per the report, can dilute the blood and give a falsely lower value.
  - The recommended method of venous blood sampling, as per the report, gives a more accurate value.

### Shift In Assessment Of Anaemia In India

- Though anaemia is being dropped from the NFHS, assessment of anaemia in India is being shifted to the new **Diet and Biomarkers Survey in India (DABS-I)**.
  - ✓ DABS-I was launched in December 2022 to map diet, nutrition and health status and provide the correct estimate of anaemia among the rural and urban population.
- The survey will define food and nutrient adequacy by collecting individual dietary intake data of different age groups of people.
- The study will also provide nutrient composition data on cooked and uncooked foods from various regions of the country for the first time.

### Why The Focus Is On Anaemia?

- Data on anaemia remains an important indicator of public health due to following reasons:



- **Impact on morbidity and morality:** Anaemia is related to morbidity and mortality in the population groups usually considered to be the most vulnerable — pregnant women and children under five.
- **Effect on reproductive health**
- **Impact on economy:** Also, iron-deficiency anaemia reduces the work capacity of individuals and entire populations, with serious consequences for the economy and national development.

### **National Medical Devices Policy 2023**

The Union Cabinet approved the National Medical Devices Policy, 2023. The policy is expected to facilitate an orderly growth of the medical device sector to meet the public health objectives of access, affordability, quality, and innovation.

#### **Need for a Holistic Framework for Medical Devices**

- The Government of India has already initiated implementation of PLI Scheme for medical devices and support for setting up of 4 Medical devices Parks in the States of Himachal Pradesh, Madhya Pradesh, Tamil Nadu and Uttar Pradesh.
- Under the PLI scheme for Medical Devices, till now, a total of 26 projects have been approved, with a committed investment of **Rs. 1200 crore.**
  - **Production Linked Incentive**, or PLI, scheme of the Government of India is a form of performance-linked incentive to give companies incentives on incremental sales from products manufactured in domestic units.
- Building upon these measures, a holistic policy framework to accelerate this growth and fulfil the potential of the sector is the need of the hour.

#### **Salient Features of National Medical Devices Policy, 2023**

- **Vision –**
  - Accelerated growth path with a patient-centric approach;
  - To emerge as the global leader in the manufacturing and innovation of medical devices by achieving 10-12% share in the expanding global market over the next 25 years;
  - To help the Medical Devices Sector **grow from present \$11 Bn to \$50 Bn by 2030.**
- Medical devices sector will be facilitated and guided through a set of strategies that will be cover six broad areas of policy interventions –
- **Regulatory Streamlining –**
  - In order to enhance ease of doing research and business and further to balance patient safety with product innovation measures.
- **Enabling Infrastructure –**
  - The establishment and strengthening of large medical device parks, clusters equipped with world class common infrastructure facilities in proximity to economic zones with requisite logistics connectivity.
- **Facilitating R&D and Innovation –**
  - The policy envisages to promote R&D in India and complement the Department's proposed National Policy on R&D and Innovation in the Pharma- MedTech Sector in India.
  - It also aims at establishing Centres of Excellence(CoE) in academic and research institutions, innovation hubs, 'plug and play' infrastructures and support to start-ups.

- **Attracting Investments –**
  - Along with schemes and interventions like Make in India, Ayushman Bharat program, Heal-in-India, Start-up mission, the policy encourages private investments, series of funding from Venture Capitalists, and also Public-Private Partnership (PPP).
- **Human Resources Development –**
  - For skilling, reskilling and upskilling of professionals in the medical device sector, we can leverage the available resources in Ministry of Skill Development and Entrepreneurship.
  - The policy will support dedicated multidisciplinary courses for medical devices in existing institutions.
  - To develop partnerships with foreign academic/industry organizations to develop medical technologies in order to be in equal pace with the world market.
- **Brand Positioning & Awareness Creation –**
  - Initiate studies and projects for learning from best global practices of manufacturing and skilling system so as to explore the feasibility of adapting such successful models in India.
  - Promote more forums to bring together various stakeholders for sharing knowledge and build strong networks across the sector.

The policy is expected to provide the required support and directions to strengthen the medical devices industry into a competitive, self-reliant, resilient and innovative industry that caters to the healthcare needs of not only India but also of the world.



**All India Survey on Higher Education (AISHE)**

Ministry of Education released **All India Survey on Higher Education (AISHE) 2020-2021**. For the first time, in AISHE 2020-21, HEIs have filled data using entirely online data collection platform through the **Web Data Capture Format (DCF)** developed by Department of Higher Education through the National Informatics Centre (NIC).

**Highlights of the AISHE**

Following are the key highlights of the survey:

<b>Student Enrollment</b>	<b>Teacher's Data</b>	<b>Infrastructural Information</b>
1) Enrollment in higher education increases to 4.14 crore, crossing the 4-crore mark for first time; increase of 7.5% from 2019-20 and 21% from 2014-15. 2) Gross Enrolment Ratio (GER) has improved from the previous year for all social groups. The details are as follows: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">                         Female enrollment reaches 2 crore mark, increase of 13 Lakh from 2019-20. Gender Parity Index (GPI) has increased from 1 in 2017-18 to 1.05 in 2020-21                     </div>	1) Total number of faculty/teachers increases by 47,914 from 2019-20. 2) The total number of faculty/teachers are 15,51,070 of which about 57.1% are	1) Number of Universities has increased by 70, number of colleges has increased by 1,453, in 2020-21 over 2019-20. 2) Government Universities (59% of total) contribute towards 73.1% of the enrolment. Government Colleges (21.4% of total) contribute towards 34.5% of the enrolment. 3) The enrolment in Institute of National Importance (INIs) has increased by nearly 61% during the period 2014-15 to 2020-21. 4) Enrolment has increased in 2020-21 compared to 2014-15 in the Specialized

Significant increase of 32% in OBC Student enrolment.	male and 42.9% are female. 3) The female per 100 male faculty has improved to 75 in 2020-21 from 74 in 2019-20 and 63 in 2014-15.	Universities relating to Defence, Sanskrit, Biotechnology, Forensics, Design, Sports etc. 5) Availability of different infrastructural facilities in HEIs in 2020-21: <ul style="list-style-type: none"> <li>• Libraries (97%)</li> <li>• Laboratories (88%)</li> <li>• Computer centers (91%, from 86% in 2019-20)</li> <li>• Skill Development Centre (61%, from 58% in 2019-20)</li> <li>• Connectivity to National Knowledge Network (56%, from 34% in 2019-20)</li> </ul> 6) 43% of universities and 61.4% of colleges are located in Rural Areas.
Significant increase of 28% and of 47% in enrolment of SC & ST students respectively in 2020-21, compared to 2014-15.		
3) Enrollment in Distance Education has increased by 7% in 2020-21 from 2019-20. 4) Among Disciplines at undergraduate level, enrollment is highest in Arts (33.5%), followed by Science (15.5%), Commerce (13.9%) and Engineering & Technology (11.9%).		

**Analysis of AISHE**

- From the latest AISHE report, it is evident that the enrollment rate in higher education has increased significantly, with more students enrolling in postgraduate and research programs.
- However, the report also highlights the need for improvement in the quality of education, research infrastructure, and faculty development.
- Moreover, the report emphasizes the importance of equal access to higher education for students from all sections of society, including marginalized and disadvantaged communities.

**Govt Panel Recommends Overarching Agency to Grade Varsities, Including IITs**

- A committee, formed by the Union government, has recommended that the Indian Institutes of Technology (IITs) be brought under the ambit of a proposed Accreditation agency.
- So far, IITs have **never been** accredited by the **National Assessment and Accreditation Council (NAAC)**, which is the existing agency that grades India’s colleges and universities.
- In November 2022, Central government had constituted a High-Level Committee, under the Chairmanship of **Dr. K. Radhakrishnan**.
- The committee was formed for strengthening the Assessment & Accreditation processes and preparing a road map for the National Accreditation Council envisioned in the National Education Policy, 2020.
- The committee recently submitted its report to the government.

**Recommendations of Dr. K. Radhakrishnan Committee**

- The committee has recommended that the IITs should be brought under the ambit of NAAC.
  - Currently, *IITs follow their internal systems for periodic peer evaluation and assessment of programmes*.
- **Binary Accreditation System –**
  - Currently, NAAC follows an eight-point grading system under which institutes are rated A++, A+, A, B++, B+, B, C and D based on data submitted by institutes and their verification by expert teams during campus visits.
  - The committee has suggested that under the new system, institutes be certified as “**Accredited**” or “**Not Accredited** (for those who are far below the standards for accreditation)”.

- A separate category of “**Awaiting Accreditation**” will cover institutes which are “close to the threshold level” or accreditation.
- The committee has also proposed that the **entire accreditation process be made less dependent on inspections by teams of experts** by adopting the mechanism of “crowdsourcing”.
  - The idea now is to get the inputs submitted by the institutes vetted by a “carefully chosen set of audience with diverse association with the concerned institutes”.
  - This set of audience may include students (including PhD and postdoctoral scholars), faculty, staff, alumni, official visitors such as selection committee members, employers of the students, etc.
- **National Accreditation Council (NAC) –**
  - Lastly, the Radhakrishnan committee has proposed that instead of having separate bodies for accrediting *institutes and courses*, one overarching agency be set up.
  - The proposed **National Accreditation Council (NAC)**, envisaged by the NEP, should also subsume the **National Institutional Ranking Framework (NIRF)**, which ranks higher education institutes.
  - The educational system should make transition to proposed accreditation regime by December 2023.

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**ASER 2022**

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After two years of a Covid-19-induced school shutdown, the recently released **17th Annual Status of Education Report (ASER) for 2022** contains both good (high enrolment) and bad news (drop in learning levels).

**Findings of ASER 2022 Report**

- **School enrolment touched a record high:** As the pandemic subsided, school enrolment touched **98.4%** in 2022 up from 97.2% in 2018, when the *last full pre-pandemic survey* was conducted.
- **The proportion of girls not enrolled has also reduced:** For girls aged 11-14, this share dropped from 4.1% in 2018 to 2% in 2022 (which stood at 10.3% in 2006).
  - The proportion of 15-16-year-old girls not enrolled has continued to drop, standing at 7.9% in 2022.
- **Enrolment in the pre-primary age group:** Proportion of 3-year-olds enrolled in some form of early childhood education stands at 78.3% in 2022, an increase of 7.1% over 2018 levels.
- **Drop in Learning Levels:**
  - Between 2014 and 2018, learning levels in terms of foundational skills in reading and arithmetic had been rising gradually.
    - **Period 2014-2018:** The proportion of Class 3 students who could read a Class 2 textbook had gone up from 23.6% to 27.2%, while those who could do at least subtraction rose from 25.3% to 28.2%.
  - **Period 2018-2022:** However, the basic reading ability of children in Class 3 dipped by 6.8% points to 20.4% and the proportion of children in Class 3 who could do at least subtraction fell to 25.9%.
  - Clearly, **the pandemic has resulted in learning loss**. However, the loss is much greater in reading as compared to arithmetic.
- **A small, steady increase in the children availing private tuitions:** Between 2018 and 2022, this proportion increased further - from 26.4% to 30.5% - a trend for over a decade now.
- **Proportion of children in government schools has risen:**
  - The percentage of children (aged 11 - 14) who are enrolled in government schools has risen from 65% in 2018 to 72.9% in 2022 - a trend that was reflected in the government’s UDISE+ (Unified District Information on School Education) data.

### **Inference From Above Findings**

- An improvement in infrastructure variables, government schools distributing textbooks, midday meals during lockdown led to a pull factor, **increasing enrolment in government schools**.
  - This phenomenon can also be **attributed to several other factors**, including job losses and the closure of *budget private schools* in rural areas during the pandemic.
- **Private tuition** probably increased because it is **more flexible** (payments/timings) and **provided some extra help** to children when schools were closed.
- The drop in reading levels is more than in maths, because maths at such a basic level, is used by people much more.
- This is despite the fact that 80% of the government schools have received guidelines and teachers have been trained under the **NIPUN** Bharat and Foundational Literacy and Numeracy (**FLN**) mission (both conceived under the National Education Policy 2020).
  - The **National Initiative for Proficiency in Reading with Understanding and Numeracy (NIPUN) Bharat** ensures that every child in India gains foundational numeracy and literacy by the end of Grade 3.

### **Road Ahead to Improve These Foundational Skills**

- Foundational Literacy and Numeracy is a **critical thing for improving the productivity of the country**.
- Therefore, **an integration** between the anganwadi system and the school system is urgently needed because the work starts there.
- In order to make sure that happens, the anganwadi system (especially for the education part) **needs to be well-funded**.

### **Non-performing Assets (NPAs) In Education Sector**

Recently, data obtained under the Right to Information Act has shown worrying trends about education loans in the country.

#### **Key Findings**

- About **8% of all education loans** disbursed by 12 public sector banks (PSBs), where repayments have started, have turned into NPAs. This level of NPAs is higher than the overall NPAs in the banking system.
  - For education loans, students get a moratorium period of up to 12 months after they complete their studies.
  - So, for a four-year BTech course, the repayment starts only after the completion of the fifth year if the student fails to get a job. The repayment starts early if the student starts earning.
- **PSBs** are the largest lender in the education loan sector and have a **market share of about 91%** – RRBs (regional rural banks) and private banks constitute the remaining 9% of the market.
- A **bulk of the defaults** in the education loan portfolio of banks comprises **low-value education loans** (that is, **loans up to Rs 7.5 lakh**).
- There is a significant gap between the default rate for loans disbursed to students in premier institutes as compared to those in **secondary institutes**.
  - About 239 institutes like the IITs, IIMs, NITs and AIIMS are categorised as premier institutes by banks.
- State Bank of India, Canara Bank, Union Bank of India and Indian Overseas Bank together constitute about 65% of the total loan portfolio of PSBs.
- The default rate in these four banks, for education loans to students in **premier institutes is 0.45%**, while the **overall average of defaults** is more than ten-times of that at **4.7%**.

**Impact**

- Following the high rate of defaults in low-value education loans of PSBs, **banks have slowed such lending**, impacting students enrolled in secondary institutes across the country.
- The education loan disbursement target for public-sector banks during the current financial year has been set at about **13.5% lower** than total disbursement by all scheduled commercial banks in FY22.
  - The target for education loan for the country’s 12 PSBs for the current year is Rs 20,450 crore while loans worth a total Rs 23,640 crore were disbursed in the last financial year.
- Simply put, the poorer students in India who need a loan the most are at risk of being excluded because it doesn’t make as much business sense for banks, even in the public sector, to provide education loans.

**Way Ahead**

- The government has expressed concern over the slowdown in disbursement of education loans and asked the banks to expedite loan distribution, citing complaints about delay in sanction and denial on flimsy grounds.
- However, the key point to understand is the reason why students from secondary institutes fail to pay back: the **lack of adequate jobs and well-paying jobs**.
- Unless the economy is enabled to create more and better jobs, forcing banks to disburse more loans will only result in higher NPAs, **which, in turn, will require more taxes from the general public**.

**Model Loan Scheme**

- According to the model loan scheme, education loans of up to Rs 4 lakh don’t require any collateral to be provided by the borrower.
- Education loans of up to Rs 7.5 lakh can be obtained with collateral in the form of suitable third-party guarantee, and education loans above Rs 7.5 lakh require tangible collateral.
- In all these cases, co-obligation of parents is necessary.

**NCERT Proposal for ‘PARAKH’**

Three global educational non-profits approached the National Council of Educational Research and Training (NCERT) to set up the proposed regulator PARAKH.

**PARAKH**

- The benchmark assessment framework - PARAKH, has been proposed by the NEP 2020.
- It will function as a standard-setting body for student assessment and evaluation for all school boards in the country and will put an end to the emphasis on rote learning.
- While the NCERT is an autonomous organisation under the Ministry of Education, PARAKH will act as a constituent unit of the NCERT.
- PARAKH will be tasked with -
  - **Setting norms, standards**



Ministry of Education  
Government of India

**National Education Policy 2020**

**PARAKH**  
Performance Assessment, Review,  
and Analysis of Knowledge for  
Holistic Development



**Background**

- Earlier, the NCERT convened a series of meetings with various stakeholders towards the implementation of **National Education Policy (NEP) 2020**. This discussion also included the establishment of a new assessment regulator.
- During the discussions, most states endorsed the NEP proposal of **developing a benchmark framework** to ensure consistency between state and central boards
- As a result, the Union Ministry of Education invited bids to establish a regulator - PARAKH.
- Educational Testing Services (ETS), American Institutes for Research (AIR) and the Australian Council for Educational Research (ACER) have **expressed interest in assisting** with the establishment of India’s first national school-level testing and assessment regulator, PARAKH.
  - ETS is well-known for conducting the TOEFL and GRE, which are gateways to admission in the top universities of the world, AIR and ACER are well-known for conducting research on behavioural and social science domains.
- Once chosen, the agency will, among other things,
  - **Assist the PARAKH team in incorporating international evidence** to develop evaluation processes in India to meet Covid-19 and other pandemic circumstances.
  - **Provide technical guidelines** and advice to boards for designing, developing and implementing state-wide methods for measuring student learning that are consistent with state and national curricular standards.
  - **Support examination boards** with novel assessment patterns (both internal and external), evaluation processes and practices, result calculation and compilation, post-result practices and the recent research.



**and guidelines** for student assessment and evaluation for all recognised school boards of India.

- Holding **periodic learning outcome tests** like the National Achievement Survey (NAS) and State Achievement Surveys.
  - If the plans are on track, the NAS in 2024 will be conducted by PARAKH.
- PARAKH **will manage India's participation in international assessments** such as the Program for International Student Assessment (PISA), Trends in International Mathematics and Science Study (TIMSS) and Progress in International Reading Literacy Study (PIRLS) in addition to NAS.
- PARAKH will eventually become the national single-window source for all assessment-related information and expertise, with a mandate to assist all forms of learning assessment, both nationally and globally.

### Significance

- **Uniformity:** PARAKH would be expected to address the issue of differences in scores among students associated with different boards, who are at a disadvantage during college admissions when compared to their CBSE peers.
- **Standardisation:** It will establish and implement technical standards for test design, administration, analysis and reporting at all levels of schooling.
- **Skill development:** It will encourage and help school boards to shift their assessment patterns towards meeting the skill requirements of the 21st century.

## INTERNATIONAL AFFAIRS

### Bilateral Relations

#### Visit of The King of Bhutan to India

- The King of Bhutan, Jigme Khesar Namgyel Wangchuck paid an official visit to India in April, 2023.
- During this visit, bilateral talk was held between the King of Bhutan and PM in New Delhi.

#### Key Highlights Of The Bilateral Meeting

- **Close coordination over all security matters**
  - PM Modi and Bhutanese King discussed the latest situation along the India-Bhutan border. They also discussed the progress in boundary talks between China and Bhutan.
    - In January 2023, the 11th Expert Group Meeting (EGM) on the China-Bhutan Boundary Issues was held in China's Kunming city.
  - This assumes significance as, few days back, PM of Bhutan said that China has an equal say in resolving the border dispute at Doklam.
- **Talk covered the entire gamut of bilateral ties**
  - It was agreed that India would step up its support to **Bhutan's upcoming 13th Five Year Plan**.
  - At Bhutan's request, India decided to extend an additional standby credit facility (SCF).
    - Under SCF, India provides a standby credit facility of up to USD 100 million to Bhutan to meet its foreign exchange requirements and to maintain the stability of the Bhutanese currency
  - This would be over and above the two existing SCF that are operating between the two countries

- **Other developments**
  - Both the sides plan to develop long term bilateral arrangements for a short supply of critical commodities to Bhutan, which would include petroleum, fertilisers and coal.
  - They are also considering setting up the first Integrated Check Post (ICP) along India-Bhutan border, which would be somewhere near Jaigaon.
- **First ever rail link between India and Bhutan**
  - India will try to expedite the proposed Kokrajhar-Gelephu rail link project.
  - When completed this would be the first ever rail link between India and Bhutan.
- **In the field of hydro-power**
  - India has agreed to an upward revision of the tariff of the Chhukha hydro-electric project.
    - This is the oldest hydro-electric project with Bhutan and is of great significance.

### **Bhutan-India Relation**

#### **Background of India-Bhutan Relationship**

- Diplomatic relations between Bhutan and India were established in January 1968.
- Relationship between both the countries are guided by the Indo-Bhutan Friendship treaty.
  - Article 2 of the Treaty declares that India would not interfere in Bhutan's administrative affairs and the latter would be guided by the former's advice in its external relations.

### **Significance of Bhutan for India**

#### **Buffer State between India and China**

- Bhutan's value as a buffer soared after China annexed Tibet in 1951.
- Chumbi Valley is situated at the tri-junction of Bhutan, India and China and is 500 km away from the "Chicken's neck" in North Bengal.

#### **Economic Cooperation**

- India is Bhutan's largest trading partner.
- Bhutan sources the majority of its import requirements from India. One-third of Bhutan's exports to India is electricity, highly valuable for India.
- Bhutanese currency is Ngultrum (Nu.) and is officially pegged to the Indian Rupee.
- Since 2014, India's trade with Bhutan has almost tripled from USD 484 million in 2014-15 to USD 1422 million in 2021-22.
  - This accounts for about 80% of Bhutan's overall trade, with the balance of trade in India's favour.
- India is the leading source of investments in Bhutan, comprising 50% of the country's total FDI.

#### **Development Cooperation**

- For the 12th Five Year Plan of Bhutan, India is providing an assistance of Rs. 45 billion.
  - Since the launching of 1<sup>st</sup> Five Year Plan of Bhutan in 1961, India has been extending financial support to Bhutan's FYPs.

#### **Hydropower Cooperation**

- Hydro-electric power generated by Bhutan's river dams is economic bedrock of the India-Bhutan relationship.
- Hydropower projects in Bhutan are an example of win-win cooperation, providing a reliable source of inexpensive and clean electricity to India, generating export revenue for Bhutan and cementing our

economic integration.

- So far, Government of India has constructed three Hydroelectric Projects (HEPs) in Bhutan:
  - 336 MW Chukha HEP, 60 MW Kurichhu HEP and 1020 MW Tala HEP.
    - These three plants are operational and exporting surplus power to India.

#### **Internal Security**

- Bhutan in past has helped India to contain insurgency in North-East by flushing out militant groups like NDFB & ULFA.
- Bhutan proved to be India's trusted friend in 2003 when it launched **Operation All Clear** against Indian insurgents taking shelter in its territory.

#### **Geopolitical Significance**

- Bhutan maintains strong economic, strategic, and military relations with neighbouring India.
- It is a founding member of the South Asian Association for Regional Cooperation (SAARC). It is also a member of BIMSTEC, World Bank, the IMF, Group of 77 and others.
- India needs Bhutan to support its causes and interests at these multilateral and bilateral platforms.

#### **What Are the Challenges in India-Bhutan Ties?**

- **Bhutan rejects BBIN Motor Vehicles Agreement:**
  - The Motor Vehicles Agreement that was signed in 2015 involving Bangladesh, Bhutan, India and Nepal (BBIN).
  - Bhutan is yet to ratify the agreement and it attends the grouping as an observer.
- **Bhutan complaining Indian interference in its internal affairs**
- **Balance of trade issue:** Growing and unsustainable trade imbalance is in favor of India.
- **Power tariff issue:** Bhutan wants to increase its export power tariff to India that is complained for being lesser than its cost of production.
- **Increasing Chinese inroads in Bhutan:** Bhutan has problems like high rates of unemployment and national debt. This can be a source for an economically strong China to exert its influence.

#### **Conclusion**

India-Bhutan bilateral relations are characterized by a unique and special friendship based on shared cultural, historical, and economic ties. India's continued commitment to Bhutan's socio-economic development and security needs, coupled with Bhutan's strategic location and natural resources, has ensured a strong and enduring partnership between the two countries.

#### **State Visit of Prime Minister of Italy to India**

- President of the Council of Ministers (Prime Minister) of the Italian Republic, Giorgia Meloni, paid a State visit to India.
- This was the first bilateral VVIP visit from Italy to India after **5 years**; the last Prime Ministerial visit from Italy to India took place in October 2018.
- PM Meloni was also the Chief Guest and Keynote Speaker at the **8th Raisina Dialogue, 2023**.
  - Raisina Dialogue is India's flagship conference on geopolitics and geo-strategy.
  - It is organized by the *Ministry of External Affairs* in collaboration with Observer Research Foundation.
  - The theme of the 2023 Edition of Dialogue is ***Provocation, Uncertainty, Turbulence: Lighthouse in the Tempest***.

**List Of Outcomes: State Visit Of Prime Minister Of Italy To India**

- Elevation of India-Italy bilateral ties to "**Strategic Partnership**".
- **Italy joining the Indo-Pacific Oceans Initiative (IPOI)** under *Science, Technology and Academics cooperation pillar*.
  - In November 2019, while participating in 14<sup>th</sup> EAS, PM Modi launched the IPOI.
  - IPOI seeks to ensure security and stability of the regional maritime domain.
  - It is an open, non-treaty-based initiative for countries to work together for cooperative and collaborative solutions to common challenges in the region.
- **Declaration of Intent (DoI) on Migration and Mobility.**
- **Announcement of India – Italy Start Up Bridge.**
- **MoU on defence cooperation**
  - Both the countries have also decided to organise the joint military exercises and training courses on a regular basis. It also includes maritime cooperation.
  - This cooperation will also promote co-production, co-design, and co-innovation in defence manufacturing.

**India-Italy Bilateral Relation****Political Relation**

- Political relations between India and Italy were established in 1947. India and Italy are celebrating 75 years of establishment of diplomatic relations this year.
- PM Modi and then PM Conte co-chaired a Virtual Summit between India and Italy in November 2020.
  - During the visit, **2020-2025 Action Plan** was adopted that set an ambitious agenda for an enhanced Partnership between the countries.
- PM Modi paid his first official visit to Italy in October 2021 to attend the G20 Summit.
  - During this visit, PM Modi held bilateral meeting with then PM Draghi. A Joint Statement announcing a **Strategic Partnership on Energy Transition** was issued and a Statement of Intent on Textiles cooperation was released.

**Economic Relations**

- Bilateral trade between the countries has reached USD 13.229 bn in 2021-22, with the balance in India's favour. It has reached an all-time high of \$15bn in calendar year 2022.
  - India's primary exports to Italy comprise metals such as iron and steel, leather, chemicals, gems, and jewellery.
  - Certain Indian exports like steel are increasing against the backdrop of Russia-Ukraine war.
    - Ukrainian steel industries were Europe's main steel exporters.
  - Machinery equipment comprise 36% of total Italian exports to India, and both economies are structured around SMEs.
- Italy is **India's 4th largest trading partner** in EU, after Germany, Belgium and Netherlands.
- **India ranks 15th as country of origin of Italian imports**, accounting for 1.5% of Italian imports.
- **Italy ranks 17<sup>th</sup> in FDI inflows in India** during April 2000 -June 2022 with US \$ 3.20 bn
- India's "Make in India" initiative and modernisation drive can be complemented by Italian expertise in areas like manufacturing, green tech and defence.

- India also intends to focus more on food processing and sustainable farming, sectors where Italy has substantial knowhow.

### Defence

- The Chief of Army Staff (COAS), General M.M. Naravane, visited Italy in July 2021. The visit of COAS took place after 14 years.
- India and Italy are also exploring joint productions in defence and aerospace sectors as well as technology transfers. India and Italy also have a Joint Working Group on Counter Terrorism.

### Energy Cooperation

- In 2021, the two countries inked a Strategic Partnership on Energy Transition to advance collaboration on areas like green hydrogen and bio-fuels.

### Cooperation in the Indo-Pacific

- So far, Italy's commitment to ensuring stability in the Indo-Pacific region is through the framework of the common EU strategy that was released in 2021.
- In 2021, the India-Italy-Japan trilateral partnership was launched. However, it has not been operationalised yet.

### Cooperation in Science & Technology

- The first India-Italy Innovation Day was held virtually on 14th July 2021. Since then, both the countries are celebrating this event every year.

### Indian Community

- The Indian community in Italy (estimated at 180,000 including PIOs) is the third largest community of Indians in Europe after UK and Netherlands.

### Challenges In Bilateral Relationship

- **2012 Enrica Lexie case**
  - Indian authorities had arrested two Italian marines who were aboard the Italian-flagged commercial oil tanker MB Enrica Lexie, accusing them of the killing of two Kerala fishermen.
  - The case sparked a conflict over legal jurisdiction and functional immunity, which ended only in 2020 with the verdict of the Permanent Court of Arbitration.
- **The AgustaWestland chopper deal controversy**
  - The AgustaWestland VVIP helicopter scandal, saw the defence firm – owned by Italian company Leonardo – accused of bribery.
  - This resulted in India cancelling the procurement deal and banning Leonardo from the Indian defence market in 2015. This ban was lifted in November 2021.
- **Low level of bilateral trade**
  - India and Italy have been trading partners since the ancient times. However, the volume of bilateral trade is low compared to its potential.

### Conclusion

India's partnership with Italy is gaining strength on all levels—political, economic, and strategic. PM Meloni's recent visit to India further boosted ties while adding fodder to re-energise EU-India partnership.

**Visit Of Prime Minister Of Japan To India**

- Japanese Prime Minister Fumio Kishida paid an official visit to India. During this visit, he invited PM Modi to **G7 summit** in May as Japan holds the presidency of this year’s G7 Summit.
- The centre-piece of Kishida’s visit was the Sapru House Lecture, in which he laid out Japan’s Plans for **Free and Open Indo-Pacific (FOIP)**.
- He laid out these plans while delivering a lecture on the topic - **“New plan for a free and open Indo-Pacific – Together with India as an indispensable partner”**.
  - This address was built on the historic speech by late former premier Shinzo Abe in India’s Parliament in 2007.
  - In this, Abe spoke of India and Japan nurturing the coupling of the Indian and Pacific Oceans to ensure freedom and prosperity.

**List of Outcomes: Visit of Prime Minister of Japan to India**

- Exchange of Notes of tranche - IV JICA (Japan International Cooperation Agency) Official Development Assistance (ODA) Loan of JPY 300 billion for Mumbai Ahmedabad High Speed Rail (MAHSR).
  - MAHSR is being developed as a joint venture between India & Japan, using Japanese Shinkansen technology.
- Memorandum of Cooperation in the field of Japanese Language Education in India

**Key Highlights of Japan’s Plans for Free and Open Indo-Pacific (FOIP)**

**Four new pillars for cooperation for FOIP**



- **India 'indispensable' in ensuring free Indo-Pacific**
  - Japanese PM emphasised that India is indispensable in Tokyo’s plan for a Free and Open Indo-Pacific (FOIP).
  - India and Japan have a great responsibility towards maintaining and strengthening a free and open international order based on the rule of law.
- **Bay of Bengal-Northeast India industrial value chain concept**
  - Japan will promote the **“Bay of Bengal-Northeast India industrial value chain concept”** with India and Bangladesh for the growth of the entire region.
    - Tokyo will look at projects to improve connectivity between the Indian and Bangladeshi economies and work on getting more Japanese companies to invest in the region.
- **Japan will coordinate with other major countries**
  - In order to achieve the objectives of FOIP, Japan will also strengthen coordination with the US, Australia, UK, Canada, Europe and elsewhere.
- **Expanded scope of FOIP**
  - FOIP's scope would expand to include new areas like climate change, cybersecurity, and food security.



- **Financial commitment**
  - Japanese PM highlighted that Japan would also direct public and private capital worth \$75 billion towards Indo-Pacific infrastructure by 2030.
- **Proposed the idea of working together with ASEAN to bring prosperity in the region**
  - This year, Japan holds the G7 presidency and India holds the G20 presidency.
  - In this context, he said that through working together with ASEAN and many other countries, peace and prosperity can be ensured in the region.
  - He stressed that the principles for peace and rules for prosperity form the backbone of FOIP.

**India – Japan Bilateral Relations**

India and Japan share ‘Special Strategic and Global Partnership’.

**Economic Relation**

**Comprehensive Economic Partnership (CEPA):** India-Japan CEPA came into effect from 1 August 2011.

**Bilateral trade**

- India was the **18th largest trading partner for Japan**, and Japan was the **12th largest trading partner for India** in 2020.
- Bilateral trade totalled US\$ 20.57 billion during FY 2021-22. Exports from Japan to India during this period were US\$ 14.39 billion and imports were US\$ 6.18 billion.

**Investment**

- Cumulatively, from 2000 until March 2022, the Japanese investments to India have been around US\$ 36.94 billion ranking Japan fifth among source country for FDI.

**Currency swap:** In October 2018, India & Japan signed a deal for a **USD 75-billion bilateral swap arrangement**.

**Supply Chain Resilience Initiative (SCRI)**

- The Trade Ministers of India, Japan and Australia formally launched the SCRI in April 2021.

**Official Development Assistance (ODA)**

The Mumbai-Ahmedabad High Speed Rail, Western Dedicated Freight Corridor (DFC), Delhi-Mumbai Industrial Corridor (DMIC) with twelve industrial townships, Chennai-Bengaluru Industrial Corridor (CBIC) are some mega projects with Japanese cooperation on the anvil.

Japan’s ODA disbursement to India in 2020-21 stood at about JPY 264 billion (approx USD 2.3 billion).

**Defence & Security Cooperation**

There are also various frameworks of security and defense dialogue between Japan and India including Foreign and Defense Ministerial Meeting (“2+2” meeting), annual Defense Ministerial Dialogue and Coast Guard-to-Coast Guard dialogue.

In November 2019, the first **“2+2” meeting was held in New Delhi**.

In September 2020, the Agreement between the Japan and India Concerning **Reciprocal Provision of Supplies and Services** (so-called **“Acquisition and Cross-Servicing Agreement”** or ACSA) between the Self-Defense Forces of Japan and the Indian Armed Forces was signed.

- India is **only the second country after Australia** with which Japan has such an agreement.

Japan became a permanent member of the **Malabar exercise** in 2015. India and Japan also conduct joint military exercise named **“Dharma Guardian”** since 2018.

Air forces of both countries conducted first fighter jet exercise **‘Veer Guardian’** in Japan in Jan’ 2023.

**Clean Energy Partnership**

It was launched during the annual summit last year.

This partnership aims to promote energy cooperation through diverse and realistic energy transitions utilising all energy sources and technologies to ensure energy security, carbon neutrality and economic growth.

**Civil Nuclear Agreement**

In November 2016, India and Japan signed a deal on nuclear energy. This was the first time that Japan signed such deal with a non-signatory of Non-Proliferation Treaty (NPT).

The deal gives Japan the right to supply nuclear reactors, fuel and technology, to India.

**Issues in India-Japan Relationship**

- Despite the Comprehensive Economic Partnership Agreement (CEPA) between India and Japan, trade between the two countries has been far below its potential.
  - Both countries face challenges in the form of non-tariff barriers, complex regulations, and different business cultures.
  - India also has a trade deficit with Japan, which has been a point of concern for India.
- While India can emerge as a large market for Japanese infrastructure system exports, there have been incredible delays in the commencement of the projects.
- Japanese companies face considerable logistics challenges and non-availability of uninterrupted power supply, constraints their plans for establishing manufacturing plants in India.
- The two-country seems to have different opinion on the current Ukraine crisis. While Japan openly criticised Russia for invading Ukraine, India has not done so publicly.

**Conclusion**

- The India-Japan bilateral relationship has evolved into a strategic and comprehensive partnership based on shared democratic values, mutual respect, and economic cooperation.
- The two nations have strengthened ties through high-level visits, defense cooperation, and joint initiatives in areas such as technology, infrastructure, and energy, paving the way for a bright and promising future.

**PM Modi Meets Iran President, Reviews Chabahar Port Progress**

At the SCO meeting in Samarkand, Uzbekistan, PM Modi met Iran's President Ebrahim Raisi. During the meeting, both the leaders discussed India – Iran relations and the progress on Chabahar port development project.

**About Chabahar Port**

- It is a seaport in Chabahar located in south-eastern Iran, on the **Gulf of Oman**.
- The port consists of two separate ports named **Shahid Kalantari** and **Shahid Beheshti**, each of which has five berths.
- In May 2016, India and Iran signed a bilateral agreement in which India would refurbish one of the berths at Shahid Beheshti port, and reconstruct a 600-meter-long container handling facility at the port.

**Significance of The Port**

- The port is partly intended to provide an alternative for trade between India and Afghanistan as it is 800 kilometres closer to the border of Afghanistan than Pakistan's Karachi port.
  - ✓ At present, Pakistan does not allow India to transport through its territory to Afghanistan.
- In October 2017, India's first shipment of wheat to Afghanistan was sent through the Chabahar Port. In December 2018, India took over the port's operations.

- However, the sanctions imposed by the US in 2019 played a role in reducing India's involvement and investment in the USD 1.6 billion **Chabahar–Zahedan railway project**.

### India – Iran Relationship: In Brief

- India-Iran relations span centuries marked by meaningful interactions. The two countries shared a border till 1947 and share several common features in their language, culture and traditions.
- Independent India and Iran established diplomatic links in **March 1950**.
- Both South Asia and the Persian Gulf have strong commercial, energy, cultural and people-to-people links.

### Relations Between 1950 and 1991

- During much of the Cold War, relations between India and Iran suffered due to their differing political interests.
- India endorsed a **non-aligned** position but fostered strong links with the Soviet Union (USSR), while Iran was an open member of the Western Bloc and enjoyed close ties with the United States.

### Post-Cold War Era

- Iran's continued support for Pakistan in the India–Pakistan conflict and India's close relations with Iraq during the **Iran–Iraq War** greatly strained bilateral ties.
- However, in the 1990s, both India and Iran supported the Northern Alliance's fight against the Taliban in Afghanistan.
- They continued to collaborate in supporting the broad-based anti-Taliban government, until the Taliban recaptured Afghanistan in 2021.
- India has expressed strong opposition to Iran's nuclear program.

### Economic Ties

- India-Iran bilateral trade during the FY 2020-21 was **USD 2.1 billion**, a decrease of 56 % as compared to **USD 4.8 billion** during FY 2019-20.
- **Major Indian exports** – rice, tea, sugar, fresh fruits, drugs/pharmaceuticals, man-made staple fibres, electrical machinery, artificial jewellery etc.
- **Major Indian imports** – dry fruits, inorganic/organic chemicals, glass and glassware, natural or cultured pearls, precious or semiprecious stones, leather, gypsum etc.
- **Why has India stopped importing crude oil from Iran?**
  - ✓ In 2019, due to the sanctions imposed by the US on Iran, India had stopped importing crude oil from the country.
  - ✓ Before 2019, India was the **second biggest buyer** of oil from Iran.
- **Why it is in India's favour to restart oil import from Iran?**

- Firstly, most of India's refineries are adept to Iranian sweet oil
- Secondly, Iran trades oil for Indian rupee or goods.
- Thirdly, transportation costs of goods from **Bandar Abbas port** and **Chabahar port** are lower.

### India Extends A Helping Hand To Earthquake Hit Turkey

- India has sent rescue and medical teams, including an Army medical team and National Disaster Response Force (NDRF) personnel, along with medical supplies to quake-hit Turkey and Syria.

- Thousands of people are killed and injured by a huge earthquake which struck south-eastern Turkey, near the Syrian border.
- The search and rescue operations by NDRF in these countries were carried out for nearly 10 days under the banner of '**Operation Dost**'.
- With Operation Dost, India has strengthened its global image as the first responder to any calamity in any part of the world.

## India-Turkey Relation

### Background

- Diplomatic relations were established and Ambassadors exchanged in 1948.
- Since the establishment of diplomatic relation, political and bilateral relations have been warm and cordial.
- However, some sporadic tensions remain in the relationship due to Turkey's support for Pakistan. Its stand on Kashmir has also been a problem area between the two countries.

### Political Relation

- After the diplomatic relations were established, the visit by the first PM Nehru in 1960 was the first prime ministerial visit to Türkiye.
- Most recent political level contacts include a bilateral meeting between PM Modi and Turkish President Recep Erdogan in September 2022 on the sidelines of the SCO Summit in Samarkand (Uzbekistan).

### Economic & Commercial Relations

- Bilateral Trade Agreement between India and Türkiye was signed in 1973.
- It was followed by an Agreement on setting up an India–Türkiye Joint Commission on Economic and Technical Cooperation (JCETC) in 1983.
- Bilateral trade crossed USD 10.70 billion in 2021-22.
  - India's export to Tukey was \$ 8,716.13 million.
  - India's import was \$ 1,996.75 million.
- The major Indian exports to Turkey: Petroleum products, auto components/parts, man-made yarn, fabrics, made ups, aircraft & spacecraft parts, etc.
- Imports from Turkey: Industrial machinery, broken/unbroken poppy seeds; machinery and mechanical appliances, iron and steel articles, inorganic chemicals, granite and marble, etc.
- Indian companies have invested about USD 126 million in Turkey and Turkish investment in India is about USD 210.47 million.

### Cultural Relations

- India and Türkiye have traditionally shared cultural linkages. There is a formally arrangement for cultural cooperation through a Cultural Exchange Programme (CEP).
- A Festival of India in Türkiye, India by the Bosphorus, was held in March-April 2019 showcasing Indian dance, music, food and fashion in major cities in Türkiye.
- Indian Council of Cultural Relations (ICCR) sponsored Gujarati folk dance group 'Saptak' visited Bursa (Türkiye) in the 34th International Golden Karagoz Folk Competition in July 2022.

### Indian Community

- Türkiye has a small Indian community of around 2000 people. They are mostly in Istanbul and working in commercial organizations, banks and computer firms, universities etc.

- There are currently around 200 Indian students in Türkiye.

### Challenges In The Relationship

- **Tukey's stand on Kashmir**

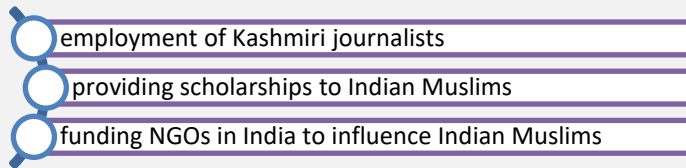
- In 2022, Turkish PM Erdogan, in his UN General Assembly speech, criticized India for failing to resolve ties with Pakistan and establish a fair, permanent peace and prosperity in Kashmir.

- **Abrogation of Article 370 by India**

- After the abrogation of Article 370 in 2019, which abolished the special status of Jammu and Kashmir, India-Turkey ties have deteriorated.

- **Turkey has fast emerged as a hub of anti-India activities**

- Turkey follows a 3-pronged approach in this regard:



- Turkey also encourages radical Kashmiri youth to shift base to Istanbul and Ankara.
- Moreover, Turkey-made pistols were recovered from Pakistani terrorists earlier this year.

- **Issue of Cyprus, Armenia and Greece**

- In response to the stand taken by Turkey on Kashmir, PM Modi responded by holding meetings with the leaders of Armenia, Cyprus, and Greece, three countries with which Turkey has disputes.
- In 2021, Indian EAM Jaishankar met the foreign minister of Cyprus and called for adhering to the UNSC resolution on Cyprus.
  - Turkey has been routinely criticized for its illegal occupation of Northern Cyprus.
- In the most recent border dispute between Armenia and Azerbaijan, India encouraged an end to hostilities by the aggressor side, which many believe to be Azerbaijan.
  - Armenia and Azerbaijan are fighting over the disputed Nagorno-Karabakh region.
  - In this war, Turkey has supported Azerbaijan.

### Conclusion

- The stalemate in India-Turkey relations stems from Turkey's inability to decouple itself from Pakistan and the Kashmir issue and conduct relations with India independently.
- Turkey is looking for avenues to strengthen its dwindling economy. Improved ties with India would certainly help Turkey in this regard.

### Official Visit of Prime Minister of Nepal to India

- Pushpa Kamal Dahal 'Prachanda', PM of Nepal was on an official visit to India in May 2023.
- This is the first bilateral visit abroad by the PM of Nepal after assuming office in December 2022.

### Key Highlights of The Visit of PM of Nepal to India

- **Projects launched**

- Handing over of Kurtha-Bijalpura section of railway line.
- Inaugural run of an Indian railway cargo train from Bathnaha (India) to Nepal Customs Yard which is the newly constructed rail link under Indian grant.

- Inauguration of Integrated Checkposts (ICPs) at Nepalgunj (Nepal) and Rupaidiha (India).
- Ground breaking ceremony of ICPs at Bhairahawa (Nepal) and Sonauli (India).
- Ground breaking ceremony of phase-II facilities under Motihari-Amlekhgunj Petroleum Pipeline.
- Ground breaking ceremony of Indian portion of Gorakhpur-Bhutwal Transmission Line.
- **MoUs/agreement Exchanged**
  - Treaty of Transit;
  - MoU for cooperation in the field of Petroleum Infrastructure;
  - MoU for the development of infrastructure at Dodhara Chandani check post along India-Nepal Border;
  - MoU between NPCIL & NCHL, Nepal for cross border payments;
  - Project Development Agreement of Lower Arun Hydroelectric Project;
  - MoU for the development of Phukot- Karnali Hydroelectric Project.

### Key Highlights of PM Modi's Speech

- **Transformation of relationship from HIT to Super HIT**
  - In 2014, during his first visit to Nepal, PM Modi had given a '**HIT**' formula for India-Nepal relations - Highways, I-ways, and Trans-ways.
  - He said that today's agreements would help that relationship become a '**super HIT**'.
  - He also said that we will continue to strive to take India-Nepal ties to Himalayan heights.
- **Highlighted various accomplishments in the bilateral relationship in past 9 years**
  - Nepal's first ICP was made in Birganj.
  - The first Cross-Border Petroleum Pipeline of our region was built between India and Nepal.
  - The first Broad-Gauge rail line has been established between us.
- **Gave glimpse of agreements signed during the current visit**
  - **Transit Agreement** has been concluded.
    - In this, along with new *rail routes* for the people of Nepal, provision has also been made for the facility of India's inland waterways.
  - To boost connectivity to the far western region of Nepal, two more bridges will be built at Shirsha and Jhulaghat.
  - Economic connectivity will be strengthened by the **construction of three "ICPs"**.
  - Taking this forward, a **long-term Power Trade Agreement** has been signed between India and Nepal.
    - Under this Agreement, India has set a target of importing 10,000 MW of electricity from Nepal in the coming ten years.
    - **Cooperation in the power sector** has been further strengthened by agreements on the Phukot-Karnali and Lower Arun Hydro-Electric Projects.
  - In view of the positive impact of Motihari-Amlekhganj petroleum pipeline, it has been decided to take this pipeline up to Chitwan.
    - Besides this, another new pipeline will also be constructed from Siliguri to Jhapa in eastern Nepal.
    - Simultaneously, new storage terminals will also be set up at Chitwan and Jhapa.
  - Both sides have also agreed on mutual cooperation to set up a **fertilizer plant in Nepal**.



**Bilateral Relations Between India and Nepal: In Brief****Economic cooperation between India and Nepal**

- India is the largest trading partner of Nepal. Nepal is also India's 11th largest export destination, up from 28th position in 2014.
- Total bilateral trade in 2021-22 reached US\$ 11,005.10 million.
  - In 2021-22, while Nepal's exports to India stood at US\$ 1,371.04 mn, India's exports to Nepal were US\$ 9,634.06 mn.

**Indian Investment in Nepal**

India is the largest source of investment into Nepal, accounting for more than 32% of the total FDI stock of Nepal, which is worth nearly USD 520 million, as per NRB data until mid-2020.

**Connectivity and Development Partnership between India and Nepal**

- India's development assistance to Nepal is a broad-based programme focusing on creation of infrastructure at the grass-roots level.
- Various projects have been implemented in the areas of infrastructure, health, water resources, education and rural & community development.
- The **total economic assistance earmarked under 'Aid to Nepal' budget in FY 2022-23 was Rs 6.8 billion.**

**Cooperation in the power sector & energy between India and Nepal**

- Nepal exports more than 450 MW of electricity to India.
- India has built several hydroelectric projects, like Pokhara (1 MW), Trisuli (21 MW), Western Gandak (15 MW), and Devghat (14.1 MW) etc.
- The first high-capacity 400 kV Muzaffarpur (India) - Dhalkebar (Nepal) cross-border power transmission line was completed in 2016 with Indian funding.
- **South Asia's first cross-border petroleum products pipeline**, constructed and funded by Indian Oil Corporation Ltd., **connecting Motihari in India to Amlekhgunj** in Nepal was inaugurated in September 2019.

**Official Visit of PM Modi to Egypt**

- PM Modi began his **maiden state visit to Egypt** by holding discussions with the "**India Unit**" in the Egyptian Cabinet.
  - This India Unit was set up in January 2023 following the State Visit of President of Egypt, Abdel Fattah El-Sisi, to India as Chief Guest for Republic Day 2023.
  - The India Unit is headed by the Prime Minister of Egypt Mustafa Madbouly, and comprises a number of Ministers and senior officials.
- This was the **first bilateral visit by an Indian Prime Minister to the country in 26 years.**

**Key Highlights Of The Visit**

- **Order of The Nile Award to PM Modi**
  - Egyptian President Abdel Fattah El-Sisi conferred Modi with '**Order of the Nile**' award, the country's highest state honour.
- **MoUs/Agreements signed**
  - An agreement to elevate the bilateral relationship to a "**Strategic Partnership**" was signed by the two leaders.

- 3 MoUs in the fields of Agriculture, Archaeology & Antiquities and Competition Law were also signed.
- **PM Modi extended an invitation to the (Egypt) President for the G20 Summit** which is upcoming in September 2023.
- **PM Modi visited the historic 11th-century Al-Hakim Mosque in Cairo** which was restored with the help of **India's Dawoodi Bohra community**.
  - The Dawoodi Bohra Muslims are a sect of followers of Islam who adhere to the Fatimi Ismaili Tayyibi school of thought.
  - They are known to have originated from Egypt and later shifted to Yemen, before establishing a presence in India in the 11th century.
  - They renovated the mosque from 1970 onwards and have been maintaining it since then.
- **PM visits Heliopolis War Cemetery in Cairo** to pay respects to Indian soldiers who laid down their lives during World War I.

### India – Egypt Bilateral Relation: In Brief

- India and Egypt enjoy warm and friendly relations marked by civilizational, cultural and economic linkages and deep-rooted people-to-people ties.
- In 2023, India and Egypt are celebrating 75 years of establishment of diplomatic relations this year.
- President of Egypt, Abdel Fattah El-Sisi, was the **Chief Guest at India's Republic Day on 26 January 2023**.
  - This was for the **first time** that President of the Arab Republic of Egypt has been invited as Chief Guest on our Republic Day.
  - During this visit, both sides decided to elevate the relationship to Strategic Partnership covering political, security, defence, energy and economic areas.

### Trade Relation

- Bilateral trade between India and Egypt achieved a record high of USD 7.26 billion in FY 2021-22.
  - The trade was fairly balanced, with USD 3.74 billion Indian exports to Egypt and USD 3.52 billion imports from Egypt to India.
- During this period (FY21-22), India was the 6th largest export destination and 6th most significant source of imports as well.

### Defence Cooperation

- **Desert Warrior** exercise was conducted as the first-ever joint tactical exercise by the air force of the two countries.
- The more recent exercise between the special forces is another indication of the growing willingness to work together.
- The Egyptians have also shown some interest in India's Tejas fighter jets and Dhruv light attack helicopters.
- A military contingent from the Egyptian Army participated in this year's Republic Day parade.

### Cooperation during Covid-19 & Russia – Ukraine War

- When India was hit hard by the second wave of COVID-19, Egypt responded by dispatching three plane loads of medical supplies and providing 300,000 doses of Remdesivir in May 2021.
- India reciprocated a year later when Egypt, the world's largest importer of wheat, was facing a dire situation following the abrupt halt in wheat shipments from Ukraine following the war.

- In May last year, India — which had put a ban on sale of wheat — allowed export of 61,000 tonnes to Egypt.

### Development Cooperation

- **The grants-in-aid projects include:**
  - Pan Africa Tele-medicine and Tele-education project in Alexandria University, Solar electrification project in Agaween village and Vocational Training Centre for textile technology in Shoubra, Cairo, which have been completed.
- **Technical cooperation and assistance**
  - Since 2000, over 1300 Egyptian officials have benefited from ITEC (Indian Technical and Economic Cooperation) and other programs like ICCR (Indian Council for Cultural Relations) and IAFS (India Africa Forum Summit) scholarships.

### Cultural Relation

- The Maulana Azad Centre for Indian Culture (MACIC) has been promoting cultural cooperation between the two countries.
- The iconic Cairo Tower (which is the tallest tower in North Africa) was illuminated with Indian National Flag in the evening of 15th August 2021.

### Why Have India And Egypt Rekindled Their Ties With Each Other?

#### A. Imperative for India

- **Indian government is pushing hard to engage the Global South.**
- **Rekindling of the principles of non-alignment**
  - India also wants to rekindle the principles of non-alignment that have come back to the fore during Russia – Ukraine war.
- **Strategic weight of Egypt**
  - With a population of ~110 million, Egypt is situated at a location that straddles Africa and Asia.
  - It has a standing army that is the largest in the region, a capital that hosts the League of Arab States and a diplomatic presence that punches above its weight in global affairs.
  - India is keen on further expanding its ties with Egypt, **a key player in the politics of both the Arab world as well as Africa.**
- **Economic importance of Egypt**
  - Egypt has boosted its attractiveness through a series of free trade agreements that span Africa (ACFTA; AGADIR; COMESA), Europe (EFTA), Latin America (MERCOSUR) and the Arab world (GAFTA).
  - It is also seen as a major gateway to markets in Africa and Europe.
- **Egypt's plans to develop the Suez Canal Economic Zone (SCZONE) into a global manufacturing hub**
  - SCZONE sits astride both banks of the Suez Canal, a strategic waterway that connects the Mediterranean with the Red Sea to provide the shortest link between European and Asian markets.
  - China, as usual, has been the first to take advantage of the opportunities presented by SCZONE.
- **Resetting India's ties with Muslim-majority countries**
  - India's ties with Muslim-majority countries were tested following controversial remarks made by then spokesperson of ruling party in June 2022.

- That Egypt was one of the few countries from the Arab world which did not react officially to the controversial remarks.
- **Other factors**
  - India wants to draw huge amounts of capital from Gulf nations, curtail religious extremism by supporting moderate countries in the region and participate in the security politics of the area.
  - And in order to do all this, India has realised that Egypt is a key player.
    - The country has remained fairly moderate over the years.
    - It shares strong ties with the UAE and Saudi Arabia.
    - It is located at a crucial geo-strategic location — 12 per cent of global trade passes through the Suez Canal.

**B. Imperative for Egypt**

- Cairo wants India's help to tackle its battered economy.
- The outbreak of the COVID-19 pandemic coupled with the implications of the Russia and Ukraine war has worsened its financial woes.
- Inflation in the country is at a five-year high of over 30 per cent and it has approached the International Monetary Fund (IMF) for the fourth time in six years for a bailout.

**PM Modi's State Visit to USA**

- PM Modi was on an Official State Visit to USA. This was his **first state visit to the country**.
  - Before PM Modi, the only two state visits under President Joe Biden have been by France's President Emmanuel Macron and South Korea's President Yoon Suk Yeol.
- During this visit, PM Modi
  - met President Biden to continue their high-level dialogue;
  - **addressed a Joint Sitting of the U.S. Congress**
    - In an almost one-hour speech to the US Congress, PM Modi touched upon a variety of themes.

**What is a State visit?**

- State visits are the **highest-ranked category** of foreign visits to the US, where the head of a state visits the US on the formal invitation of the US President.
- Invitation for a state visit signifies that the US considers the guest nation an important friend and ally.
- A state dinner is a crucial part of such a visit.
  - The state dinner is held at the White House, the residence of the US President.
- The other key events that mark a state visit include:
  - a 21-gun salute White House arrival ceremony and
  - an invitation to stay at the Blair House (the US President's guesthouse across Pennsylvania Avenue).

**Key Outcomes Of The Bilateral Talks Between Indian PM And President Of USA**

- **Jet engine tech transfer**
  - There was an announcement of a mega deal between the General Electric Aerospace and the Hindustan Aeronautics Limited for the **manufacture under licence in India of GE's F414 engine**.
    - This engine will be manufactured for the indigenous Light Combat Aircraft (LCA) Tejas Mk2.

- This deal assumes significance as GE's F414 military aircraft engine powers fighters like the Boeing Super Hornet and Saab Gripen.
- The deal is expected to lead to **transfer of at least 11 critical technologies to India.**
- This is the most crucial part as it marks the **beginning of the end of the technology denial regime.**
  - Over the years, India was deprived of critical technologies and it became acute in the 1960s through the 1990s.
- **Inaugural session of an innovation platform called India-United States Defence Acceleration Ecosystem (INDUS-X)**
  - The Defence Ministries of the two countries also launched the inaugural session of an innovation platform, 'INDUS-X', in Washington DC.
  - Under the INDUS-X, Indian and American startups will now be able to co-develop and co-produce advanced technologies, including in areas of space artificial intelligence.
- **Cooperation in Semiconductor manufacturing**
  - U.S. semiconductor technology and chip maker Micron Technology, Inc said it would invest up to \$825 million in a new chip assembly and test facility in Gujarat.
    - This investment would be bolstered by investment from the Indian government and Gujarat State government totalling \$2.75 billion in all.
  - US firm Applied Materials will establish a new semiconductor centre for innovation.
- **Other outcomes of the visit**
  - A mega deal on the purchase of General Atomics MQ-9 "Reaper" armed drones by India;
  - A joint mission by the NASA and ISRO to the International Space Station in 2024;
  - Announcement regarding New Delhi joining the **Artemis Accords.**
- **Addressing issues related to Visa delay**
  - The U.S. has announced a pilot program to renew visas domestically (i.e., applicants do not have to travel outside to get their renewal stamp), for certain petition-based temporary workers.
    - This program could expand to cover H1b and L skilled visas by 2024 and to other categories eventually.
  - It will also open two new consulates in Bengaluru and Ahmedabad. India will reopen its consulate in Seattle, and announce new consulates elsewhere.

## India-US Bilateral Relations

### Trade & Economic Relations

- The **U.S. has emerged as India's biggest trading partner in 2022-23** on account of increasing economic ties between the two countries.
  - In 2022-23, the bilateral trade between India and the USA stood at a record US\$ 191 billion as against US\$ 119.42 billion in 2021-22.
  - In 2022-23, **India had a trade surplus of US\$ ~30 billion with the US.**
- In FY 2020-21, India received the highest ever FDI amounting to US\$ 81.72 billion.
  - USA became India's second largest source of FDI during 2020-21 with inflows of US\$ 13.82 billion.
  - US is one of the top 5 investment destinations for Indian FDI.

## Defence Cooperation

- India-US defence cooperation is based on “**New Framework for India-US Defence Cooperation**”, which was renewed for a period of ten years in 2015.
- In 2016, the defence relationship was designated as a **Major Defence Partnership (MDP)** to build a comprehensive, enduring and mutually beneficial defence partnership.
- In July 2018, India was moved into the **Tier-1 of the US Department of Commerce’s Strategic Trade Authorization license exception**.
- In August 2022, a U.S. Navy Ship (USNS) Charles Drew visited in Chennai for repairs and allied services. **This was the first ever repair of a U.S. Navy ship in India.**
- Several defence agreements have been signed:
  - Logistics Exchange Memorandum of Association (2016);
  - Communications Compatibility and Security Agreement (2018);
  - Industrial Security Agreement (2019);
  - Basic Exchange and Cooperation Agreement (2020).
- Bilateral exercises include: Yudh Abhyas (Army); Vajra Prahar (Special Forces), a tri-services exercise– Tiger Triumph (inaugurated in 2019).
- In November 2022, **Australian Navy joined the U.S.-India-Japan MALABAR** annual Naval Exercise. U.S. participated in **India’s multilateral Exercise Milan 2022**.

## S&amp;T and Space Cooperation

- **Space cooperation**
  - ISRO and NASA are working together to realize a joint microwave remote sensing satellite for Earth observation, named **NASA-ISRO Synthetic Aperture Radar (NISAR)**.
  - ISRO availed NASA/JPL’s Deep Space Network Antenna support for its Chandrayaan-1, Mars Orbiter Mission (MOM) and Chandrayaan-2 mission.
  - Both sides are currently exploring the possibility of availing similar support for Chandrayaan-3 satellite.
  - On commercial front, ISRO has launched more than 200 satellites from US, on-board Polar Satellite Launch Vehicle (PSLV), as co passengers.
- **Initiative on Critical and Emerging Technology (iCET)**
  - NSA Doval and his US counterpart launched a new US-India initiative on Critical and Emerging Technologies in January 2023.
  - These emerging technologies include **artificial intelligence, quantum computing, semiconductors and wireless telecommunication**.

## Challenges In India – US Relation

- **Ukraine war and Indian stand**
  - The United States worries about the India-Russia relationship, especially that India’s reliance on Russian military imports will continue.
  - Recently, India’s oil imports from Russia have displaced Iraq as its top supplier.
- **Challenges in trade and technology relationships**
  - The US still has significant export controls on India (instituted after the 1998 nuclear test), which inhibits the free transfer of technology.



- In 2019, USA terminated India's designations as a beneficiary developing country under the **Generalized System of Preferences (GSP) programme**.
  - GSP is the largest and oldest US trade preference programme.
  - It is designed to promote economic development by allowing duty-free entry for thousands of products from designated beneficiary countries.
- The United States is concerned about India's turn towards protectionism.
  - India makes up only two percent of the United States' merchandise trade due to policies that protect domestic industry from foreign competition.
- **United States is concerned about the state of Indian democracy**
  - Many members of Congress and officials in the Biden administration are following reports on civil liberties and minority rights in India.
  - Furthermore, questions are being raised surrounding **data protection in India** and what the implications are vis-à-vis surveillance and censorship.
- **Protracted delays in the processing of visas for the United States**
  - Since the Covid-19 pandemic, protracted delays in the processing of visas for the United States have been a persistent irritant in bilateral relationship.
    - Data published by the US embassy in India shows that the wait for B1 and B2 work visas still stretches beyond 400 days in many instances.

### Conclusion

- The relationship between India and US has moved beyond hesitations of history. The recent visit of PM Modi to USA sent a clear message – **the beginning of the end of the technology denial regime**.
- The future of the India-US bilateral relationship appears promising, marked by deeper cooperation, strengthened trade ties, and strategic partnerships, fostering mutual growth and stability for both nations.

### India, Russia Rupee Trade Talks

- Government officials have denied the reports that India and Russia have suspended negotiations on trade settlement in Indian rupee.
- The officials admitted that there are **issues on how Russia could use the excess rupee in Vostro accounts**, but the talks to iron out these differences continue.
- Bilateral trade between India and Russia is highly favourable towards Russia.
  - Since Russia's invasion of Ukraine, India's imports from Russia have risen to \$51.3 billion until April 5, from \$10.6 billion in the same period in the previous year.
  - Exports from India in the same period fell slightly to \$3.43 billion from \$3.61 billion in the previous year.
- Hence, Moscow believes it will end up with an annual rupee surplus of over \$40 billion if such a mechanism is worked. It feels rupee accumulation is not desirable.

### Why Does The RBI Want To Settle Payments In Rupees?

- **Reduce India's dependency on US dollars**
  - Hence, in long term, it will shift some demand into Rupees from USD.
- **Facilitate Trade with sanctions-hit countries**
  - The mechanism for international settlement in rupee might have been aimed particularly at facilitating trade with sanctions-hit Russia, possibly Iran, and forex-starved Sri Lanka.

- **Stability of Indian rupee**
  - India is a net importer and the value of the Indian rupee has been declining consistently.
  - The rupee was the worst performing Asian currency in 2022, witnessing a fall of around 10% against the greenback.
  - Using the rupee for international trade transactions will help check the flow of dollars out of India and slow the depreciation of the currency.
- **Global Acceptance of Indian Currency**
  - International trade settlements in rupee are expected to gradually contribute to the global acceptance of the currency.
  - Later it may be possible to repay loans taken from fund banks like the Asian Infrastructure Investment Bank in Indian currency.

#### **Steps Taken By RBI To Promote International Trade Settlement In Rupees**

- In July 2022, the RBI has provided an additional arrangement for invoicing, payment, and settlement of exports/imports in the rupee.
- As part of this mechanism, in December 2022, India saw its first settlement of foreign trade in rupee with Russia.
- So far banks of 19 countries including the UK, New Zealand, Germany, Malaysia, Israel, and the United Arab Emirates have been permitted to make settlements in rupees.

#### **Challenges**

- **Limited Acceptance**
  - The Indian rupee is not widely accepted as a settlement currency in international trade.
  - The rupee is not fully convertible. India's share of global exports of goods also is just about 2%.
  - These factors reduce the necessity for other countries to hold rupees.
- **Complications in terms of formulating the monetary policy**
  - The internationalisation of the rupee can potentially limit the ability of the central bank to control domestic money supply and influence interest rates as per the domestic macroeconomic conditions.
  - If a substantial portion of its trade is in rupee, non-residents would hold rupee balances in India which would be used to acquire Indian assets.
  - Large holdings of such financial assets could heighten vulnerability to external shocks, managing which would necessitate more effective policy tools.
- **Challenges In Promoting Invoices In Rupee**
  - In the prevailing global atmosphere of trade protectionism and geopolitical rivalries, promoting invoices in rupee with various countries will not be an easy task.
  - Currently, India's share in global trade is not significant enough and it is highly dependent on the import of fossil fuels, edible oils, gold, silver, etc.
  - This makes it an unlikely possibility for exporting countries to consider the Indian rupee as an invoicing currency, unless it suits their interests.

#### **India – Russia Bilateral Relation: In Brief**

- Since the signing of "Declaration on the India-Russia Strategic Partnership" in October 2000 India-Russia ties have acquired a qualitatively new character.
- In 2010, the Strategic Partnership was elevated to the level of **Special and Privileged Strategic Partnership**.

### Political Relation

- In 2019, Russia awarded PM Modi the **Order of St Andrew the Apostle**, the highest and the oldest Russian state decoration.
- The Annual Summit between the Prime Minister of India and the President of the Russian Federation is the highest institutionalized dialogue mechanism. The last Summit was held in December 2021 in New Delhi.

### Multilateral Engagements

- Both the countries are active members of **SCO, BRICS, G-20** etc. India also participated in **Eastern Economic Forum (EEF)**, hosted by Russia, on a regular basis.
- **India-Russia-Japan trilateral consultations:** The first ever trilateral consultations between India, Russia, and Japan at track II level on cooperation in the Russian Far East were held in January 2021.

### Defence Cooperation

- India has longstanding and wide-ranging cooperation with Russia in the field of defence. This is evident from the joint manufacturing of **BrahMos missile**, production of **AK Rifles** in Amethi, **5th generation fighter jet programme** etc.
- Recently, India bought **S-400 Triumf missile defence system** from Russia.

### Nuclear and Space Cooperation

- Russia is involved in the development of Kudankulam Nuclear Power Plant in India.
- India-Russia cooperation in the field of peaceful use of outer space dates back to about four decades.
- Currently, four Indian astronauts are being trained in Russia. These astronauts are part of India's Human Spaceflight Programme (HSP) – Gaganyaan Mission.

### Factors Which Continue To Limit The Possibilities For The Bilateral Partnership

#### a) Continuing Conflict Between Kremlin And The West

- New Delhi is more aligned towards USA, while Russia is inclined towards China.
- That the US and China are now at each other's throats makes the equation a lot more complicated for India and Russia.

#### b) Ukraine Crisis

For India, the Ukraine crisis has introduced a new element of discomfort as it seeks to maintain its traditional relationship with Russia without spoiling its growing partnership with the US.

#### c) Absence of a Thriving Commercial Relationship

- Russia comprises around 3.54% of India's total trade, while India accounts for a minuscule 1.2% of Russia's overall trade.
- Intensifying the trade and economic relations has been identified as a priority area by both the sides as is clear by the revised targets of increasing bilateral investment to US \$ 50 billion and bilateral trade to US \$ 30 billion by 2025.

#### d) Russia's Rapprochement with Pakistan

Russia's alignment with Pakistan has been a major cause of concern for India. Some of the important developments highlighting this trend are:

- Russia is a member of **Troika plus grouping** with **Pakistan**. It is actively deliberating on the current issue of Afghanistan. Other members include **USA and China**. In November 2021, 'Troika plus' group held conference on Afghanistan and India was not invited.

- In April 2021, Russian Foreign Minister, for the first time ever, visited Pakistan after India, thereby signalling **hyphenation** to the bilateral relationship. Indian External Affairs Minister (EAM), in July 2021, visited Georgia. This was seen as a rare message to Russia given the hostile relation between Russia and Georgia.
- In August 2018, Pakistan and Russia signed an agreement that allows for training of Pakistani troops at Russian military training institutes.
- In 2016, Russia announced the first-ever mutual special drills in mountainous terrain with Pakistan. Russia-Pak Military Exercise "Friendship 2016" was also called "Druzhba.
- In 2014 Russia removed its arms embargo against Islamabad and in 2015 it agreed to sell 4 Mi-35M helicopters to Pakistan.

#### e) **Countering America's Adversaries through Sanction Act (CAATSA)**

- In August 2017, CAATSA was signed into law by President Donald Trump which aims to counter the aggression by Iran, Russia and North Korea through punitive measures.
- Analysts feel that the CAATSA has the potential to affect the Indo-Russian military ties as India is a major importer of Russian arms and defence technologies
- Recently, US House of Representatives approved legislation recommending an India-specific waiver for CAATSA.

India-Russia relations today are very different precisely because we are very different countries today and the world is very different from the 1960-1990 phase of the India-Soviet strategic partnership. The cordiality and mutual trust of the past may be leveraged to fashion a new relationship but they cannot substitute for a lack of substantive drivers in the relationship.

#### **India, Canada FMs Discuss Reset In Ties With Indo-Pacific Strategy**

- Canadian Foreign Minister met with External Affairs Minister S. Jaishankar for the **India-Canada Strategic Dialogue** held in Delhi.
- The visit is seen as an attempt by both sides to put bilateral ties back on track. It focused primarily on Canada's newly released Indo-Pacific strategy that calls India an important partner.

#### **Canada-India Relations: Background**

- Diplomatic relations between the two countries were established in 1947.
- Bilateral relation was elevated to a strategic partnership during PM Modi's visit to Canada in 2015.

#### **Cooperation in COVID-19 Pandemic**

- Repatriation flights:
  - Special charter flights were operated by the Canadian High Commission and facilitated by India to evacuate stranded Canadian nationals from India.
- Supply of medicines:
  - Export of a total of 12.34 crore paracetamol tablets, 5 crore Hydroxychloroquine tablets and 3510 kgs of Hydroxychloroquine Sulfate USP (API); and 10 Million eye shield with face mask were shipped to Canada.

#### **Trade Relations**

- A priority market for Canada, in 2021, India was Canada's 14th largest export market, and 13th largest trading partner overall.
- According to the United Nations COMTRADE database on international trade during 2021:

- Canada's Exports to India was US\$2.39 Billion; and
- India's Exports to Canada was US\$3.56 Billion
- Canada and India are working toward a **Comprehensive Economic Partnership Agreement (CEPA)** and a Foreign Investment Promotion and Protection Agreement.
  - India is also negotiating the **Early Progress Trade Agreement (EPTA)**, ahead of a CEPA.
- Canadian Pension Funds have invested around US\$ 32.6 billion in India till 2020.
  - Pension Funds and other major investment firms have pledged portfolio investments of over US\$ 50 billion in India.

### Development Cooperation

- After 55 years of bilateral programming in India totaling \$2.39 billion, Canada's bilateral development assistance program came to an end in 2006.
  - This was following a change in Indian government policy regarding aid.
- Canada supports various projects in India via Grand Challenges Canada.
  - The main programming sector of the Partnerships for Development Innovation Branch is *maternal, newborn and child health*, which includes support to early childhood development.

### Nuclear Cooperation

- Canadian aid to India in the nuclear field begun in 1956. However, this relationship deteriorated in 1974 after India conducted **Smiling Buddha nuclear test**.
  - Canada was among the first countries to participate in India's nuclear power program.
  - CIRUS, research reactor was built in India in 1960 with the help of Canada.
- Later, in June 2010, the nuclear cooperation was restored when a *Nuclear Cooperation Agreement (NCA)* with Canada was signed.

### Science and Technology

- Canada was a partner country for the Technology Summit 2017.
- Department of Biotechnology under **IC-IMPACTS program** implements joint research projects in health care, agri-biotech and waste management.
- Department of Earth Science and Polar Canada have started a programme for exchange of knowledge and scientific research on Cold Climate (Arctic) Studies.

### Cooperation in Space

- ANTRIX, the Commercial arm of ISRO, has launched several nanosatellites from Canada.
- ISRO in its 100th Satellite PSLV launched in January 2018, also flew Canadian first LEO satellite.

### Cooperation in Indo-Pacific

- In November 2022, **Canada's Indo-Pacific strategy was released**.
  - Canada, 20% of whose population originates in the Indo-Pacific region, is the last G7 nation to embrace the concept of the Indo-Pacific.
- The Canadian strategy document contains sharp words on China's coercive challenge to the international rules-based order and on human rights.
- On the other hand, this document highlights India's strategic importance and asked Canada to work closely with India.

People-to-People

- Canada hosts one of the largest Indian diasporas in the world, numbering 1.6 million (PIOs and NRIs) which account for more than 4% of its total population.
  - In the field of politics, in particular, the present House of Commons (total strength of 338) has 22 Members of Parliament of Indian-origin.
- For the first time, Canada Post and India Post joined hands to issue a commemorative stamp on Diwali in 2017. Diwali has been celebrated on the Parliament Hill for the last 18 years.

Challenges

- **A float depicting the assassination of Indira Gandhi by her Sikh bodyguards is seen at a parade in Brampton, Ontario.**
- **Separatist Khalistani groups**
  - Canada has been providing a safe haven for separatist Khalistani groups, which New Delhi sees as the Liberal Party’s pandering to these groups for votes.
    - Diaspora Sikhs are well represented in the Trudeau government. Some of them are politically supported by pro-Khalistan groups.
    - Jagmeet ‘Jimmy’ Dhaliwal, whose New Democratic Party supports Trudeau’s minority government in Parliament, is viewed with suspicion by the Indian establishment.
  - Last year, New Delhi objected to Canada permitting a Khalistani secessionist “referendum” in Sikh diaspora.
- **Canada is slow to act against anti-India elements on its soil**
  - Recently, a Hindu temple near Toronto was vandalised and defaced with anti-India graffiti.
  - Concerns that Canada is slow to act against anti-India elements on its soil have been a constant irritant in the relationship.
- **Other irritants include**
  - Attacks on Indian-origin people;
  - Canadian comments over India’s farmer protests & India’s cancellation of diplomatic talks in response.

Conclusion

- Both countries seem to realise that any attempt to reset bilateral ties will need to surmount Canada’s vote-bank restraints and India’s security concerns.
- Canada’s Indo-Pacific strategy emphasised India’s strategic importance.
- It offers a wider staging ground for the two to come together, based on a shared suspicion of China, seeking to expand trade ties, and invest in supply chain resilience.

Visit of Chancellor of Germany to India

The Chancellor of Germany, Mr. Olaf Scholz, paid a State visit to India. This was the Chancellor Scholz’s first visit to India in his current role.

- This was also the **first standalone visit** of a German Chancellor to India since the **biennial Inter-Governmental Consultation (IGC)** mechanism commenced in 2011.
- IGC is a whole-of-government framework under which Ministers from both countries hold discussions in their respective areas of responsibility and report on the outcome of discussions to the Prime Minister and Chancellor.



**Key Outcomes**

- **India-Germany Vision to Enhance Cooperation in Innovation and Technology**
  - India and Germany agreed on a vision statement to enhance cooperation on innovation and technology.
  - Under the framework of the Inter-Governmental Agreement on 'Cooperation in Scientific Research and Technological Development', the two countries share a long history of cooperation in science and technology, research and innovation.
    - This agreement was signed in May 1974.
- **Green and Sustainable Development Partnership (GSDP)**
  - The leaders discussed progress on GSDP - an umbrella partnership that provides political guidance and steer to robust ties in climate action and SDGs.
  - Under this, Germany will also place €10 billion in new and additional commitments under their development cooperation portfolio in India.
- **Cooperation In Green Hydrogen**
  - India and Germany also agreed to cooperate on Green Hydrogen.
  - Indo-German Green Hydrogen Task Force was constituted in September 2022 and an Action Plan is close to finalisation.
- **Triangular Development Cooperation**
  - India and Germany agreed to work on development projects in third countries.
  - The four projects, announced in May 2022, are now in different stages of implementation:
    - **Cameroon:** Potato Seed Production through Rooted Apical Cuttings (RAC) Technology.
    - **Malawi:** Agri Business Incubator Models for Women in Agriculture & Food Systems
    - **Ghana:** Developing Bamboo-Based Enterprises for Sustainable Livelihood and Income Generation
    - **Peru:** Development of a geospatial portal prototype for planning, monitoring, and evaluation of the Ministry of Development and Social Inclusion of Peru (MIDIS) interventions and social programs.
- **Other Agreements**
  - Both sides concluded agreements on “Digital Transformation, FinTech, IT, Telecom and Supply chains’ diversification”.
- **The issue of Khalistani separatism and extremism discussed**
  - India has earlier pointed to the presence of pro-Khalistan groups and elements in Germany. And New Delhi is concerned at the recent turn of events in Punjab as well.

**India-Germany Bilateral Relations**

**Background**

- India and Germany have a '**Strategic Partnership**' since May 2000.
- This has been further strengthened with the launch of **Intergovernmental Consultations (IGC)** in 2011 at the level of Heads of Government.
- On March 7, 2021, **India and Germany marked the 70th anniversary** of the establishment of diplomatic relations.

**Economic & Commercial Relations**

- Germany is India’s largest trading partner in Europe and has consistently been among India’s top (10-12)

global partners.

- Germany was the **11th largest trading** partner in FY 2021-22 (12th during FY 2022-23 up to August 2022).
- **Bilateral trade in 2021-22** was USD 24.85 billion registering an increase of 14.2% over FY 2020-21.
  - Indian exports during this period increased by 21.6% reaching **USD 9.88 billion** and Indian imports increased by 9.7% to **USD 14.97 billion**.
- Germany is the **9th largest FDI source for India**. The total FDI from Germany to India from April 2000-June 2022 is over USD 13 billion.
  - Indian investments in Germany continue to grow, having surpassed the figure of USD 7 billion.

#### Development Cooperation

- Germany committed a total volume of new funding of USD 1,368.02 million for 2021 for Financial & Technical Cooperation.
- Energy, sustainable economic and urban development, environment & management of natural resources are priority areas.

#### Security & Defence

- MoU on Security Cooperation signed at the 3rd IGC held in Delhi in 2015 defines collaboration in this field.
- There are dialogue mechanisms on various aspects of security, including:

- Joint Working Group on Counter Terrorism
- Cyber Consultations
- Joint Steering Group on Disaster Management in Berlin (2016)

#### Science & Technology

- Bilateral Science and Technology cooperation is implemented under an Inter-Governmental Agreement on 'Cooperation in Scientific Research and Technological Development'.
- The jointly funded Indo-German Science and Technology Centre (IGSTC) was set up in Gurgaon in September 2008.

#### Sister State/City Arrangements

- The States of Karnataka and Bavaria, Maharashtra and Baden Wuerttemberg, and the cities of Mumbai and Stuttgart have twinning arrangements.
  - Twin city relations between Coimbatore and Esslingen were established in 2016.

#### Education

- There are approximately 29,000 (2020) Indian students who are studying in Germany, a number which is rising each year.
  - Around 800 German students are studying or doing internships in India.
- Instruments of faculty exchange and student mobility between India and Germany are:
  - Visiting Advanced Joint Research (VAJRA) from DST and Scheme for Promotion of Academic and Research Collaboration (SPARC) from MoE
  - New Passage to India (from the German side).

**Challenges**

- Germany finds India a **more complex partner to negotiate** and conduct business with.
  - On the other hand, doing business with China is seen to be relatively simpler (even in the face of forced technology transfers, intellectual property rights violations etc.).
- It is commonplace in Germany to **point to the flaws in Indian democracy**, and thereby deem India an unworthy partner, at least in terms of shared values.
- Germany focuses **on trade and investment as the main conduit** to deepen its relations with India. As a result, Germany remains adamant on labour and environmental standards, at the expense of macro-level values of liberalism.

**Conclusion**

- Similar geopolitical perceptions form the foundation for the expansion of Indo-German relations. Economically, India continues to present great growth potential for German companies.
- However, strategic alignments, mismatched capabilities and inability of Germany to reconcile its values with its strategic interests particularly in the field of social policy have prevented bilateral security competition from reaching their full potential.
- In this backdrop, both the countries require close consultations on issues that define their *national interests*, as well as broad-ranging cooperation and coordination on security, commercial, and developmental issues.

**State Visit of Prime Minister of Australia to India**

PM of Australia, Anthony Albanese, paid a State Visit to India. This was Albanese's first visit to India in his current role. During this visit, PM Albanese and PM Modi participated in the India-Australia Annual Summit.

- This was the **1<sup>st</sup> Annual Summit between India and Australia** at the level of the Leaders.
- The summit mechanism itself was established as an outcome of the 2nd Virtual Summit that was held in March 2022.

**List of Outcomes**

- Audio-visual Co-production Agreement between the two countries were signed.
- MoU on Cooperation in Sports.
- The two sides agreed on the **establishment of two task forces** one on solar (solar task force) and second on Green Hydrogen.
- Letter of Intent was signed between the India's Atal Innovation Mission (AIM) and Commonwealth Scientific & Industrial Research Organisation for Furthering Cooperation in Innovation.

**Other Highlights Of This Visit**

- **Cricket Diplomacy:** PM Modi and PM Albanese went to the Narendra Modi stadium in Ahmedabad, where India and Australia were playing the fourth test match of the Border-Gavaskar series.
- **Business Delegation:** The Australian prime minister brought with him a huge delegation of business leaders.
  - This assumes significance as the business relations between the two countries have not taken off fully.
    - Australian businesses have mainly concentrated on China, which buys about a **third of Australia's exports**.
- **First foreign leader to visit INS Vikrant:** During the current visit, PM Albanese became the first foreign leader to visit INS Vikrant, India's locally built aircraft carrier.
  - While visiting INS Vikrant, Albanese said: For Australia, India is a top security partner.

- **Comprehensive Economic Cooperation Agreement (CECA):** India & Australia discussed the finalisation of CECA.
  - CECA is aimed at upgrading an interim trade deal finalised last year in the form of Economic Cooperation and Trade Agreement (ECTA).

**Key Highlights of The ECTA**

- **Ambitious pact with significant commitments to tariff cuts**
  - Australia has agreed to eliminate Customs duty immediately on 98.3% of the traded goods and on 100% tariff lines over a period of five years.
  - India, on the other hand, will do away with Customs duties on 40% of products immediately and on 70.3% of tariff lines over a period of 10 years.
- **With respect to labour intensive sector**
  - Major labour-intensive sectors in India that will benefit from the elimination of 5% Customs duty at present include textiles and apparel, agricultural products, leather, furniture, jewellery, and pharmaceuticals.
- **With respect to agriculture and dairy sectors**
  - India has managed to completely shield its **dairy sector** from any tariff reduction under the FTA while excluding most sensitive agriculture items.
- **Provisions for services**
  - Both countries have decided to facilitate the recognition of professional qualifications, licensing, and registration procedures between professional services bodies.
  - Indian graduates from **STEM** (Science, Technology, Engineering and Mathematics) will be granted extended post-study work visas

- The two also decided to move ahead with negotiations on a migration and mobility pact to benefit students and professionals.
  - India and Australia recently finalised a mechanism for **recognising each other's educational qualifications**.
- **India was invited to join the Talisman Sabre exercises**
- **General Rawat Australia-India Young Defence Officers' Exchange Programme**
  - As part of General Rawat Australia-India Young Defence Officers' Exchange Programme, a 15-member Australian contingent, visited the Agra-based Military establishment.
    - This programme was instituted in honour of India's first Chief of Defence Staff, General Bipin Rawat.

**Key Highlights Of The Prime Minister's Visit To Australia**

- **New Indian Consulate Announced** in Brisbane.
- **PM Talks about 3Cs, 3Ds, 3Es:** Addressing the Indian diaspora, PM Modi mentioned, "Earlier, it was said that the relations between India and Australia is defined by **3 Cs** – commonwealth, cricket, and curry.
  - Then it was said that our relationship is defined by **3 D's** – democracy, diaspora, and dosti.
  - Some people also said that our relationship is based on 3 E's – energy, economy, and education.
  - But our historic ties are much bigger than that. They are based on mutual trust and mutual respect.
- **Renaming of Sydney Suburb as 'Little India'.**

- **PM Modi highlighted India's position in the world as the force of global good:** PM Modi said India is always ready to help others whenever there is a disaster. He also hailed India as the mother of democracy.
- **PM Modi lauded India's banking system**

### **Why Is There Growing Synergy Between India And Australia?**

- **China Factor**
  - Ties between Australia and China were strained after Canberra in 2018 banned Chinese telecom firm Huawei from the 5G network. Later, it called for an inquiry into the origins of Covid-19, and slammed China's human rights record in Xinjiang.
  - China responded by imposing trade barriers on Australian exports, and by cutting off all ministerial contact. On the other hand, India has been facing an aggressive Chinese military along the border.
- **Centrality of Indian Ocean** for the security and prosperity of both the countries.
  - Both the countries depend on free and open access to sea lanes in the Indo-Pacific for trade and economic well-being.
- **Economic imperative**
  - Australia is looking to diversify its economic relation which is heavily dependent on China.
    - India, being a fast growing economy with a large market, is an attractive destination for Australia.
  - India, on the other hand, wants to increase economic cooperation in the form of bilateral free trade agreements with countries across India-Pacific.
    - This is because, India has not joined join the RCEP. It wants to compensate the loss of not joining the RCEP with signing multiple bilateral FTAs with countries in the region.

### **India-Australia Bilateral Relation: In Brief**

- India and Australia established diplomatic relations in the pre-Independence period, with the establishment of India Trade Office in Sydney in 1941.

#### **Strategic Relationship**

- In 2009, **India and Australia established a 'Strategic Partnership'**, including a Joint Declaration on Security Cooperation.
- This cooperation has been further elevated to **Comprehensive Strategic Partnership (CSP) in 2020**.
- The Australian foreign policy blueprint released in November 2017 sees India in the front rank of Australia's international partnerships.
- In order to pursue the CSP, Foreign and Defence Ministers of both countries agreed to meet in a '2+2' format biennially.

#### **Economic and Trade Relationship**

- As part of its efforts to develop strong economic relationship with India, the Australian Government commissioned the India Economic Strategy to 2035 in July 2018.
- **Bilateral Trade:**
  - India had a trade deficit of \$8.5 billion with Australia in FY22, with \$8.3 billion worth of exports and \$16.8 billion worth of imports.
  - Total bilateral trade is expected to cross \$45-50 billion in five years from \$ 27.5 billion at present after the free trade deal comes into force.

- o India was the 8th largest trade partner of Australia with trade in goods and services representing 3% share of the total Australian trade in FY 2019-20.

**Civil Nuclear Cooperation**

- A Civil Nuclear Cooperation Agreement between the two countries was signed in September 2014 during the visit of then PM Tony Abbott to India.
- The agreement provides the framework for substantial new trade in energy between Australia and India.

**Defence Cooperation**

- During PM Modi's visit to Australia in November 2014, both sides decided to extend defence cooperation to cover research, development and industry engagement.
- Arrangement concerning Mutual Logistics Support (MLSA) and Implementing Arrangement concerning cooperation in Defence Science and Technology were concluded during the Virtual Summit held in June 2020.
- India and Australia conduct their bilateral naval exercise 'AUSINDEX' since 2015.
  - o In 2018, Indian Air Force participated for the first time in the Exercise Pitch Black in Australia.
  - o In October-November 2020, the Australian Navy participated in Malabar Exercises.

**Repatriation of Indian Cultural Artifacts**

- A number of artifacts have been successfully repatriated to India in recent years. They include:
  - o Bronze Idol of Nataraja from Art Gallery of South Australia (AGSA) (2019),
  - o Nagaraja stone sculpture (2020),
  - o Two Dwarpala stone sculptures (2020).

**Indian Community in Australia**

- The Indian community in Australia continues to grow in size and importance, with the population of about seven hundred thousand.
- India is one of the top sources of skilled immigrants to Australia.
- The number of Indian students continue to grow with approximately 105,000 students presently studying in Australian universities.
  - o After England, India is the second largest migrant group in Australia in 2020.

**India, China Troops Clashed Near LAC In Arunachal**

- Indian and Chinese troops clashed in Arunachal Pradesh's Tawang sector in the early hours of December 9, beating each other up with sticks and canes.
- This was their closest encounter since the deadly Galwan incident in eastern Ladakh in June 2020.

**Background: Sino – India Border Dispute**

- The territorial dispute along the China-India border falls across three different areas:
  - o **The eastern sector**, about 90,000 square kilometers, corresponds roughly to the





Indian state of Arunachal Pradesh and is under Indian control.

- **The western sector**, sometimes called Aksai Chin or part of Ladakh, involves about 33,000 square kilometers and several districts in Xinjiang. It is under Chinese control.
- **The central or middle sector**, west of Nepal, is the smallest contested area, around 2,000 square kilometers, and control is divided.
- In 1993, after years of territorial standoffs and negotiations, China and India finally signed an agreement which attempted to mark out a long stretch of border between the two countries.
- That border is known as the **line of actual control (LAC)**, but its precise location can be blurry, and there is still dispute between China and India
  - So far, this LAC has served as the de facto border between these two countries.
  - However, in at least 13 places, however, the two sides disagree over where the LAC lies.

#### **Border Dispute in Eastern Sector: McMahon Line**

- The disputed boundary in the Eastern Sector of the India-China border is over the McMahon Line.
  - Representatives of China, India and Tibet in 1913-14 met in Shimla to settle the boundary between Tibet and India, and Tibet and China.
  - During the Shimla conference, Sir Henry McMahon, the then foreign secretary of British India, drew up the 550 mile (890 km) McMahon Line as the border between British India and Tibet.
- The McMahon line moved British control substantially northwards. This agreement ceded Tawang and other Tibetan areas to the imperial British Empire.
  - Though the Chinese representatives at the meeting initialed the agreement, they subsequently refused to accept it.
  - Subsequently, the Chinese government stated that it does not recognize the "illegal" McMahon Line.
  - China accuses India of occupying areas in Arunachal, which it calls part of Southern Tibet.

#### **Twang Sector: A Contested Area**

- Soldiers of the two sides clashed in an area called Yangtse, in the upper reaches of Tawang sector in Arunachal Pradesh.
- Tawang, indeed nearly all of Arunachal, is claimed by China.
  - It is one of the more serious dispute points between India and China in the overall border question.
- Within Tawang, there are three agreed areas of differing Indian and Chinese perceptions of the LAC. A majority of these areas – Yangtse included – were identified by two sides during multiple meetings.

#### **Current Situation**

- **Tawang sector is dominated by Indian troops** who can spot Chinese patrols when they come forward.
- Every time movement is noticed, Indian troops move for a faceoff.
  - In 2016, around 250 Chinese troops showed up, crossing a point which India says marks the LAC.

#### **Context of New India-China crisis at Tawang**

- The PLA's motivation for creating a new crisis along the disputed border, this time in the east, appears to be to extend the points of confrontation and keep the issue of India China border alive.
- This is at a time when the world is engaged in overcoming multiple crisis emanating from Ukraine War.
- The Yangtse incident came days after China said that the joint India-US military exercise Operation Yudhabhyas had violated the terms of the 1993 and 1996 border agreements.
  - The 18th edition of the India-US joint military exercise YudhAbhyas was held recently in Uttarakhand,

about 100 km from the LAC.

- o The 1993 agreement deals with maintaining peace and tranquility along the LAC.
- o The 1996 pact was about confidence building measures in military field along the LAC with China.

**Recent Activities Of China In Eastern Sector**

- It has deployed a high number of reserve troops along the LAC in the Eastern Command.
- It has also ramped up integrated military exercises. It is conducting annual training exercises of longer duration in depth areas.
- It continues to construct **dual-use border villages** & troop habitats which can be used by both military & civilians.
- There has been a marginal increase in patrolling activities in some areas along the LAC.

**Steps Taken By India To Counter China In This Region**

- **India Strengthening Its Vulnerabilities**
  - o It is working towards mitigating the threat to the vulnerable Chicken’s Neck area.
    - Chicken’s Neck area or the Siliguri Corridor is the narrow strip of land that connect the North-east with rest of India. The tri-junction holds strategic importance as it overlooks the Siliguri Corridor.
  - o India has also maximized the use of for ISR (intelligence, surveillance and reconnaissance).
- **New Aviation Brigade In The Eastern Sector**
  - o India raised a new aviation brigade in the eastern sector this year. It was raised in March at Missamari in Assam, close to Tezpur.
  - o The brigade is mandated with the task of increasing surveillance along the LAC in the eastern sector.
- **Other Measures Taken By India**
  - o India has based the second Rafale fighter squadron in Hasimara (close to Sikkim-Bhutan-Tibet tri-junction)
  - o Sukhoi-30MKI jets are already deployed at air bases like Tezpur and Chabua
  - o Akash surface-to-air missile systems along with Bofors howitzers have been deployed.

**India-China Trade Relationship**

According to data released by Chinese customs, the trade between India and China touched an all-time high of **\$135.98 billion in 2022**. However, India’s trade deficit with Beijing also **crossed the \$100 billion mark for the first time**.

	2021	2022	% Change
<b>Bilateral Trade</b>	\$125 billion	<b>\$135.98 billion</b>	8.4 % increase
<b>China’s exports to India</b>	\$97.59 billion	<b>\$118.5 billion</b>	21.7 % increase
<b>India’s exports to China</b>	\$28.03 billion	<b>\$17.48 billion</b>	37.6% decrease
<b>Trade Deficit</b>	\$69.38 billion	<b>\$101.02 billion</b>	45.6% increase

Analysts have seen India’s growing imports from China as both a worry, reflecting continued dependence for a range of key goods, but also, to some extent, as a positive indicator of the Indian economy importing more intermediate goods.

**Reasons Behind High Trade Deficit**

- **Gap Between domestic production (supply) and demand for various products**

- India imports goods to fill this gap is the major reason behind India's extremely high and continuously widening trade deficit.
- **Export of raw material while importing finished goods**
  - India's predominant exports have consisted of iron ore, cotton, copper, aluminium and diamonds/natural gems.
  - However, majority of Chinese exports consists of machinery, power-related equipment, telecom equipment, organic chemicals and fertilisers.
  - This resulted in decline in **total value** of Indian exports to China.
- **Indian pharmaceutical industry is heavily dependent on APIs from China**
  - India's \$42 billion pharmaceutical industry imports about 68% of its active pharmaceutical ingredients (APIs) from China.
- **Other factors**
  - A narrow basket of commodities, mostly primary, that India exports to China.
  - Market access impediments for most Indian agricultural products and competitive markets, such as IT/ITES, etc.

## Effect of Policies & Politics of Developed & Developing Countries on India's Interests

### De-dollarisation: The Race To Attain The Status Of Global Reserve Currency

- In April 2023, while facing criminal charges, former US President Donald Trump had warned that US Dollar is crashing and will soon no longer be the world standard.
- His warning came amid rising interest in countries to go towards de-dollarisation.

#### What is De-dollarisation?

- It refers to the process wherein countries tend to reduce their reliance on the US dollar as a reserve currency, medium of exchange, and also a unit of account.
  - **Reserve currency** is the foreign currency held by central banks to facilitate international transactions, stabilise exchange rates and bolster financial confidence.
- The attempts to dethrone the dollar as the global reserve currency have picked up pace in the aftermath of Russia's invasion of Ukraine last year.

#### What Gives The US Dollar The Power In International Trade

- **Historical Factors**
  - The US dollar began replacing pound sterling as international reserve currency in the 1920s since the country emerged from the First World War unscathed.
  - The Bretton Woods system cemented the dollar's position further after World War II.
  - Since the US emerged stronger after the Second World War, the 1944 agreement established a **post-war international monetary system** that allowed the US dollar to become the world's primary reserve currency globally.

- **Reserve Currency Status**
  - The central banks around the world hold US dollars as a reserve to support their own currencies and to conduct international transactions.
  - This gives the US dollar a strong global demand, making it a widely accepted currency in international trade.
- **Stability and Liquidity**
  - The US dollar is considered a stable and liquid currency.
- **Size of the US economy**
  - The US economy is the largest in the world, with a GDP of over \$23 trillion.
  - This means that the US dollar is widely used in international transactions and trade due to the large volume of US goods and services that are traded.
- **Network Effects**
  - The US dollar has a strong network effect, as it is widely used in global financial markets, and is the default currency for many commodity prices, such as oil.
  - This makes it convenient for businesses and individuals to use the US dollar in international transactions, creating a self-reinforcing cycle.

**Why Was The Call For De-Dollarisation Renewed?**

- **Geo-political events and search for alternatives**
  - Iran and Russia (for invading Ukraine) were disconnected from the international dollar-trading systems like SWIFT.
  - The U.S. imposed several sanctions that restricted the use of the U.S. dollar to purchase oil and other goods from Russia.
  - This has been seen by many countries as an **attempt to weaponize the dollar**.
- **Overreliance on the US dollar**
  - As the world becomes more and more interconnected, the need for a stable and equitable financial system became paramount.
  - Hence, the overreliance on the US dollar as a reserve currency has to some extent led to vulnerabilities and imbalances in the global economy.

● **Growing economic power of emerging market**

- The growing economic power of emerging markets and their desire for a more diversified and resilient financial architecture has renewed the call for de-dollarisation.

Global Efforts Towards De-dollarisation

**Countries all over the world**

- China, Russia and Brazil have been among the expanding list of nations that have embarked upon the path of de-dollarisation.
- In January 2023, Iran and Russia announced that they will jointly issue a new cryptocurrency backed by gold, to serve as a payment method in foreign trade.
- In March 2023, China and Brazil reached an agreement to settle trades in each other's currencies.
- Similarly, Argentina said it will pay for Chinese imports in yuan instead of US dollars in order to preserve its dwindling foreign reserves.

**India moves away from the dollar**

- India has also started making efforts to reduce its dependence on the dollar.
- It started moving towards *paying in rupees for oil imports from Russia*.
- In July 2022, the RBI through a circular allowed *international payment settlements for imports and exports to be made in rupees*.
- Due to the efforts of the Government of India, so far *banks of 19 countries* including the UK, New Zealand, Germany, Malaysia, Israel, Russia and the United Arab Emirates have been permitted to make settlements in rupees

### Challenges Towards De-dollarisation

- **Potential impact on global financial stability**
  - As countries reduce their reliance on the US dollar, adjustments in the composition of global reserve assets may lead to shifts in capital flows and changes in asset prices.
  - These fluctuations could create financial instability, particularly in emerging markets and countries with substantial dollar-denominated debt.
- **Creating a viable alternative to the US dollar**
  - Creating a viable alternative to the US dollar presents a formidable challenge to achieve the requisite degree of stability, liquidity, and acceptability.
  - Currently, no single currency fully meets these criteria, although the euro and the Chinese yuan have made strides in this regard.
- **Increased volatility in currency exchange rates**
  - It could result in increased volatility in currency exchange rates, particularly during the initial phases of transition.
  - Hence, de-dollarisation will have potential costs for developing countries.

### Conclusion

- De-dollarisation presents opportunities for a more diversified and resilient global financial system.
- However, it also poses significant challenges that must be carefully managed to ensure the preservation of global financial stability and sustained economic growth.
- Hence, developing countries like India should adopt a prudent and measured approach towards de-dollarisation.

### Saudi Arabia and Iran Agree to Restore Ties

Iran and Saudi Arabia agreed to re-establish diplomatic relations and reopen embassies after **7 years of tensions**. This major diplomatic breakthrough was negotiated after the talk between Iran and Saudi Arabia which was hosted by **China** in Beijing.

### Key Highlights Of The Agreement

- The two countries agreed on a meeting between their top diplomats to implement the restoration of ties and organize the logistics of exchanging ambassadors.
  - The two countries plan to reopen their respective embassies in Tehran and Riyadh within two months.
- Both the countries also agreed to activate a **2001 Security Cooperation Agreement**, as well as a **General Economy, Trade And Investment Agreement signed in 1998**.
- They also confirmed their “respect for the sovereignty of states and non-interference in their internal affairs.

### Significance Of This Agreement

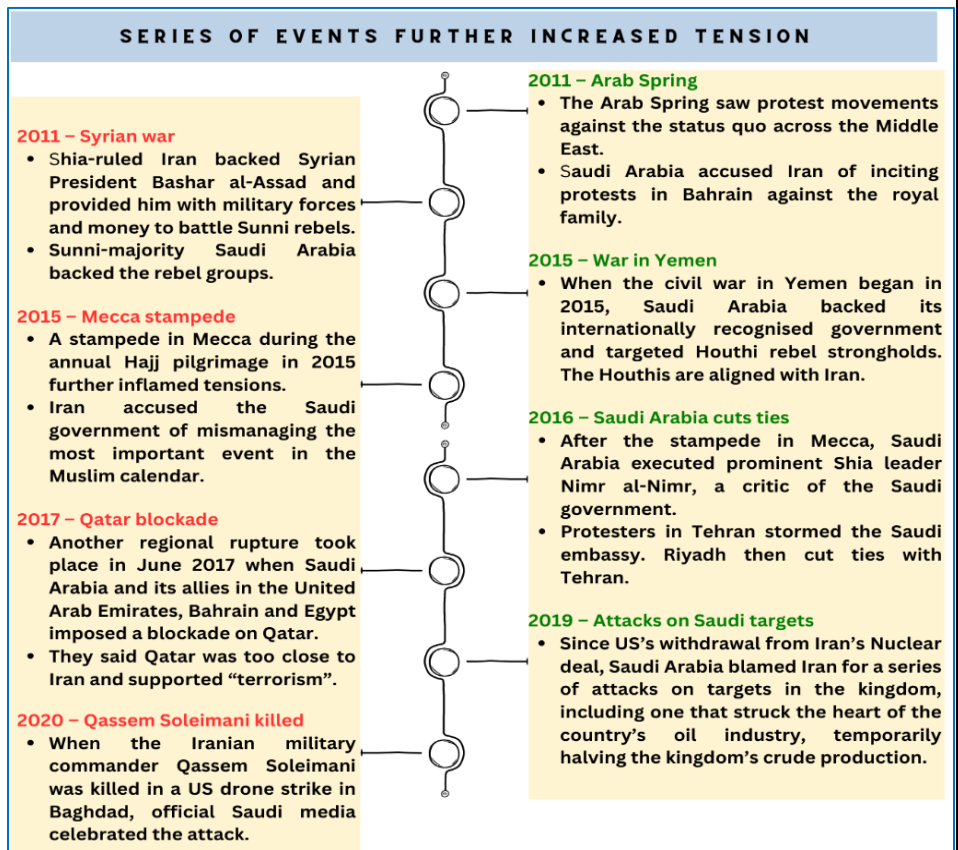
- **Peace And Stability In The Middle East**
  - Iran and Saudi Arabia had been engaged in many proxy wars in the region.
  - Against this backdrop, the recent agreement would help end the war in Yemen and de-escalate tensions in the Middle East region.
- **Highlights Beijing’s Growing Role**
  - China hosted the talks that led to the breakthrough, highlighting Beijing’s growing role as a global economic and political power, and counterbalance to Washington — particularly in the Middle East.

- So far, middle east had been a region that long shaped by the military and diplomatic involvement of the United States.
- **For United States**, the agreement signals that USA cannot take for granted the pre-eminent influence it once wielded in Saudi Arabia.
- **For India**
  - So far, India had maintained a good relationship with both the countries. However, due to the rivalry between Iran and Saudi Arabia, India had to walk on a diplomatic tight rope.
    - Tension between the two major countries in the region often endangered India’s interests.
  - Hence, this agreement would provide much needed space for India to manoeuvre.
  - This could help stabilize **global oil prices** and ensure a consistent supply of oil to India.
  - Chinese mediation will create challenges for India as it will contribute to increasing Chinese influence in the region.

**Iran - Saudi Arabia Rivalry**

• **Struggle for regional dominance**

- Saudi Arabia and Iran - two powerful neighbours - are locked in a fierce struggle for regional dominance.
- Historically Saudi Arabia, a monarchy and home to the birthplace of Islam, saw itself as the leader of the Muslim world.
- However, this was challenged in **1979** by the **Islamic revolution in Iran**. The revolution created a new type of state in the region - a kind of revolutionary theocracy - that had an explicit goal of exporting this model beyond its own borders.



• **Religious differences**

- The decades-old feud between them is exacerbated by religious differences.
- They each follow one of the two main branches of Islam - **Iran is largely Shia Muslim**, while **Saudi Arabia** sees itself as the leading **Sunni Muslim** power.

As both countries face common challenges like COVID-19 pandemic, economic pressures, and security threats, therefore restoration of diplomatic ties could pave the way for greater cooperation & stability in the Middle East. While many obstacles still remain, the recent diplomatic efforts provide a positive sign for the future of Iran-Saudi Arabia relations.



- **European countries started to focus on its security and defence.**
  - In this respect, the German turnaround from its post-World War pacifism was the most significant.
- **Re-energised Europe-US security alliance**
  - NATO has opened its door to the proposed inclusion of Sweden and Finland.
  - For this inclusion, Turkey's approval is awaited. If this inclusion takes place, it will form the new military frontiers of the alliance against Russia.
- **Europe at the centre of new arms race between Russia and the US**
  - Russia suspended its participation in the New START Treaty, negotiated with the US in 2011 to cap their nuclear weapons.
  - The trust deficit between Russia and the West is at an-all time high. The US-led alliance is pouring weapons into Ukraine.
- **Russia- China Axis**
  - Former Chinese foreign minister Wang Yi met President Putin in Moscow in an affirmation of the friendship formalised last year as "limitless".
  - However, keeping its economic interests in mind, Beijing does not wish to jeopardise its Europe ties.
  - Hence, over the last year, China has remained at arm's distance from Russia's war – no Chinese weapons for Moscow, and even a warning by President Xi Jinping against nuclear weapons.
- **Growing interest in the Indo-Pacific and the Quad**
  - Earlier, the security experts had predicted that the Russia-Ukraine war would distract US interest from the Indo-Pacific, which proved to be wrong.
  - Now, even European countries are showing more interest in the Indo-Pacific and the Quad than before, and want in.
- **Concerns of developing nations**
  - The war has disrupted the supply chain and the prices of energy, fertilisers and other essential commodities have increased.

#### Evolution of India's Position on the Russia-Ukraine War

- **Strategic autonomy**
  - For India, the Ukraine war has been an opportunity to practice strategic autonomy.
  - Adopting a nuanced neutrality, Delhi has maintained its relationship with Moscow and worked around Western sanctions to buy oil from Russia.
  - As much as 25% of India's oil purchase is now from Russia, from less than 2% before the war.
- **India's voting at UN and its bodies**
  - Last year, the UN and its bodies have voted on resolutions pertaining to the Russia-Ukraine war at least 39 times: 38 times since Russia invaded Ukraine on February 24 and once in January 2023.
  - India, which has maintained a diplomatic balancing act and has walked the tightrope between US-led West and Russia, has abstained on most occasions.
- **More calibrated stance adopted by Delhi in the past one year**
  - So far, India has taken a calibrated stance based on its own national interests.
    - It had said it was deeply disturbed, but did not name Russia at all.

- It called for cessation of violence and hostilities, which is permanent in nature.
- It had flagged its core concern about Indian nationals. About 22,000 Indian nationals, mostly students, had to be evacuated by special planes.
- It called for respect for territorial integrity and sovereignty, and respect for UN charter and international law.
- It advocated diplomacy. It maintained that dialogue and diplomacy is the path forward.
- During the early phase of the war, India relied on balancing act since it needed cooperation from both Russian and Ukrainian sides to evacuate its citizens from the conflict zone.
  - After its last batch of students were airlifted by the second week of March 2022, the Indian position focussed on the other elements: respect for UN charter, territorial sovereignty and integrity.
- Although, after the Bucha massacre - in which innocent civilians were killed - India joined the western chorus in condemning the incident.
  - It even asked for an international probe.
- **Nukes must be off the table**
  - As Russian President Putin made nuclear threats, India expressed concern.
  - India categorically said that no side should resort to the nuclear option.
    - Later, Central Intelligence Agency (CIA) chief said PM Modi's concerns about the use of nuclear weapons have had an impact on the Russians amid Ukraine war.
- **India and the issue of food grains**
  - New Delhi was approached by Ukraine and other partners to intercede when the issue of food grains being blocked by Russia was raised.
  - India stepped in to convey its message to Moscow.
- **India & G-20 declaration in Bali**
  - PM Modi's said to Russian President in Samarkand in September 2022 on the sidelines of the SCO that "This is not an era of war".
  - This became India's mantra, which even found its way into the G-20 declaration in Bali.
- **First virtual summit of the Voice of the Global South**
  - New Delhi's position also evolved as it felt the impact of the rising energy and commodities prices
  - In January 2023, India hosted the first virtual summit of the Voice of the Global South, where it raised the issue of rising prices of food, fuel and fertiliser.
  - It also flagged the concerns of the developing and the less-developed world on energy and food security. This will now be the consistent theme till the G-20 summit.
- **India and the upcoming G-20 summit**
  - With a year of geopolitical turmoil due to the Russia-Ukraine crisis, India as the chair of G-20, will face the challenge of negotiating a declaration while balancing between Russia and the West.

### Conclusion

- So far, India has walked on a diplomatic tightrope while maintain strategic autonomy in its decision making and promoting its national interests.
- But the longer the war continues, the more pressure on India from the Western alliance to choose the right side.

- E.g. Ukraine asked India to support a UNGA resolution timed for the first anniversary of the war, asking Russia to withdraw from its territory.
- In this context, serious diplomatic efforts need to be made to end the war and the upcoming G-20 presidency can be used as a platform towards this direction.

### US Rail Link Plan For West Asia

- Recently, Saudi Prince and Prime Minister hosted a special meeting of the National Security Advisers (NSAs) of India, U.S. and UAE, in the Kingdom of Saudi Arabia.
  - This meeting is being billed as another **important Quad in West Asia**.
- The leaders discussed an ambitious proposal to link West Asian countries through rail — **using Indian expertise** — and connect the region to South Asia via sea lanes.
  - The proposal is being pushed by the White House.

### Key Highlights Of The Meeting

- The participants discussed the broad contours of the massive joint project to build railway, maritime and road connectivity in the larger region.
- This project aims to link the Indian subcontinent in South Asia with West Asia — which the US calls the Middle East.
  - In other words, the project would connect Gulf and Arab countries via a network of railways.
  - This network would also be connected to India via shipping lanes from ports in the region.

### Why India Is Keen To Participate In The Project?

- **Presence of China in the West Asian region**
  - Beijing has expanded its sphere of political influence in the West Asian region through what Delhi views as **mission creep**.
    - Mission creep is a term used to describe a situation where a mission or project expands gradually beyond its original goals, often without clear direction or oversight.
  - The breakthrough in ties between Saudi Arabia and Iran had caught India unawares.
    - This breakthrough was mediated by China and it gave Beijing a space in the West Asia region.
- **India's Interests in West Asia**
  - This project has potential implications for India's interests in West Asia, which provides **energy security**.
    - Such connectivity will allow for faster movement of the crude and minimise India's costs in the long term.
  - The connectivity boost will also help India's eight million citizens who live and work in the Gulf region.
- **India As An Infrastructure Builder**
  - The project will help India build a brand as an infrastructure builder in the railways sector.
  - Boasting a strong rail network at home and buoyed by the success of creating such infrastructure in Sri Lanka, India has the confidence to do it overseas.
  - This will also have the effect of countering the Chinese Belt and Road project, which has burdened many countries in the region with infrastructure that has limited utility.
- **India's Connectivity To Its Western Neighbours Faces Several Challenges**
  - India feels that India's connectivity to its western neighbours has been limited for long by Pakistan's blocking of overland transit routes.

- So, Delhi wants to use shipping routes to reach West Asian ports.
- These include Chabahar and Bandar-e-Abbas (Iran), Duqm (Oman), Dubai (UAE), Jeddah (Saudi Arabia) and Kuwait City.

### China-Pakistan Nuclear Deal

- China and Pakistan signed an agreement for a **1,200 MW nuclear power plant** in the Chashma nuclear complex in Pakistan.
  - This is the fifth reactor at the Chashma nuclear complex (C-5).
- C-5 will be the biggest reactor at Chashma, where China has already constructed four phases of the complex, with four reactors of around 325 MW each.

### Implications of Recent China-Pak Nuclear Deal

- China's civilian nuclear projects with Pakistan have come under scrutiny.
- This is because the **Nuclear Suppliers Group (NSG) explicitly prohibits the transfer of nuclear technology by its members to countries that have not signed the nuclear Non-Proliferation Treaty (NPT)**.
- China has argued that the Chashma 3 and Chashma 4 reactors were conceived under its earlier Chashma deals with Pakistan that were pre-dated its joining of the NSG.

### How This Deal Is Different From India-U.S. Nuclear Deal?

- **India and the U.S. had to seek a waiver from the NSG** for their civilian nuclear deal, which was granted in 2008. However, neither Pakistan nor China has got waiver for the current deal.
- Also, India was granted the waiver after India undertook a number of commitments such as:
  - placing facilities under International Atomic Energy Agency (IAEA) safeguards,
  - separating civilian and military nuclear programmes and
  - a continued moratorium on testing.
- Pakistan has not given such commitments for this deal.

### Japan-South Korea Summit

- South Korean President Yoon Suk Yeol met Japan's Prime Minister Fumio Kishida in Tokyo - **the first such meeting in 12 years**
- During this summit, both the countries agreed to resume regular visits between their leaders and take steps to resolve a trade dispute.

### What Are The Issues Between Japan And South Korea?

- **Colonization of Korean Peninsula by Japan**
  - Japan effectively colonized the Korean Peninsula between 1910 and 1945, in a regime that imposed Japanese names and language on Koreans.
  - During this period, Japan conscripted many into forced labor or forced prostitution in military brothels.
  - Japan paid \$800 million in reparations to South Korea's military-run government in 1965, but this money was never distributed to victims.
  - Recently, Seoul has offered Tokyo concessions on South Korean demands for compensation over wartime forced labor.
  - However, it remains to be seen whether the South Korean public will accept reconciliation.

**• Longstanding territorial dispute**

- The two sides also have a longstanding territorial dispute over a group of islands controlled by South Korea and claimed by Japan.
- Regular visits between top leaders of both the countries were ended in 2012 after South Korean President Lee Myung-bak visited the disputed islands.

**• Escalation of tensions in recent years**

- Tensions escalated in the past 10 years as conservative Japanese governments moved to rearm the country while stepping up attempts to whitewash Japan's wartime atrocities.
- In 2018 South Korea's Supreme Court ordered Japan's Nippon Steel and Mitsubishi Heavy Industries to compensate forced labour victims.
- In 2019, Japan placed export controls on chemicals used to make semiconductors and displays used in smartphones and other high-tech devices.

**What Is The Significance Of This Summit?****• Shared security concerns in the region**

- Improved ties between South Korea and Japan could pave the way for the two U.S. allies to cooperate more closely on shared security concerns related to China and North Korea.
- Japan increasingly bolstered defense ties with the U.K., Australia, India and the Philippines.
- Hence, an improved relation between Japan and South Korea will further increase the security in the region.

**• For South Korea**

- South Korea is putting efforts to strengthen alliances to counter North Korea.
  - North Korea has been expanding nuclear-capable missiles and issuing threats of pre-emptive nuclear strikes.
- For South Korea, stronger economic cooperation with Tokyo has become more crucial in the face of industrial supply chain disruptions and other global challenges.

**• For India**

- Improved ties between Japan and South Korea could potentially benefit India in various ways, especially in terms of economic and strategic relations.
  - Japan and South Korea are two of India's largest trading partners in Asia.
  - Both Japan and South Korea have significant technological expertise, and India has been trying to develop its technology sector as part of its "Make in India" campaign.
  - From a strategic standpoint, Japan and South Korea are important partners for India in the Asia-Pacific region.

**Xi - Putin Meeting**

- China's President Xi Jinping paid a state visit to Russia. He landed in Moscow days after the International Criminal Court issued warrants for the arrest of President Vladimir Putin for alleged war crimes.
  - This was his first trip to Russia since the country invaded Ukraine last year.
- His trip to Russia offers a symbolic shot in the arm to his increasingly isolated Russian counterpart, Vladimir Putin.
- It also highlights Xi's determination to push back against American power in the world.

## Why China-Russia Relationship Matters To Beijing?

- **From security point of view**
  - It is imperative for Beijing to maintain both outreach and cordial relations with Moscow.
  - Despite the fall of Soviet Union, Russia is still China's largest neighbour, a major source of military technology.
  - Russia continues to exercise influence in the former Soviet states that border China's troubled west.
- **Economic and energy security**
  - Russia is now a major source of hydrocarbon energy as well as a market for China's manufacturing and technology.
- **Strategic**
  - China sees in Russia an ally in the opposition to Western liberal ideas and a US-led global order.
  - The Chinese under Xi declared a partnership with no limits during Putin's visit to Beijing in early February 2022 on the eve of his invasion of Ukraine.
  - To the Chinese, Western sanctions against Russia are an example of what a new Chinese document on their Global Security Initiative calls "abusing unilateral sanctions and long-arm jurisdiction".
- **Message to non-western world**
  - Xi sees value in showing the non-Western world that there is an alternative to American power and ideas of how the world should be run.

## Does China Want The War To End?

Experts believe Beijing is unlikely to want an end to the Russian war in Ukraine for several reasons.

- **Weak Russia is an opportunity for China**
  - Being tied down in Ukraine has the effect of weakening Russia militarily, economically, and politically.
  - This is a vacuum that China can step into, especially in Eurasia.
- **Diversion of the United States' attention and resources**
  - A prolonged conflict in Ukraine means that the West's, and in particular the United States', attention and resources are diverted.
- **Rising Chinese role**
  - A continuing crisis in Ukraine offers opportunities for international messaging about the relative rise in Chinese power in comparison to both the Russians and Americans.

## Sudan Crisis

- Fierce fighting broke out between the **Sudan's army** and its paramilitary forces in Khartoum.
- Clashes erupted after weeks of heightened tensions between the **Rapid Support Forces (RSF)**, a paramilitary group led by **Mohamed Hamdan Dagalo** and the **Military**, headed by **Lt Gen Abdel Fattah al-Burhan**.

## Origin of Sudan Conflict

- **Ouster of President Omar al-Bashir**
  - The roots of the ongoing conflict go back to April 2019, when Sudan's long-serving authoritarian President Omar al-Bashir was overthrown.
  - He was overthrown by military generals following a countrywide uprising against him.



- **Constitution of the Sovereignty Council (a power-sharing body)**
  - Despite Bashir's ouster, civilians continued their demonstrations, seeking democratic elections and the establishment of a civilian government.
  - This led to the constitution the Sovereignty Council, a power-sharing body of military officers and civilians.
  - This council would lead Sudan to elections at the end of 2023 and **Abdalla Hamdok** was appointed Prime Minister for the transitional period
- **Military overthrew Hamdok's government in October 2021**
  - The new arrangement was short-lived as the military overthrew Hamdok's government in October 2021, and Burhan became de-facto leader of the country.
    - Dagalo, vice-president of the ruling council and Burhan's partner in the military seizure of power, became the second-in-command.
  - Burhan announced that the military would hold power until elections are held in July 2023.
- **Tussle between Army and RSF**
  - Soon after the 2021 coup, relations between the military and the RSF deteriorated.
    - RSF was formed in 2013, and has been accused of human rights abuses, including the massacre of more than 120 protesters in June 2019.
  - Burhan and Dagalo disagree over how the 10,000-strong RSF should be integrated into the army, and which authority should oversee that process.
- **Ferocious battle broke out**
  - Later, the RSF was redeployed around the country, which the army saw as a provocation and threat.
  - With both sides on edge, a ferocious battle broke out recently.

### **Countries With Stake In Sudan**

- Owing to its strategic location on the Red Sea, access to the Nile River, the vast swath of gold reserves and agriculture potential, Sudan has long been coveted by outside powers.
- **Neighbouring States in Africa**
  - Sudan's geographic location is crucial as it borders seven countries — Egypt, Ethiopia, Libya, Chad, the Central African Republic, Eritrea and South Sudan.
  - Therefore, many analysts fear that the ongoing war would spill over into neighbouring countries, which are already mired in their own internal conflicts, causing destabilisation of the entire region.
- **United Arab Emirates**
  - Once South Sudan seceded from Sudan, it took away 75 per cent of Khartoum's oil resources with it.
  - In a bid to contain the shrinking economy, Sudan lured foreign investors and one of them was the UAE.
  - The UAE also used the opportunity to expand its influence in the Horn of Africa.
- **Russia**
  - Russia has been wanting to construct a naval base in Port Sudan, located on one of the world's busiest and most contested sea lanes.
- **Israel**
  - Israel seeks support from Sudan in its efforts to encourage other Arab and Muslim nations to form a political and military front against its arch-enemy Iran.

• **Western Countries**

- The West, including the United States, unanimously celebrated when Bashir was ousted from power in 2019.
- It hoped that the development would not only bolster the country’s transition to democracy but also curtail the growing influence of Russia and China in the region.

• **India**

- Over the years, India has developed close ties with Sudan and in recent years warmed up to the Government of South Sudan as well.
- In the last decade, India’s investments have been mainly in the energy sector.
- In 2003, India’s ONGC Videsh Ltd (OVL) had invested \$750 million to acquire 25 per cent equity held by the Talisman group in the Greater Nile Petroleum Operating Company (GNPOC).

**EU’s New Laws To Regulate Content Online**

- The European Union (EU) has given final approval to online safety-focused legislation, known as the **Digital Services Act (DSA)**.
- The law tightly regulates the way intermediaries, especially large platforms such as Google, Meta, Twitter, and YouTube, function in terms of **moderating user content**.
  - ✓ Instead of letting platforms decide how to deal with abusive or illegal content, the DSA lays down specific rules and obligations for these companies to follow.

**Key Features of Digital Services Act**

**1. Faster Removals And Provisions To Challenge**

- Social media companies will have to add new procedures for faster removal of content deemed illegal or harmful.
- They will also have to explain to users how their content takedown policy works.
- The DSA also allows for users to **challenge** takedown decisions taken by platforms and seek out-of-court settlements.

**2. Bigger Platforms Have Greater Responsibility**

- Very Large Online Platforms and Very Large Online Search Engines, that is platforms, having more than 45 million users in the EU, will have more stringent requirements.
- Hence, the law avoids a one-size fits all approach and places increased accountability on the Big Tech companies.

**How does the EU’s DSA compare with India’s online laws?**

**Information Technology Rules, 2021**

- In February 2021, India had notified extensive changes to its social media regulations in the form of the *Information Technology Rules, 2021 (IT Rules)*.
- These rules placed significant due diligence requirements on large social media platforms such as Meta and Twitter.
- This included:
  1. **Appointing key personnel** to handle law enforcement requests and user grievances,
  2. **Enabling identification of the first originator** of the information on its platform under certain conditions,
  3. **Deploying technology-based measures** on a best-effort basis to identify certain types of content.

**Amendments to the IT Rules**

- ✓ In June 2022, with a view to make the Internet open, safe and trusted, and accountable, the IT Ministry proposed further amendments to the IT Rules.
- ✓ One of the most contentious proposals is the creation of **government-backed grievance appellate committees** which would have the authority to **review and revoke content moderation decisions taken by platforms**.

**Other laws**

- India is also working on a **complete overhaul of its technology policies** and is expected to soon come out with a replacement of its IT Act, 2000.
- This law is expected to look at ensuring **net neutrality and algorithmic accountability** of social media platforms, among other things.

### 3. Direct Supervision by European Commission

- These requirements and their enforcement will be centrally supervised by the European Commission itself.
- This is to ensure that companies do not sidestep the legislation at the member-state level.

### 4. More Transparency On How Algorithms Work

- Very Large Online Platforms and Very Large Online Search Engines will face transparency measures and scrutiny of how their algorithms work.
- They will be required to conduct systemic risk analysis to drive accountability about the society impacts of their products.

### 5. Clearer Identifiers For Ads And Who's Paying For Them

- Online platforms must ensure that users can easily identify advertisements and understand who presents or pays for the advertisement.
- They must not display personalised advertising directed towards minors or based on sensitive personal data.

### 6. Safe Harbour to Intermediaries

- The platforms and other intermediaries will **not be liable** for the unlawful behaviour of users. So, they still have 'safe harbour' in some sense.
- However, if the platforms are "aware of illegal acts and fail to remove them," they will be liable for this user behaviour.

## Regional And Global Groupings/Agreements

### G7 Summit 2023

- The Leaders of the Group of Seven (G7) met in Hiroshima for **49<sup>th</sup> annual Summit**. This year's summit is hosted by Japan in its capacity as the President of the grouping.
  - The choice of Hiroshima as host city of the G7 Summit underlines Prime Minister Kishida's commitment to put nuclear disarmament and non-proliferation prominently on the agenda of the meeting.
- **PM Modi** also attended the Summit at invitation of Japanese PM and as President of the G20 this year.

### G7 Hiroshima Leaders' Communiqué

- **On Ukraine**
  - Condemned in the strongest possible terms the war of aggression by Russia against Ukraine.
  - Separately issued G7 Leaders' Statement on Ukraine.
  - Decided to take concrete steps to support Ukraine for as long as it takes in the face of Russia's illegal war of aggression.
- **On Disarmament and Non-proliferation**
  - Decided to strengthen disarmament and non-proliferation efforts, towards the ultimate goal of a world without nuclear weapons with undiminished security for all.
  - The summit also released the **G7 Leaders' Hiroshima Vision on Nuclear Disarmament**.
- **Global Economy, Finance and Sustainable Development**
  - It decided to coordinate the approach of members to economic resilience and economic security that is based on diversifying and deepening partnerships and de-risking, not de-coupling.

- It decided to work on issues such as resilient supply chains, non-market policies and practices, and economic coercion.
- **Debt sustainability undermining progress towards SDGs**
  - Supported the G20's effort to improve the implementation of the *Common Framework for Debt Treatments beyond the Debt Service Suspension Initiative (DSSI)*.
    - DSSI means that bilateral official creditors are, during a limited period, suspending debt service payments from the poorest countries that request the suspension.
  - It welcomed the development of **Climate Resilient Debt Clauses (CRDC)** to enhance the safety net for borrowers facing the impacts of climate change.
- **On infrastructure**
  - It reaffirmed the shared commitment to the **G7 Partnership for Global Infrastructure and Investment (PGII)** and to working together and aiming to mobilize up to **\$600 billion by 2027 for infrastructure funding**.
- **Clean energy economy**
  - Decided to take concrete steps to drive the transition to clean energy economies through cooperation within and beyond the G7.
  - Expressed its commitment to deepen cooperation through Just Energy Transition Partnerships (JETPs), the Climate Club and new Country Packages for Forest, Nature and Climate.
  - Also decided to preserve the planet by accelerating the decarbonization of energy sector and the deployment of renewables, end plastic pollution and protect the oceans.
- **Food Security**
  - Announced that member countries are taking concrete steps to **launch the Hiroshima Action Statement for Resilient Global Food Security** with partner countries to address needs today and into the future.
- **On China**
  - Urged China to pressure its strategic partner Russia to end its war on Ukraine.
  - The leaders expressed serious concern about the situation in the East and South China seas, where Beijing has been expanding its military presence and threatening to use force to exert its control over self-governed Taiwan.
  - The statement said there was "no legal basis for China's expansive maritime claims in the South China Sea."
    - It opposed China's militarization activities in the region."
- **On regulating AI**
  - The digital ministers of the G7 had agreed to adopt "risk-based" regulation on artificial intelligence (AI).
    - The agreement sets a landmark for how major countries govern AI amid privacy concerns and security risks.
  - The ministers planned to convene **future G7 discussions on generative AI** which could include topics such as governance, how to safeguard intellectual property rights including copyright, etc.

### **G7 Ministers' Meeting on Climate, Energy and Environment**

- Climate and Energy Ministers and envoys from Group of Seven (G7) countries met for a two-day conference in Sapporo, Japan.

- Environment Minister of India had also participated in the summit with India being invited as a guest, in the context of its presidency of the G-20.

### Key Highlights

- **Carbon-free electricity production by 2035**
  - Participating leaders committed to work towards ensuring carbon-free electricity production by 2035 and accelerating the phase-out of coal.
    - This is significant as G7 nations account a quarter of global carbon emissions.
  - A proposal to have a 2030 deadline for phasing out coal was shot down.
  - The final text gives leeway for continued investment in gas, on the grounds that it could be a stopgap against energy shortfalls.
- **Agreed to accelerate solar and wind energy investments**
  - The participants also agreed to accelerate solar and wind energy investments to produce 1,000 gigawatt (GW) by 2030 from solar power and 150 GW of wind power from off-shore platforms.
- **On fossil fuel subsidies**
  - The leaders reaffirmed that fossil fuel subsidies are *inconsistent* with the goals of the Paris Agreement.
  - They expressed their commitment to the elimination of inefficient fossil fuel subsidies by 2025.
- **Net-zero greenhouse gas (GHG) emissions by 2050**
  - Recognising the current global energy crisis and economic disruptions, participants reaffirmed their commitment of accelerating the clean energy transition to net-zero GHG emissions by 2050 at the latest.

### Significance of G7

- **Economic Significance:** G7 nations account for:
  - close to 60 percent of global net wealth,
  - ~46 percent of global gross domestic product, and
  - ~10 percent of the world's population.
- **Political Significance**
  - Political heavyweights are capable of shaping the response of Multilateral challenges.
  - In 1999, it created the Financial Stability Forum in order to manage the international monetary system
- **G7 & COVID-19 Pandemic**
  - 47th G7 summit (held in June 2021) focused on the recovery from ongoing COVID-19 pandemic.
  - It promised to distribute 1 billion vaccines to poorer countries
  - Its theme was Global Action to Build Back Better.
- **Developmental Significance**
  - G-7 provided \$300 million in 1997 to help build the containment of the reactor meltdown at Chernobyl.
  - G7 played crucial role in setting up a global fund to fight malaria and Aids in 2002.
  - In October 2020, G7 finance ministers backed an extension of a G20 bilateral debt relief initiative for the world's poorest countries.
    - It is also known as *Debt Service Suspension Initiative (DSSI).*
    - It means that bilateral official creditors are, during a limited period, suspending debt service payments from the poorest countries that request the suspension.

**G20 Finance Meet**

- First G20 Finance Ministers and Central Bank Governors (FMCBG) under India's G20 Presidency meeting took place in Bengaluru. The meeting ended without a joint communique.
  - A joint communique could not be issued as differences prevailed among member nations over how to describe Russia's invasion of Ukraine.
  - Russia and China opposed the paragraphs condemning Russia's war on Ukraine.
  - These countries took the position that finance ministers and central bank governors should not get into geopolitical issues and that the mandate of FMCBG nations was to discuss economic issues.
- In place of a joint communique, a **G20 Chair's Summary and Outcome Document** was released

**Key Highlights Of The Chair's Summary And Outcome Document**

- **Retained the words of the G20 Bali Leaders' Declaration**
  - The document retained G20 Bali Leaders' Declaration (November 15-16, 2022) regarding the Russia-Ukraine war.
    - Bali declaration proclaimed "today's era must not be of war", echoing PM Modi's remarks before President Putin on the sidelines of the SCO summit in September 2022.
    - The declaration had also endorsed PM Modi's emphasis on three key points: **threat of use of nuclear weapons is inadmissible, diplomacy and dialogue** and **today's era must not be of war**.
- **Urgency to address debt vulnerabilities in low and middle-income countries**
  - Strengthening multilateral coordination by official bilateral and private creditors is needed to address the deteriorating debt situation and facilitate coordinated debt treatment for debt-distressed countries.
  - The document tasked the *International Financial Architecture Working Group* to develop a G20 Note on the Global Debt Landscape in a fair and comprehensive manner.
  - Vulnerable nations are looking at G20 nations to relieve the debt stress.
    - The four countries – Ghana, Sri Lanka, Zambia and Ethiopia, would benefit from the current discussions on *debt restructuring*.
- **Joint technical paper on crypto-assets**
  - The document also decided to ask the *IMF and the Financial Stability Board (FSB)* to bring out a joint technical paper on crypto-assets.
    - Originally, this was proposed by India in order to synthesise the macroeconomic and regulatory perspectives of crypto-assets.
  - These organisations are expected to present their joint paper during the 4<sup>th</sup> G20 FMCBG Meet, scheduled in October 2023.
  - This would help in the formulation of a coordinated and comprehensive policy approach to crypto assets.
    - This is relevant as many countries, including India, do not have a regulatory framework for crypto assets.

**Issue Of Unsustainable Debt Levels**

- According to a new policy brief published by the **United Nations Development Programme (UNDP)**, 52 low and middle-income developing economies are either in debt distress or at high risk of debt distress.
  - This accounts for more than **40% of the world's poorest people**.
- 25 developing economy governments have external debt service payments higher than 20% of total revenue



– the highest number of countries in more than 20 years.

- The UNDP report added that a **30% haircut** on their public external debt stock in 2021 could help save up to \$148 billion in debt service payments over eight years.
  - Specific to debt restructuring, a haircut is the reduction of outstanding interest payments or a portion of a bond payable that will not be repaid.
- In December 2022, **World Bank** had said that the world's poorest countries owe \$62 billion in annual debt service, a year-on-year increase of 35%, warning of a rising risk of defaults.

#### **Steps Taken By The World Leaders To Address The Issue**

- Debt restructuring along with inflation control and harnessing digital progress were also listed as crucial policy priorities by IMF.
- **Under the G20 Presidency, India has been pressing for ways to tackle the aggravated debt vulnerabilities** facing developing nations mainly on account of the continuing geopolitical tensions and the pandemic.
- Group of creditors are preferring to have a haircut (debt forgiveness).
- On the other hand, there are group of countries, led by China, who are using rescheduling with lower interest rates as to tool to help these vulnerable countries.

#### **EXTRA MILE: Global Sovereign Debt Roundtable (GSDR)**

- *Started its work in (February) 2023, the roundtable is **co-chaired by the IMF, World Bank and India** (G20 Presidency) and comprises -*
  - *Official bilateral creditors (both traditional creditors members of the Paris Club and new creditors), Private creditors and Borrowing countries.*
- *The objective of the GSDR is*
  - *To build greater **common understanding among key stakeholders** involved in debt restructurings,*
  - ***To work together on the current shortcomings** in debt restructuring processes, both within and outside the Common Framework, and ways to address them.*
- *Its focus is on **process and standards** (not to discuss country cases) and **will not replace existing restructuring mechanisms** such as the Common Framework.*
- *Instead, it will support those mechanisms by fostering greater common understanding on concepts and principles, which will in turn facilitate **individual restructurings.***
  - ***For example,** the Roundtable could ease bottlenecks stemming from lack of sharing of information among debtors, creditors, etc.*

#### **17<sup>th</sup> G20 Summit 2022: Bali Declaration**

The G20 Bali Declaration was finally adopted by consensus even though it failed to gloss over serious differences over Ukraine.

#### **Bali Declaration: Key Highlights**

- **Theme:** 'Recover Together, Recover Stronger'.
- **On the Russia-Ukraine**
  - The declaration acknowledged differences among members on the Russia-Ukraine war but stressed that it was essential to adhere to international law, including protection of civilians caught in conflicts.
    - Most members strongly condemned the war in Ukraine, but the declaration noted that there were other views and assessments of the situation.

- o It also said that the use/threat of use of nuclear weapons is inadmissible.
- **Welcomed the Turkey and UN-brokered Black Sea Grain Initiative**
  - o The declaration welcomed the Turkey and UN-brokered Black Sea Grain Initiative that secured a Russia Guarantee to allow the export of Ukrainian grain.
- **Other issues covered**
  - o The declaration covered a range of issues, from **climate change** to corruption, and from Covid vaccination to imparting computer skills to women.
- **The G20 is not the forum to resolve security issues**
  - o The declaration recognised that the G20 is not the forum to resolve security issues.
  - o However, it agreed that security issues can have significant consequences for the global economy.

### India emerged as leader, consensus builder

- **Declaration Strengthened India’s position:** The declaration reiterated India’s position since the beginning of the war:

respect for UN charter

advocating diplomacy and dialogue

need for peace and stability

against the use and threat of use of nuclear weapons

- **Declaration echoed PM Modi’s remark**
  - o The declaration proclaimed “**today’s era must not be of war**”, echoing PM Modi’s remarks before President Putin on the sidelines of the SCO summit in September.
- **India acted as consensus builder**
  - o India has emerged as a leader, solution provider and consensus builder through its positive and constructive approach in framing the G20 communique.
    - India played a key and critical role in bringing consensus amongst countries after all the meetings round the year failed and when there was total deadlock.
    - India worked in partnership with all developing countries and emerging markets to draft the final statement and the preamble to the statement.
  - o India made sure that the country’s viewpoints are prominently reflected in the statement.
- **India also managed to get important references in the communique on:**
  - o sustainable development and lifestyles; new quantified goals for climate finance post 2025; additional finance by multilateral development banks for SDGs; multilateral reforms aimed at implementing the 2030 agenda; seamless and interoperable international travel.

### 19th ASEAN-India Summit

- The 19th ASEAN-India Summit was held in Phnom Penh, Cambodia. India was represented by Vice President Jagdeep Dhankhar. Cambodia, as the current Chair of ASEAN, hosted this Summit.
  - o **ASEAN-India Summits are held annually.** It provides opportunity for India and ASEAN to engage at the highest level.
  - o PM Modi attended the 18th ASEAN-India Summit held virtually in October 2021.
- Vice-President Dhankhar announced an additional contribution of USD 5 million to the ASEAN-India science and technology fund.
  - o This fund is aimed at enhancing cooperation in sectors of public health, renewable energy and smart agriculture.

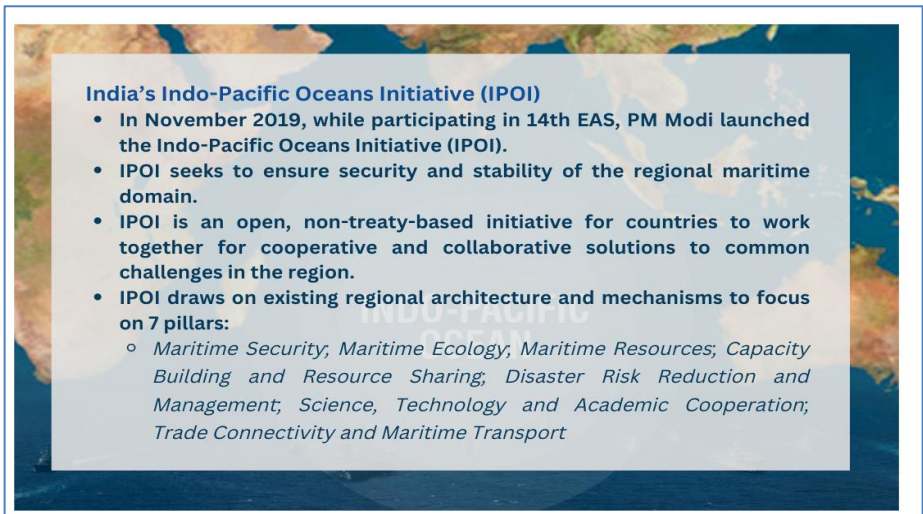
### Key Highlights of The Summit

- At the end of summit, both sides released a joint statement reaffirming the importance of:
  - maintaining and promoting peace, stability, maritime safety, freedom of navigation and overflight in the Indo-Pacific region, and
  - also, commitment to peaceful resolution of disputes, in accordance with international law, including UNCLOS.
- The joint declaration called for establishing a **Comprehensive Strategic Partnership**.
- The ASEAN states appreciated India's support for ASEAN centrality in the evolving regional architecture.
- India and ASEAN also agreed to enhance cooperation against terrorism and transnational crimes, including international economic crimes and money laundering, cybercrime, drugs and human trafficking, and arms smuggling.
- They also called for deepening cooperation in military medicine.

### ASEAN-India Engagement

#### • Key Milestones in India – ASEAN Relationship

- ASEAN and India became **Summit-level partners in 2002**, and **Strategic partners in 2012**.
- They elevated their relationship to a **Comprehensive Strategic Partnership** in November 2022, during 19th ASEAN-India Summit in Phnom Penh.
- The year 2022 marks **30 years of ASEAN-India relations** and it has been designated as ASEAN-India Friendship Year by the leaders in October 2021.



- There is **ample closeness** between India's "**Indo Pacific Oceans Initiative**" and ASEAN's "**Outlook on Indo Pacific**".
- India firmly believes that a "Cohesive and Responsive ASEAN" is essential for "Security and Growth for All in the Region (SAGAR)".



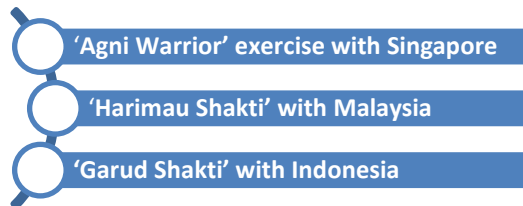
#### **ASEAN Outlook for the Indo-Pacific (AOIP)**

- In June 2019, the ten-member Association of Southeast Asian Nations (ASEAN) has adopted the 'ASEAN Outlook on the Indo-Pacific'.
- It outlines the ASEAN's concept and strategy of the Indo-Pacific.

#### • India-ASEAN Trade Relation

- ASEAN is India's 4th largest trading partner (accounting for 10.2% of India's total trade) and India is ASEAN's 7th largest trading partner
- India's total trade with ASEAN from April 2021 to March 2022 was \$78.90 billion. Balance of trade is highly favourable to ASEAN.
  - On the other hand, ASEAN became China's largest trading partner in 2020 and remains so.
  - ASEAN's total trade with China in for the period January to April 2022 amounted to \$274.50 billion.

- ASEAN and India have set a trade target of 200 billion USD by 2022.
- **Investment:** Between 2000-2021 cumulative FDIs from ASEAN to India was \$117.88 billion. These were mainly accounted for by Singaporean investments in India (\$115 billion).
  - Indian investment into ASEAN since April 2019 till March 2022 is US\$ 55.5 billion out of which US\$ 51.5 billion investment is in Singapore.
- On trade and investment, the review of ASEAN-India Trade in Goods Agreement (AITIGA) has been long pending. India has called for an early review of the Agreement.
  - AITIGA has been in place since 2010.
- **India's military relationship with ASEAN countries**
  - With an eye on China, India has been steadily cranking up military relations with ASEAN countries through combat exercises, exchanges, training programmes and now increasingly weapon supplies over the years.
    - India conducted the **SIMBEX naval exercise with Singapore** in the Bay of Bengal earlier this month.
    - In the November-December time-frame, the Indian Army is also conducting:



- India inked the \$375 million contract to export the 290-km range BrahMos supersonic cruise missiles to the Philippines in January 2022.
  - It is now looking for more such deals with other ASEAN countries like Indonesia and Vietnam.
- India also plans to sell the indigenous Akash missile systems to countries like Philippines, Indonesia and Vietnam, among other countries.
  - Akash missile systems can intercept hostile aircraft, helicopters, drones and subsonic cruise missiles at a range of 25-km.

### Quad Summit 2023

- PM of Australia, PM of India, PM of Japan, and President of the United State met for the **third in-person Quad Leaders' Summit**.
- This summit was hosted by Prime Minister Albanese (Australia) on the side-lines of the ongoing G-7 Summit in Hiroshima.

### Key Highlights Of Quad Summit 2023

- **Statements Released**
  - The leaders issued a **joint vision statement** titled '*Enduring Partners for Indo-Pacific*'.
    - The statement expressed the resolve of the Quad leaders to act as a "force for good" to find common solutions for region-wide benefit.
  - They also issued three other statements setting out **Quad Principles on:**
    - clean energy supply chains,
    - cybersecurity and secure software, and
    - critical and emerging technology standards.

- The **Quad International Standards Cooperation Network** and the **Quad Principles on Critical and Emerging Technology Standards** were released.
  - This reflected the support of Quad leaders for industry-led, consensus-based multi-stakeholder approaches to the development of technology standards.
- **India to host next Quad summit in 2024**
- **Explicitly expressed their deep concern over the Ukraine war** : Participating leaders, **for the first time**, explicitly expressed their deep concern over the war raging in Ukraine.
- **Did not directly refer to Russia's actions**
  - Quad countries recognised its serious impacts on the global economic system including on food, fuel and energy security and critical supply chains.
  - However, they did not directly refer to Russia's actions, understood to be in deference to India's divergent stand on the issue.
- **On Indo-Pacific region**
  - The leaders recommitted themselves to maintain and strengthen stability in the Indo-Pacific region according to international law.
    - In his address at the summit, PM Modi described the Indo-Pacific region as an engine of global trade, innovation, and development.
  - The statement did not refer directly to China, but made pointed references to upholding peace and stability in the Indo-Pacific maritime domain.
- **Quad Health Security Partnership**
  - The Quad leaders announced they would now pursue a broader "Quad Health Security Partnership" rather than the earlier Quad Vaccine Partnership for COVID-19 vaccines.
    - Announced in March 2021, the Quad Vaccine Partnership aimed to donate 1.2 billion doses of COVID-19 vaccines to the Indo-Pacific by the end of 2022.
    - Under this partnership, **India would produce vaccine doses**, the United States would finance dose production, and Australia and Japan would aid in vaccine manufacturing, distribution, and financing efforts.
- **Issue of Terrorism**
  - With specific references to the 2008 Mumbai attack and the 2016 Pathankot airbase attack, they committed to:
    - pursuing terrorist designations at the UN Security Council, and
    - strengthening cooperation through a new Working Group on Counterterrorism.
  - The new Working Group on Counterterrorism was announced during the Quad Foreign Ministers' Meeting in March 2023.
- **New undersea cable infrastructure partnership** to build networks across the region.
- **Maritime domain**
  - The Quad leaders emphasised the importance of adherence to international law and the maintenance of freedom of navigation and overflight.
  - They noted progress on the **Indo-Pacific Partnership for Maritime Domain Awareness (IPMDA)** to help curb illicit maritime activities, illegal fishing, and humanitarian disasters.
    - In May 2022, U.S. President Joe Biden announced IPMDA, an initiative with regional partners and allies to promote a free and open Pacific.

- The IPMDA intends to connect regional partners and allies with American technologies to provide greater maritime situational awareness in real-time.
- **Quad Investors Network (QUIN)**
  - The leaders welcomed the *launch of the private sector-led Quad Investors Network (QUIN)*.
  - QUIN aims to facilitate investments in strategic technologies, including clean energy, semiconductors, critical minerals, and quantum.

### PM Modi Calls for G-20 Membership for African Union

- Prime Minister Narendra Modi has written to the leaders of the G-20 nations proposing that the African Union be given full membership of the grouping at its upcoming summit in India.
- India is hosting the G-20 summit in Delhi in September in its capacity as the current chair of the grouping.

### Why India Has Proposed The Inclusion Of AU In G20?

- By proposing the African Union for G20 membership, India has pitched itself as a leader of the developing and underdeveloped countries.
- This is also in sync with **India's aspiration for permanent membership of the UNSC**, for which Delhi is keen to garner support from Africa that has 55 votes.
- Also, analysts believe the inclusion of AU is a right step towards a just, fair, more inclusive and representative global architecture and governance.
  - There is only one country from the entire African continent in the grouping – South Africa.
  - On the other hand, Europe is represented by five countries as well as the European Union (EU).

### African Union

- The AU is an intergovernmental organization consisting of the **55 member** states that make up the countries of the African Continent.
- **Purpose of AU**
  - The AU is guided by its vision of “An Integrated, Prosperous and Peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena.”
  - A deadline of 2063 has been set to achieve this mission, representing the centenary of the OAU's formation.
  - Agenda 2063's aspirations include:
    - A prosperous Africa, based on inclusive growth and sustainable development
    - An integrated continent, politically united, based on the ideals of Pan-Africanism
    - An Africa of good governance, democracy, respect for human rights, justice and the rule of law.
    - To achieve the goals set by Agenda 2063, the AU is setting itself a series of five 10-year plans, with the first plan running from 2014 to 2023.
- **Role of AU in promoting peace in the continent**
  - The AU believes that conflicts must be settled before there can be a chance of achieving prosperity. To this end, it set up a Peace and Security Council in 2004.
  - The council may intervene in conflicts, replacing the principle of non-interference with one of non-indifference.
  - The council can deploy military forces in situations which include genocide and crimes against humanity. It can authorise peacekeeping missions.



- The AU oversees the **New Partnership for Africa's Development** (Nepad).
  - This is an anti-poverty blueprint which offers a bargain with the West: the promotion of good political and economic practice in return for more aid and investment.
- The African Union has regularly suspended member-states over coups d'etat, re-admitting them when they return to constitutional rule.

### Voice of Global South Summit

India hosted the Voice of Global South Summit in virtual mode.

#### About The Summit

- Theme — **“Unity of Voice, Unity of Purpose”**.
- It is an effort to give “voice to the unheard”, and thereby **leverage India’s role as the current G20 president**.
- The idea behind the summit is that India will work to ensure that inputs generated from this Summit deliberations will be pushed forward at the G20 summit.
  - India holds the presidency of G20 this year.
- The initiative is inspired by Prime Minister Narendra Modi’s vision of **Sabka Saath, Sabka Vikas, Sabka Vishwas and Sabka Prayaas**, and is underpinned by India’s philosophy of **“Vasudhaiva Kutumbakam”**.

#### Key Highlights of The Summit

- Underlining that the world is in a state of crisis, PM Modi told leaders of developing countries that **“your voice is India’s voice”** and **“your priorities are India’s priorities”**.
- **PM Modi gave the mantra of ‘Respond, Recognize, Respect & Reform’** to re-energise the world
  - **Respond** to the priorities of the Global South by framing an inclusive and balanced international agenda.
  - **Recognize** that the principle of ‘Common but Differentiated Responsibilities’ applies to all global challenges.
  - **Respect** sovereignty of all nations, rule of law and peaceful resolution of differences and disputes; and,
  - **Reform** international institutions, including the United Nations, to make them more relevant.
- PM Modi also highlighted the fact that the Global South does not have adequate voice in the eight decades old model of global governance.
- He further stated that most of the **global challenges have not been created by the Global South** but they affect us more. Despite this, the search for solutions does not factor in our voice.
  - E. g. COVID pandemic, climate change, terrorism and Ukraine conflict

#### Significance

- **Leading from the front**
  - With this summit, India has expressed its aspiration to become Voice of the Global South at the G20.
- **India’s push for human centred globalisation**
  - It also highlights India’s push for **human centred globalisation** countering the first world’s view of expediting climate change goals at the cost of development.
  - India ensuring immigration and work mobility for skilled populations of the global south, and resilient renewable energy access.

- **Expressed India’s intent towards more just view of the world**
  - During its presidency of G-20, India wants to focus on a more just view of the world and to show how the developing world is being affected by global inequities.
- **Acknowledgment of India’s common past with global south**
  - This summit was the acknowledgment of **India’s “common past” with the Global South**, many of whom have suffered colonialism.
  - Now, India recognises the need to build a common future with the Global South.

**Conclusion**

For India to be heard as the ‘Voice of the Global South at the G20’, it must reflect on the aspirations of the other nations and amplify them as a true leader of the developing world at the G20 summit later this year.

**Asia and Pacific Regional Meeting (APRM) of ILO**

- The 17<sup>th</sup> Asia and the Pacific Regional Meeting (APRM) of the International Labour Organization (ILO) was organised in Singapore. The APRM discussed issues affecting employment and the world of work in Asia, the Pacific and Arab States.
- The meeting concluded with **“Singapore Declaration”** through which participants agreed to bolster efforts to achieve social justice and decent work for all.

**Key Highlights of Singapore Declaration**

- It sets **ten-point priorities of national action** for the member countries to deal with the issue of dwindling wages of workers, inflation and unemployment.
- The declaration said social dialogue is key to building trust.
- Resilient labour market institutions are essential to sustained recovery and inclusive & sustainable growth, and need to be strengthened in the regions.
- It urges members to ensure labour protection for all through the promotion of freedom of association and the effective recognition of the right to collective bargaining.

It calls for action to:

- To **close gender gaps**
- To consider the ratification and effective implementation of related **international labour standards**
- Accelerate the **transition from the informal to formal economy**
- Strengthen governance frameworks to protect the **rights of migrant workers**

- It also calls for a just transition that helps build environmentally sustainable economies and societies in the face of climate change.
- Revitalizing productivity growth and skills development is also stressed in order to provide more and better jobs with particular focus on digital transformation, digital divides and lifelong learning.
- The Statement highlights the need to reinforce the foundations for social and employment protection and resilience. This includes:
  - expanding social protection to all workers,
  - strengthening labour inspections systems,
  - enhancing occupational safety and health (OSH),
  - addressing the rising costs of living with policies for adequate, fair, non-discriminatory wages,
  - eliminating all forms of forced and child labour.

- The Declaration furthermore confirms the commitment of governments and social partners across the regions to engage in consultations towards the development of a Global Social Justice Coalition.

**India and ILO**

- Recently, in June 2021, India completed its term as chair of the Governing Body of the ILO.
  - Governing Body is the apex executive body of the ILO which decides policies, programmes, budget and elects the Director-General.
  - India had assumed the chairmanship after a gap of 35 years. It held the position for the period October 2020- June 2021.
- **India has not ratified the two conventions** (out of 8). These are:
  - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
  - Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
- **Reasons for India not ratifying these two conventions:**
  - The statutory rules in India, for the government employees, prohibits certain rights such as right to strike, to openly criticize government policies etc.
  - After ratification, India would be forced to grant these rights to the civil servants. Hence, India has not ratified these two conventions.

**India Set To Join Artemis Accords**

As per White House announcement, **India has decided to join the Artemis Accords**, which brings like-minded countries together on **civil space exploration**.

**Artemis Accords**

- **About**
  - These are a set of guidelines and principles for international cooperation in in space exploration to the Moon and Mars.
  - They were established in 2020 by the United States in coordination with other nations and international partners.
  - The Accords aim to create a framework for peaceful and transparent space exploration, with a specific focus on lunar activities related to NASA's Artemis program.
    - Artemis program is NASA's initiative to return humans to the Moon.
    - In this program, NASA aims to land the *first woman and the first person of colour on the Earth's natural satellite*.
  - The Artemis Accords are rooted in the **Outer Space Treaty of 1967 (OST)**.
- **Legal nature**
  - The Artemis Accords are **not a legally binding treaty**. They serve as a framework for cooperative efforts among nations involved in lunar exploration.
- **Signatories of the accords**
  - As of May 2023, the number of signatories to the Artemis Accords stands at 25.

**What Are The Principles Of Artemis Accords?**

- **Peaceful purposes:** All participating countries commit to conducting space activities exclusively for peaceful purposes, adhering to relevant international laws.

- **Transparency:** Signatories are expected to be transparent about their national space policies and exploration plans.
- **Interoperability:** The development of *common exploration infrastructure* and standards is emphasized.
  - This includes areas such as fuel storage, landing structures, communications systems, and power systems.
- **Emergency assistance:** Countries agree to provide assistance to astronauts and personnel in distress in outer space.
- **Registration of Space Objects:** The Accords recognize the importance of registering relevant space objects according to the Registration Convention, allowing for better coordination and information sharing.
- **Preserving Heritage:** Nations are encouraged to preserve historically significant landing sites, artifacts, etc.
- **Space Resources:** The Accords affirm the extraction and utilization of space resources, such as those from the Moon, Mars, comets, or asteroids, in accordance with the Outer Space Treaty.
  - Ownership claims over extracted objects are not allowed.
- **Deconfliction of Activities:** Countries conducting Moon exploration are urged to establish safety zones to prevent harmful interference with the activities of other nations.
- **Orbital Debris:** Signatories commit to the safe and timely disposal of spacecraft at the end of their missions, as well as reducing the generation of long-lived or harmful debris.

#### **Significance of India Joining The Artemis Accords**

- **Chandrayaan-3 Mission**
  - This is significant as it comes on the heels of the Indian space agency planning to launch the Chandrayaan-3 mission to the Moon.
  - The two countries have already been cooperating on lunar missions; however, it has largely remained limited to sharing knowledge.
  - The new accord will ensure **resource sharing** as well.
- **International Space Station**
  - While India and the US have agreed on sending Indian astronauts to the International Space Station (ISS), it will still take some time.
  - However, the more immediate benefit will be sharing information on human spaceflight.
- **For the Gaganyaan mission**
  - India is in the midst of training its first batch of astronauts for the Gaganyaan mission.
  - This new cooperation could further help in strengthening the curriculum, facilities, and training designs.
- **India as a major recipient of information from Artemis-II**
  - Nasa is planning to launch the first crew of four astronauts into lunar orbit with Artemis-II next year and land humans on the lunar surface by 2025.
  - The signing of the agreement will establish India as a major recipient of information from the mission.
- **Counter to China**
  - Space is the next big domain of power play, and the Artemis Accords will open up new doors for India, especially at a time when China has been emerging as the next big player in space.
  - Beijing has already established and commenced scientific research on its space station, **Tiangong**, and announced plans to land Chinese nationals on the Moon before 2030.

**Other Scientific Cooperation Agreements Signed Between India And USA During The PM Modi's Visit To USA**

- **Human spaceflight cooperation**
  - NASA & ISRO are developing a strategic framework for human spaceflight cooperation this year.
- **On critical minerals and mineral security**
  - United States will announce its support for India becoming a member of the **Mineral Security Partnership (MSP)**.
  - MSP is led by the US State Department and strengthens critical minerals supply chain.
- **On advanced computing, artificial intelligence and quantum information science**
  - India and the United States have first established a joint **Indo-US quantum coordination mechanism**.
  - This will facilitate more collaboration between our industries, academia, and government.
  - Both the countries have also signed a new implementation arrangement on artificial intelligence advanced wireless and quantum technologies.
- **On advanced telecommunications**
  - The two countries are working together on 5G and 6G technologies and including Open **Radio Access Network (RAN) systems**.
  - India's 5G and 6G and US Next G alliance will be leading a new public-private Cooperation forum as well.
  - The US will also be welcoming Indian participation in the US *rip and replace programme* that removes telecommunications equipment made by untrusted vendors.

**Windsor Framework**

- The UK government under PM Rishi Sunak reached a landmark deal with the European Union (EU) on post-Brexit trade rules that will govern Northern Ireland.
- This deal will replace the **Northern Ireland Protocol**.

**The Northern Ireland Protocol**

• **Background**

- After the UK left the European Union, Northern Ireland remained its only constituent that shared a 310 mile land border with an EU-member, the Republic of Ireland.



- Since the EU and the UK have different product standards, border checks would be necessary before goods could move from **Northern Ireland to Ireland**.
- However, the two Irelands have had a long history of conflict. They secured peace only in **1998** under the **Belfast Agreement**, also called the **Good Friday agreement**.
  - An open border between the two was a key component of Good Friday agreement.
- Keeping this in mind, Northern Ireland Protocol was negotiated in 2020 between U.K. & E.U.

• **About The Protocol**

- It is a trading agreement that was negotiated in 2020 between the U.K. and the E.U.
- Under this agreement both the U.K. and E.U. agreed that the inspection of goods would be

conducted between Great Britain and Northern Ireland.

- This agreement effectively created a **de facto border in the Irish Sea** between Northern Ireland and the rest of U.K.
- Northern Ireland continued to follow many of the EU's rules, meaning that lorries can continue to drive across the border without having to be inspected.
- The protocol was signed as part of the Brexit withdrawal agreement, which is now ratified under international law.

#### Why Has The Protocol Been A Source Of Tension?

- **Political Division**

- The protocol has led to political division in Northern Ireland and created rifts within the U.K.'s Conservative Party over what it means for Brexit.
- Any kind of border in the Irish Sea irked those who want a united U.K.

- **Intra-UK Trade Affected (Trade between Great Britain and Northern Island)**

- The checks made trade between Great Britain and Northern Ireland cumbersome, with food products, especially, losing out on shelf life while they waited for clearance.
- Some taxation and spending policies of the UK government could not be implemented in Northern Ireland because of EU rules.
- The sale of medicines, too, was caught between different British and EU rules.

#### Key Highlights Of The Windsor Framework

- **The framework has two crucial aspects -**

- the introduction of a **green lane and red lane system** for goods that will stay in Northern Ireland and those that will go to the EU respectively;
- the '**Stormont Brake**', which allows Northern Ireland lawmakers and London to veto any EU regulation they believe affects the region adversely.

- **The two lanes**

- British goods meant for Northern Ireland will use the **Green lane** at the ports, and will be allowed to pass with minimal paperwork and checks.
  - This is significant for **meat products**, such as sausages, travelling between the two parts of the UK, as the EU has stricter rules about animal products.
  - Also, people in Northern Ireland can order goods online from Britain easily now.
  - The same medicines, in the same packs, with the same labels, will be available across the UK, without the need for barcode scanning requirements under the old Protocol.
- Goods destined for Ireland or the rest of the EU will have to take the Red lane, with the attendant customs and other checks.

- **Stormont Brake**

- The new Stormont Brake means the democratically elected Northern Ireland Assembly can oppose new EU goods rules that would have significant and lasting effects on everyday lives in Northern Ireland.
- For this, they will need the support of 30 members from at least two parties.
- The **British government can then veto the law**.



**The Hiroshima AI (Artificial Intelligence) Process**

During the annual G-7 Summit, held in Hiroshima, Leaders introduced the Hiroshima AI Process (HAP).

<b>Hiroshima AI process</b>	<ul style="list-style-type: none"> <li>HAP is an initiative designed to foster international discussions and collaboration on the governance and interoperability of artificial intelligence (AI) with a focus on achieving trustworthy AI.</li> <li>It is an effort to set common rules for governing AI with the launch of “Hiroshima AI Process”. They also plan to continue discussions on how to protect copyright and tackle false information generated by AI.</li> </ul>
<b>Aim</b>	<ul style="list-style-type: none"> <li>To govern AI in a way that upholds democratic values, ensures fairness and accountability, promotes transparency, and prioritizes the protection of AI technologies.</li> </ul>
<b>Feature</b>	<ul style="list-style-type: none"> <li>It will work in collaboration with international organizations such as the Organization for Economic Co-operation and Development (OECD) and the Global Partnership on AI (GPAI).</li> <li>It recognizes the growing prominence of <b>Generative AI (GAI)</b> across countries and regions and stresses the need to address the opportunities and challenges associated with GAI such as ChatGPT4.</li> <li>It can also differentiate use for machine-learning per se from other AI-related uses of copyrighted materials.</li> </ul>
<b>Significance</b>	<ul style="list-style-type: none"> <li>It ensures that any disagreement doesn’t result in complete discord.</li> <li>It can bring greater clarity to the role and scope of the ‘fair use’ doctrine in the use of AI for various purposes.</li> </ul>

**India & Artificial Intelligence**

**India & Global Partnership on AI (GPAI)**

- GPAI is a congregation of 25 member countries, including India, the US, the UK, EU, Australia, Canada, France, Germany, Italy, Japan, Mexico, New Zealand, Republic of Korea, and Singapore.
- India had in 2020 joined the group as a founding member. It is a first-of-its-type initiative for evolving better understanding of challenges and opportunities around AI.
- In November 2022, India has been handed over the presidency Global Partnership on Artificial Intelligence (GPAI) for 2022-23.

**RAISE 2020 (‘Responsible AI for Social Empowerment 2020)**

- It is a first of its kind, global meeting of minds on Artificial Intelligence to drive India's vision and roadmap for social transformation, inclusion and empowerment through responsible AI.

**Third Forum For India Pacific Islands Cooperation (FIPIC) Summit**

- Recently, PM Modi paid his maiden visit to Papua New Guinea where he co-hosted the 3<sup>rd</sup> FIPIC summit.
  - His visit to Papua New Guinea highlights the growing strategic significance of the Pacific Island nations that has also received attention from China.
    - In 2022, China signed a security agreement with the Solomon Islands.
- During this visit, PM Modi conferred with the:
  - highest honour of Fiji** - the Companion of the Order of Fiji;
  - highest award of Papua New Guinea** - the Grand Companion of the Order of Logohu (GCL).

**Challenges Faced By Pacific Island Nations**

- **Geographical Disadvantage**
  - **Scattered Islands** –makes logistics a challenge.
  - **Small Land Area** – It affects the mass production.
  - **Remoteness** - The Pacific Islands are located far from major markets, creating problems in communication, human interaction and transportation costs.
- **Climate Change:**
  - These nations are virtual global laboratories for the earliest impacts of climate change.
  - World Bank research has estimated the average annual cost to small island states from natural disasters is equivalent to almost two percent of GDP.
  - However, in the cases of Tonga and Samoa, these damages have reached between 20 and 30 percent of GDP.
- **Socio-economic Challenges**
  - Due to small economies and limited formal sector employment in the Pacific, it will be difficult to meet this growing demand for employment.
  - Years of mismanagement and poor policy have led to ecological and energy calamities across the region.
- **Security and Governance related challenges:**
  - Vast coastline along with the presence of large EEZ necessitates for capacity building in Coastal security and EEZ management.
  - Numerous maritime disputes on the periphery of Pacific, especially in South China Sea and East China Sea, threatens the maritime security of these nations.

**Significance of Pacific Island Nations for India**

- **Geopolitical:** The Pacific Island Nations are strategically located in the Pacific Ocean, connecting Asia with the Americas.
- **Geostrategic**
  - The Pacific has for long been an area of geostrategic interest for countries such as the US, Japan, China, Russia etc.
  - India cannot afford to ignore this region if it wants to become a global leader.
  - India considers the region as part of its Indo-Pacific vision, which emphasizes a free, open, and inclusive order.
- **Economic Cooperation:**
  - India seeks to expand economic cooperation with Pacific Island Nations.
    - Indian economic footprint in this region is low. The total annual trade between the Indian and Pacific Island countries hovers around \$300 million.
    - The largest country for bilateral trade in this regard is Papua New Guinea because of oil and gas.
  - These nations possess vast maritime resources, including fisheries, minerals, and energy reserves.
- **Maritime Security:**
  - Ensuring maritime security in the Indo-Pacific is a shared interest for India and Pacific Island Nations.

**Initiatives Taken By India So Far**

- **Forum for India-Pacific Island Cooperation (FIPIC):**
  - FIPIC was launched during PM Modi's visit to Fiji in November 2014.
  - It was established as a platform for dialogue and cooperation with 14 Pacific Island countries.
  - FIPIC includes **14 of the island countries** – Cook Islands, Fiji, Kiribati, Marshall Islands, Micronesia, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.
  - So far, two meetings of FIPIC were held - in November 2014 in Fiji and August 2015 in Jaipur.
- **Development Assistance**
  - These include:
    - setting up of a special USD one million fund for adapting to climate change and clean energy,
    - **Pan Pacific Islands e-network** to improve digital connectivity,
    - extending visa on arrival at Indian airports for all the 14 Pacific Island countries,
    - cooperation in space technology applications for improving the quality of life of the islands, and
    - training to diplomats from Pacific Island countries.
  - India has already trained many rural women from eight island countries as solar engineers.
- **India as Development Partner of PICs**
  - During the 3<sup>rd</sup> FIPIC summit, PM Modi highlighted some of the development works done by India in the region. These included:
    - Convention Center in Palau; Waste management project in Nauru; Seeds for cyclone-affected farmers in Fiji And solar light project in Kiribati.
  - The **Sustainable Coastal and Ocean Research Institute (SCORI)** has been established at the University of the South Pacific in Fiji with the help of India.
    - SCORI entails building up a network of marine biology research stations in various island nations in the Pacific Ocean to collaborate on research and capacity building with institutions in India.
- **Increased Space Cooperation**
  - During the 3<sup>rd</sup> FIPIC summit, PM Modi expressed his happiness that the launch of the website for space technology is taking place for national and human development.
  - Through this, respective PICs can download remote sensing data of their countries from the Indian satellite network.
  - It can then be utilised for the preparation of respective national development plans.

**Challenges In Front Of India**

- Indian **diplomatic representation in the region is weak**. India only has representation in Fiji (mostly because of the Indian diaspora) and Papua New Guinea (because of trade and minerals).
- Projects and activities promised by India to PIF countries need to be matched by delivery and implementation.
- Strong presence of China in this region is another challenge. China has significantly expanded its foothold in the region, from increasing business and trade ties to setting up diplomatic missions in each of these countries.

**Conclusion**

- India and Pacific Island Nations are like family members who meet only rarely at large, loud family reunions, never getting the time to truly get to know each other.

- The time has come to move beyond occasional meetings in order to cement an ever-lasting relationship.

### Washington Declaration

- In April 2023, South Korean President Yoon Suk Yeol arrived in the U.S. to commemorate the 70th anniversary of U.S.-South Korea bilateral relations.
  - The successful launch of North Korea's *Hwasong-8 solid-fuel ICBM* seems to have triggered the U.S. visit of the South Korean President.
- A highlight of the visit was the signing of the "**Washington Declaration**" as a nuclear deterrence strategy.

### Key Highlights Of The Washington Declaration

- **The agreement outlines cooperation towards deterrence**
  - As per the agreement:
    - an American nuclear ballistic submarine would be deployed in the Korean peninsula;
    - a nuclear consultative group would be formed to formulate principles of joint response tactics;
    - South Korea would receive Intel from the U.S. regarding nuclear advancements; and
    - U.S. will strengthen South Korea's nuclear deterrence capabilities through joint military training programs and an annual intergovernmental simulation.
- **It reaffirmed the non-proliferation Treaty**
  - South Korea would not venture into the creation of its own independent nuclear capabilities.
  - It would instead focus on deterrence measures through an alliance-based approach.

### What Is The Significance Of This Agreement?

- **Advocates for nuclear deterrence policy in the region**
  - The Washington Declaration advocates for nuclear deterrence policy in the region, aiming to balance power dynamics against North Korea.
- **Prohibits South Korea to develop its own nuclear capabilities**
  - The declaration does not allow South Korea to develop their own nuclear arsenal as it would hinder the prolonged efforts of controlling nuclear production in the world.
- **Aligns with the larger goal of non-proliferation**
  - The assurance that the U.S. and its nuclear weapons would protect its allies by being responsible for maintaining stability in the region aligns with the larger goal of non-proliferation.

### Challenges

- **Physical deployment of the arsenal is a direct threat**
  - While the aim is to defuse the threat, physical deployment of the arsenal can be deemed as a direct threat by opposing actors.
  - Security experts fear that it can be used as leverage to act aggressively.
- **South Koreans prefer their own deterrence**
  - The South Korean public are sceptic about U.S. support. With an aggressive North Korea in the neighbourhood, they would prefer their own deterrence.
- **Interests of the larger power (U.S.) takes precedence**
  - The agreement mandates the U.S. President as the only sole authority to use the nuclear arsenal of the U.S. in the event of a nuclear confrontation.

- While the existence of the agreement is based on the security needs of South Korea, the policy reflects big power politics where the interests of the larger power (U.S.) take precedence.

### Arab League Members Readmit Syria After 12-Year Suspension

- Arab League foreign ministers voted to readmit Syria into the organisation, after a suspension that lasted over a decade.
- The decision was taken at a closed meeting of Arab foreign ministers at the Arab League's headquarters in Cairo.
  - All 13 of the 22 member states that attended the session endorsed the decision. The Arab League generally tries to reach agreements by consensus but sometimes opts for simple majorities.

### Analysis

- **Move does not mean normalisation**
  - The reinstatement of Syria does not mean normalisation of relations between Arab countries and Syria.
  - This is a sovereign decision for each country to make.
- **Lack of consensus on the issue**
  - There is still no Arab consensus on normalisation with Damascus.
  - Some Arab states, including Qatar, have been opposed to normalising relations with Assad without a political solution to the conflict.
  - But others, like the United Arab Emirates and Jordan, have quietly re-established contact in recent years.
- **Commitments to a gradual resolution to the conflict**
  - The decision for Syria to return also includes a commitment to ongoing dialogue with Arab governments to gradually reach a political solution to the conflict.

## Important International Institutions

### US Decides To Rejoin UNESCO

- The United States has announced its plans to rejoin the UNESCO, after a decade-long dispute sparked by the inclusion of Palestine as a member.
- The return of the U.S., along with the payment of over \$600 million in back dues, is a significant financial boost for UNESCO's initiatives.
  - Before leaving, the US contributed 22 per cent of the agency's overall funding.
- The decision to return was motivated by concern that China is filling the gap left by the US in UNESCO policymaking, notably in **setting standards for artificial intelligence and technology education** around the world.

### Background: US Leaving UNESCO

- **Background**
  - The US and Israel stopped funding UNESCO after it voted to include Palestine as a member state in 2011.
  - The Trump administration decided in 2017 to withdraw from the agency altogether the following year.

- The United States had previously withdrawn from UNESCO in 1984 during the Cold War era.
- The country rejoined the organization in 2003 under the administration of President George W. Bush.
- **Reasons**
  - One of the main reasons was concerns over the organization's perceived anti-Israel bias.
    - The U.S. government criticized UNESCO for its handling of the Israeli-Palestinian conflict and its recognition of Palestine as a member state.
  - Another factor was financial concerns.
    - United States had been contributing a significant portion of UNESCO's budget.
    - The U.S. government had concerns about fiscal management and accountability within UNESCO.
  - Furthermore, the decision to withdraw was also influenced by a broader scepticism towards multilateral institutions and a desire to reassess and prioritize U.S. engagement and funding in international organizations.

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### Finland Joins NATO

- Finland joined the NATO military alliance, dealing a major blow to Russia with a historic realignment of the continent triggered by Moscow's invasion of Ukraine.
- This move marked the end of the concept known as "**Finlandization**".
  - Finlandization refers to the policy of strict neutrality between Moscow and the West that Finland followed during the decades of the Cold War.
  - The principle of neutrality was rooted in the *Agreement of Friendship, Cooperation, and Mutual Assistance* that Finland signed with the USSR in April 1948.

### Why Has Finland Joined NATO?

- Russia going to war against Ukraine has made its smaller neighbours crave the powerful military backing the NATO offers. Finland and its neighbour Sweden applied for NATO membership soon after the Russian invasion of Ukraine.
  - Any new applicant has to be approved by all existing members of the alliance.
  - While Finland is now the 31st NATO member, Sweden's bid is being held up by Turkey and Hungary.

### Significance of Finland Joining NATO

- **For Europe: Major change in Europe's security landscape**
  - Finland had adopted neutrality after its defeat by the Soviets in World War II.
  - However, after the Russian invasion of Ukraine, Finland expressed its willingness to join the alliance.
  - Hence, Finland's membership represents a major change in Europe's security landscape.
- **For Russia:** Finland shares the longest European Union border with Russia. Hence, Finland's membership has ensured NATO's expansion toward Russia.
- **For Finland:** While the country is in a better position in terms of security, it is losing out on the significant trade and tourist revenue it was making from Russia, and from its position as the West's gateway to the East.
- **For NATO**
  - The addition of Finland brings in a military trained to repel an attack from Russia.



- Also, by doubling its border with the country, NATO brings it in a better position to station weapons, including missile launchpads, closer to Russia.

## INDIA and NATO

### Should India join NATO?

#### A. Arguments in favour of joining

- **End of Cold War era**
  - During the Cold War, India's refusal was premised on its non-alignment.
  - This argument has little justification once the Cold War ended during 1989-91.
  - NATO has regular consultations with both Russia and China, despite the gathering tensions with them in recent years.
  - This presents a case for India to join the alliance.
- **To combat terrorism**
  - India has seen many terrorist attacks – 26/11 Mumbai terror attack, Pulwama, Uri attack etc.
  - Hence, security analysts suggest that India should join NATO to combat terrorism on a long-term basis.
- **Members of NATO are well-established partners of India**
  - Indian membership would simply mean having regular contact with a military alliance, most of whose members are well-established partners of India.
  - India has military exchanges with many members of NATO — including US, Britain, and France — in bilateral and minilateral formats.
  - Hence, collective engagement with NATO should not be problematic.
- **To contain China**
  - NATO is increasing its footprints in Indian Ocean Region where China is aggressive.
  - NATO membership would help India in containing China.

#### B. Arguments against joining the alliance

- **Fear of antagonising Russia**
  - Russia has been a long-term ally for India. Even, during the current Ukraine war, India has not openly criticised Russia.
  - India still is heavily dependent on the Russian military equipment. Hence, joining NATO will lead to the deterioration of the relationship.
- **It would hurl India headlong into the Global War on Terror**
  - Joining NATO on full-term basis could become problematic for India as it would drag India into various conflicts around the globe.
    - Collective self-defence article would force India to contribute its troops to support NATO.
- **Sovereignty and Principle of Non-Alignment**
  - Joining the alliance would lead to the establishment of NATO bases on India's territory which may be considered an infringement of our sovereignty.
  - So far, India has not joined any military bloc and remained true to the principle of non-alignment which forms the core of India's foreign policy.

**Recent Developments In India – NATO Engagement**

- In August 2022, the external affairs ministry acknowledged that India and NATO are in touch at different levels for quite some time now.
  - India held its first political dialogue with the organisation in Brussels in December, 2019.
  - The second round was to be held in New Delhi in 2020, which was delayed due to Covid-19 pandemic.
- This is part of India’s contacts with various stakeholders on various issues of mutual interests.

**Conclusion**

- India needs to open a strategic dialogue with NATO and work towards areas of common security concern on a case-by-case basis.
- In this context, a pragmatic engagement with NATO countries must be an important part of India’s foreign policy.
  - However, it must refrain from becoming a formal member of NATO.

**International Criminal Court Issues Arrest Warrant Against Putin**

- The International Criminal Court (ICC) has issued an **arrest warrant** for Russian President Putin for war crimes because of his alleged involvement in **abductions of children** from Ukraine.
- The arrest warrant for Mr. Putin, a sitting head of state of a U.N. Security Council (UNSC) member, is an unprecedented step for the ICC. Moscow dismissed the orders as void as Russia is not a party to the ICC.

**How Does The ICC Function**

- **Judges & Prosecutors**
  - The court carries out its investigations through the Office of the Prosecutor and has 18 judges.
  - Both the judges and prosecutors hold **non-renewable 9-year terms.**
- **Process**
  - There are pre-trial, trial, and appellate benches in the ICC.
  - The prosecutor conducts a *preliminary examination* in a matter, before seeking permission from pre-trial judges to open a full investigation.
    - The initial examination must conclude that the crimes in question are of sufficient gravity.
- **Ways to Open Investigations**
  - The prosecutor can open an investigation in three ways:

- when a case is referred by a **member country** in its own territory
- when a case is **referred by the UNSC**
- when the prosecutor takes up a case proprio motu or **on his own**

- **Non-member** states can also be investigated in three ways:

- if alleged crimes were perpetrated by **non-members in member states**
- if the **non-members accept the court’s jurisdiction** ([Article 12\(3\)](#))
- when the Security Council authorises it

## Criticisms Of ICC

- **Pace Of Investigation And Judgements**
  - After 19 years of being active, the court has convicted 10 persons accused in a small number of cases and acquitted four individuals.
  - Hence, some experts question whether the time, efforts and financial resources invested in the court by member countries is worth the outcome.
    - The court's annual budget for 2021 was over \$160 million.
- **Afraid to Take Actions Against Western Powers**
  - This was pointed out first, when the court denied permission to start an investigation into Afghanistan in 2019, and second, when the current prosecutor wanted to restart the investigation after the Taliban takeover.
- **Bias against African countries**
  - Another point of contention is that barring recent years, the court, since its formation, largely took up investigations into alleged crimes committed in African countries.
  - All of the nearly 30 cases currently in the trial stage before the court are from African countries.
    - The African Union in 2016 had endorsed a proposal led by Kenya for a mass withdrawal from the Rome Statute.
    - The vote on this proposal, however, was symbolic.
- **Limited jurisdiction**
  - ICC's jurisdiction is limited to offences occurring after it came into effect on July 1, 2002.
  - The offences should be committed either in a country that ratified the agreement or by a national of a ratifying country.
  - The court has no power to arrest **sitting heads of state** or bring them to trial, and instead must **rely on other leaders and governments**.

## WTO Panel Rules Against India

The dispute settlement panel of the WTO had ruled that India had violated global trading rules in a dispute with the European Union (EU), Japan and Taiwan over import duties on IT products.

### Background:

- The EU, Chinese Taipei (Taiwan) and Japan dragged India to the WTO dispute in 2019 on imposing tariffs on certain information and communications technology goods.
  - These products include mobile phones, microphones, transmission apparatus for radio broadcasting etc.
- As per these petitions, India is a signatory to the **1996 Information Technology Agreement (ITA)**.
- Hence, it is required to eliminate tariffs on a range of products, including mobile handsets.
- Many countries had complained that the imposition of tariffs on IT products by India was against the principles agreed upon under ITA.

### What Was India's Stand On The Imposition Of Duties On IT Products?

- At the time of signing the ITA, products such as smartphones did not exist. Hence, it was not bound to eliminate tariffs on such items.
- **Decision to increase import tariffs on mobile phones has paid off handsomely**
  - It resulted in significant investments, including those from Apple and Foxconn.

- India's mobile phone exports will soon cross \$10 billion a year.

**What Options Does India Have After The Present WTO Ruling?**

- India has option to appeal against the present ruling.
- If India does so, the case will sit in **legal purgatory** since the WTO's top appeals bench is no longer functioning due to U.S. opposition to judge appointments.

**Dispute Settlement Body of WTO**

- The General Council convenes as the Dispute Settlement Body (DSB) to deal with disputes between WTO members.
- The DSB has the authority to:
  - establish dispute settlement panels,
  - refer matters to arbitration, adopt panel, Appellate Body and arbitration reports,
  - maintain surveillance over the implementation of recommendations and rulings contained in such reports, and
  - authorize suspension of concessions in the event of non-compliance with those recommendations and rulings.

- **Legal purgatory** is a term used to describe a situation where a legal case or dispute is in a **state of limbo**, without resolution or a clear path forward.

**Criticisms of Dispute Settlement Body of WTO**

- **Lengthy and costly process**
  - The process can be lengthy and expensive, particularly for developing countries. This can limit their ability to protect their interests and participate fully in the system.
- **Bias towards developed countries**
  - This has led to concerns that the WTO is more concerned with protecting the interests of the powerful trading nations than with promoting the development of the global trading system.
- **Limited scope**
  - The WTO's dispute settlement system only covers trade-related issues.
  - This means that it is not equipped to address broader social and environmental concerns that may arise from international trade.
- **Lack of transparency**
  - The proceedings are not open to the public, which makes it difficult for non-governmental organizations and other interested parties to participate in the process.
- **Limited enforcement mechanisms**
  - The WTO's dispute settlement system lacks strong enforcement mechanisms.
  - This has led some to question the effectiveness of the system in resolving disputes and promoting compliance with WTO rules.

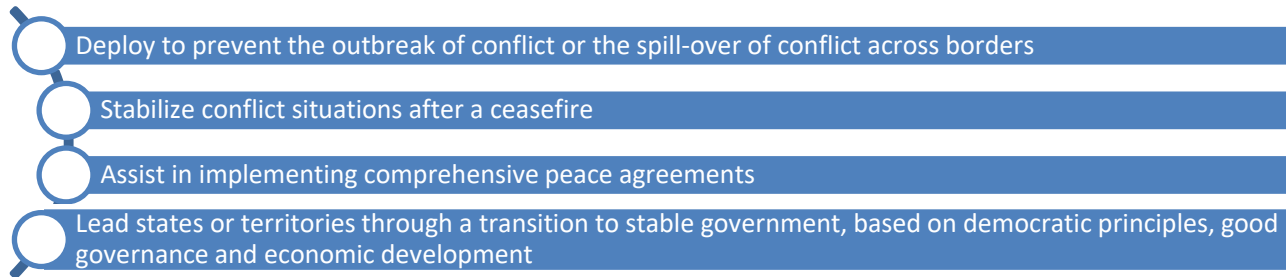
**'UN Peacekeepers Need 'Robust' Mandates**

- UN Peacekeeping fatalities due to malicious acts (not illness or accidents) that were once on the decline, are rising — from 13 in 2020 to 25 in 2021 and this year as many as 26 till August.
- Against this backdrop, UN Peacekeeping chief **Jean-Pierre Lacroix** has said that Peacekeeping soldiers need more robust or proactive mandate, better equipment to be able to go after the armed groups'
- This is required to deal with deteriorating conditions in countries where UN Peacekeepers (often referred to as Blue Berets or Blue Helmets) are posted.

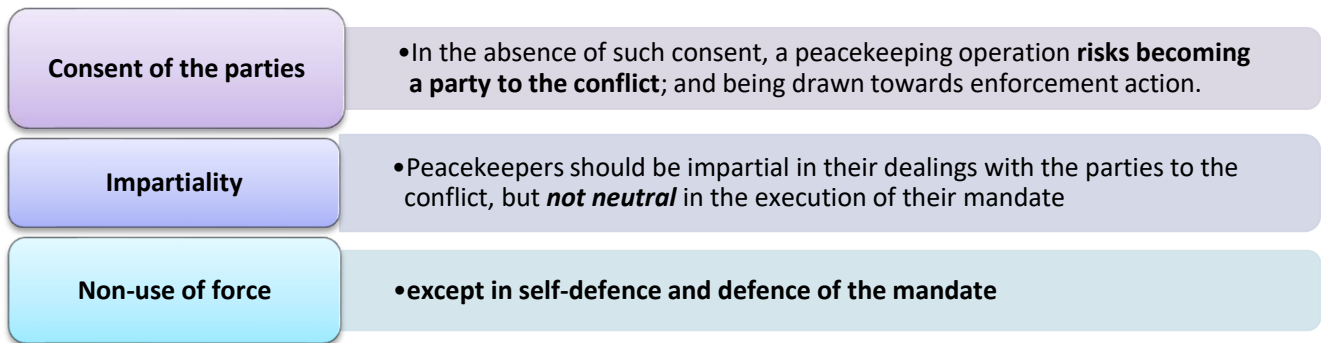
**Peacekeeping Mandates**

- UN peace operations are deployed on the basis of mandates from the **United Nations Security Council**.

- These mandates differ from situation to situation, depending on the nature of the conflict and the specific challenges it presents.
- Depending on their mandate, peace operations may be required to:



**Principles:** There are three basic principles that continue to set UN peacekeeping operations apart as a tool for maintaining international peace and security. These are:



**Successes**

- Since 1948, the UN has helped end conflicts and foster reconciliation by conducting successful peacekeeping operations in dozens of countries, including Cambodia, El Salvador, Guatemala, Mozambique, Namibia and Tajikistan.
- UN peacekeeping has also made a real difference in other places with recently completed or on-going operations such as Sierra Leone, Burundi, Côte d’Ivoire, Timor-Leste, Liberia, Haiti and Kosovo.
- In other instances, however, UN peacekeeping has been challenged and found wanting (lacking), for instance in Somalia, Rwanda and the former Yugoslavia in the early 1990s.
- Overall, UN Peacekeeping Forces have an impressive record of peacekeeping achievements, including winning the Nobel Peace Prize (1988).

**UN Peacekeeping Operations & India**

**Contribution With Troops**

- India has been a pioneer in UN Peacekeeping, deploying *more than a quarter of a million troops* over the years in as many as **49 of 71 UN Peacekeeping Missions.**
  - Currently, India is Fifth largest troop contributor with around 5,500 personnel across 9 missions. India’s contribution to the peacekeeping budget stands at 0.16%.
  - India has a long tradition of sending women on UN peacekeeping missions. In 2007, India became the first country to deploy an all-women contingent to a UN peacekeeping mission.
- It has been actively participating in peacekeeping right from 1950 when it supplied medical personnel and troops to the **UN Repatriation Commission in Korea.** It has troop deployment in Lebanon, Golan Heights, Congo and South Sudan in addition to staff officers in other missions.

- Nearly 80% of the Indian peacekeepers are deployed in hostile regions such as **Central African Republic and South Sudan in various sections.**
- So far, **174 gallant Indian soldiers have made the supreme sacrifice** over the years, the largest number among troop contributing countries.
- In April 2019, a total of 150 Indian peacekeepers serving with the **UN Mission in South Sudan (UNMISS)** have received **medals of honour** for their dedicated service and sacrifice.

#### **Raising the issue of safety & security of peacekeepers at multilateral institutions**

- In August 2021, the United Nations Security Council (UNSC) organised a high-level open debate (**theme - "Protecting the protectors"**) on United Nations Peacekeeping Operations under the Indian Presidency.
  - ✓ During this, India, in collaboration with the UN launched **UNITE AWARE platform.**
  - ✓ It is a technology platform to ensure the safety and security of peacekeepers.
- India has also proposed a 10-point plan, including making those targeting UN peacekeepers more accountable.
- India has also suggested building a memorial wall to honour peacekeepers.

#### **Training and Capacity Development**

- **Centre for United Nations Peacekeeping (CUNPK)** was set up in September 2000 in New Delhi, to oversee the training of contingents earmarked for peacekeeping operations.
- These courses have now been formally **endorsed by the Department of Peacekeeping Operations at UN HQ.**
- In 2016, **India and the USA** began a joint annual initiative "**UN Peacekeeping Course for African Partners**".
- In August 2021, an MOU was signed between CUNPK (India) and C4ISR Academy for Peace Operations (UN) for new training modules for UN peacekeepers.
  - ✓ C4ISR: Command, Control, Communications, Computers (C4) Intelligence, Surveillance and Reconnaissance (ISR).
- India is set to conduct two initiatives for women personnel from South East Asia later this year.

#### **India-ASEAN Initiative for Women in UNPK Operations**

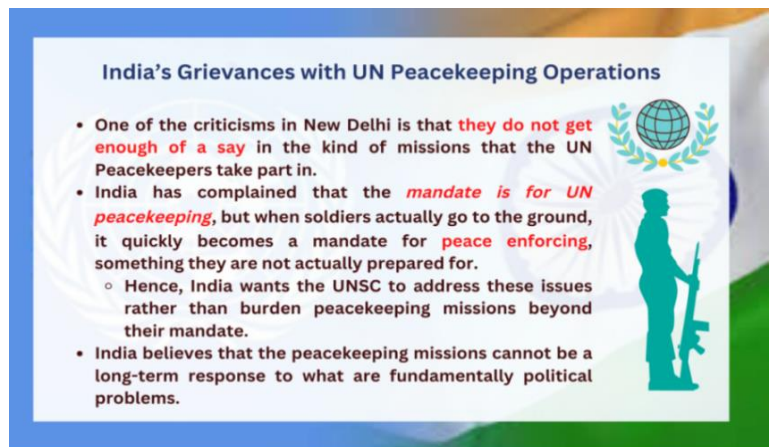
- **Courses for women peacekeepers of ASEAN member-states**
  - conduct of tailor-made courses for women peacekeepers of ASEAN member-states at the Centre for United Nations Peacekeeping (CUNPK) in India this September.
    - The Indian Army has established CUNPK (in 2000) in New Delhi to impart niche training in peacekeeping operations.
  - In all 20 peacekeepers, two from each country, would be trained.
- **Table Top Exercise for women officers from ASEAN** incorporating facets of UNPK challenges to be conducted in December 2023

#### **Largest Women Contingent Of Peacekeepers At A UN Mission**

- The Indian Army has deployed its largest-ever contingent of women soldiers for UN peacekeeping operations in the volatile oil-rich **Abyei region of Africa.**
- The women platoon will provide relief and assistance to local women and children in one of the highly operational and challenging conditions under the UN flag.



- This is India's largest single unit of women peacekeepers in a UN Mission since it deployed the first-ever all women's contingent from the Central Reserve Police Force in Liberia in 2007 as part of United Nations Mission in Liberia (UNMIL).
- Indian women particularly have a tradition in Peacekeeping.
- Dr Kiran Bedi, UN's first Police Adviser, Major Suman Gawani and Shakti Devi have made a mark for themselves in UN Peacekeeping.



### Other Contributions

- India provided **2,00,000 doses of COVID-19 vaccines** for UN Peacekeeping personnel worldwide in March 2021.
- During the pandemic, **India upgraded its hospitals** in United Nations Mission in South Sudan (**UNMISS**) and United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (**MONUSCO**).

### Conclusion

- Acknowledging India's contribution, UN secretary general Antonio Guterres had said that it would be **an understatement** to say that India's contribution to global peace has been remarkable.
- India's spontaneous and unreserved participation in UN peacekeeping operations is a clear demonstration of the country's commitment to the objectives set out in the UN Charter.

## ECONOMIC GROWTH & DEVELOPMENT

### Indian Economy & Issues Relating to Planning, Mobilization of Resources, Growth, Development & Employment

#### Issues Relating to Planning

##### Universal Basic Income (UBI)

- According to the Chief Economic Adviser (CEA), the Indian economy is now on “auto-pilot” mode and will grow steadily in the range of 6.5% to 7% till 2030, even without further reforms.
- He also said that the concept of **Universal Basic Income (UBI) is not necessary for India** since natural economic growth would take care of the country’s many aspirations.

##### How UBI Works

- **The five broad features of such schemes are:**
  - Payments at periodic regular intervals (not one-off grants), **without requirement of work or willingness to work,**
  - Payments in cash (not food vouchers or service coupons),

Payments to individuals

Universality

Unconditionality

- Typically, **it would require subsumption of other subsidies and allowances** in order to free up resources so that a particular amount can be directed to people on a periodic basis.
  - There are about **950 central sector and centrally sponsored sub-schemes** in the country, which accounted for about **5% of GDP by Budget allocation.**
  - The top 11 schemes (PDS, Urea subsidy, MGNREGS, etc) accounted for about 50% of the budgetary allocation.
  - If the states were included, the number of schemes would be even larger.
- In 2019, **Sikkim** has indicated that **it will do away with most subsidies** before launching its UBI scheme.

#### Idea of UBI and its Appeal

However, the **effectiveness of the targeted schemes** run by central and state governments have always been in question.

- Targeting is seen as being both **inefficient and inequitable, a licence for corruption.**
- **For example,** the poor and deserving crowded out of BPL card ownership and the rich reaping undeserved benefits.

India has made **considerable progress in bringing down poverty** from about 70% of the population at the time of independence to about 22% in 2011-12 (**Tendulkar Committee estimates**).

**UBI envisages** a social safety net that seeks to assure a dignified life for everyone. **The Economic Survey 2017** devoted an entire chapter to its merits.

**Global Precedents**

- **Finland** concluded a two-year experiment on its effects on unemployed citizens, which commenced in 2017.
- **The government of Ontario, Canada**, had announced a plan to test a kind of unconditional income guarantee for up to three years.
- **Some cities in the Netherlands** have launched municipal-level trials.
- **Barcelona in Spain** has tested several potential changes to its anti-poverty programmes, including unconditional cash payments.

**Criticisms**

- **Will further lead to inequalities:** None of the places where UBI has been tried have levels of income disparity that exist in India.
- **Cash transfers could be counterproductive:** This is due to -
  - Unproductive spending, reduction in labour force, rise in inflation, **moral hazard** (Gandhiji - free money will make people lazy), etc.
  - **Conditional social assistance** pinpoints those who are the most vulnerable.
- **Perverse incentives:** Such schemes dissuade people from seeking income-generating opportunities.

**Possible Alternative and Way Ahead**

- **Nyuntam Aay Yojana (NYAY):** Ahead of the 2019 Lok Sabha elections, the Congress promised a minimum income support programme, under which Rs 72,000 will be transferred **to the poorest 20%/5 crore families** in the country.
- **Way ahead:** Until a consensus on such schemes is established, support should be confined to those who may not be able to participate in economic activities and bring them to a point where they can meaningfully engage in the economy.



**Lightweight Payment System**

- **RBI** has conceptualised a **lightweight payment and settlements system**, which it is calling a “**bunker**” equivalent of digital payments,
- It can be operated from anywhere by a bare **minimum staff** in emergencies such as natural calamities or war.
- The infrastructure for this system will be **independent of the technologies** that underlie the existing systems of payments such as UPI, NEFT, and RTGS.
- The central bank has yet not offered a timeline for the launch of this payments system.

**Need For The System**

- In its Annual Report for 2022-23, RBI said that the lightweight and portable payment system is expected to operate on **minimalistic hardware and software**, and would be made active only on a need basis.
- Such a lightweight and portable payment system could ensure near zero downtime of the payment and settlement system in the country.
- In this way, it can keep the **liquidity pipeline** of the economy alive and intact by facilitating uninterrupted functioning of essential payment services like bulk payments, interbank payments and provision of cash to participant institutions.

- The system is expected to process transactions that are critical to ensure the stability of the economy, including government and market related transactions.
- It will also maintain transaction records for reconciliation and audit purposes.
- Having such a resilient system is also likely to act as a bunker equivalent in payment systems and thereby enhance public confidence in digital payments and financial market infrastructure even during extreme conditions.

**Difference From UPI**

- According to the RBI, existing conventional payments systems such as RTGS, NEFT, and UPI are designed to handle large volumes of transactions while ensuring sustained availability.
- As a result, they are dependent on **complex wired networks** backed by **advanced IT infrastructure.**
- However, catastrophic events like natural calamities and war have the potential to make these payment systems temporarily unavailable by disrupting the underlying information and communication infrastructure.
- Therefore, it is advisable to be prepared to face such extreme and volatile situations.

**India's Remittance Inflows Growth Could Slow To Just 0.2% In 2023**

- According to the **World Bank's latest Migration and Development Brief**, India is expected to post a **growth** of just 0.2% in remittance inflows in 2023.
  - It provides updates and analysis on global trends in migration and remittances.
  - It also focuses on increasing the volume of remittances as a percentage of GDP, reducing remittance costs, and reducing recruitment costs.
- Slower growth in OECD and GCC economies, high base effect are few reasons behind this slowdown.

### Remittances

**Definition** 01

Remittances generally involve migrant workers who send money back to their home countries to support their families or for other purposes.

RBI defines remittances as the transfer of money by an individual who is a resident of one country to an individual or entity in another country.

**Regulation** 03

Authorized dealers, such as banks and other financial institutions, facilitate these remittance transactions in compliance with the RBI's regulations.

**Involves** 02

RBI regulates remittance transactions and has put in place guidelines and regulations to govern the process.

**Contribution in GDP** 05

**Includes** 04

In India, remittances represented only 3.3% of GDP in 2022.

**Why Are Remittances Expected To Grow At A Slower Pace In 2023?**

- **Slower growth in OECD economies** especially in the high-tech sector in the United States has affected the demand for information technology (IT) workers.
  - It could lead to a diversion of formal remittances toward informal money transfer channels.
- **Lower demand for migrants in the Gulf Cooperation Council (GCC) countries**
  - GCC is a grouping of six Arab nations located around the Arabian Gulf, where declining oil prices have dented growth. 6 countries are – Bahrain; Kuwait; Oman; Qatar; Saudi Arabia; UAE.

- ✓ OECD is an intergovernmental organisation with 38 member countries.
- ✓ It was established in 1961 to stimulate economic progress and world trade.
- ✓ The majority of OECD Members are ranked as very high in the Human Development Index, and are regarded as developed countries.

**• High Base effect**

- In 2022, India registered a growth of more than 24% to reach a record-high \$111 billion in remittances in 2022.
- The high base in 2022 will significantly affect the growth rate of remittances for India in 2023.

**Top Sources Of Remittances For India**

- Almost 36% of India’s remittances are from the *high-skilled and largely high-tech* Indian migrants in three high-income destinations — **US, United Kingdom, and Singapore**.
  - The post-pandemic recovery led to a tight labour market in these regions, and wage hikes boosted remittances.
- Remittance inflows from the GCC countries account for about 28% of India’s total remittance inflows.
  - High energy prices favoured employment and incomes of the less-skilled Indian migrants in the GCC countries.
  - At the same time, the GCC governments’ special measures to curb food price inflation shielded migrants’ remitting potential.

**Trend for Remittances In 2022**

- In 2022, India posted more than 24% growth in its inward remittances to reach \$111 billion, higher than the World Bank’s earlier estimate of \$100 billion.
  - India represented **63% of South Asia’s remittance flows**.
- Remittances were supported by:
  - oil surge in member countries of the GCC, which increased migrants’ incomes;
  - large money transfers from the Russian Federation to countries in Central Asia; and
  - the strong labour market in the US and the OECD countries.

**Report on MII Regulation**

SEBI recently submitted a report on ‘**Strengthening governance of market infrastructure institutions (MIIs)**’.

- MIIs are institutions providing infrastructure of **trading, settlement and record keeping** and include **stock exchanges, clearing corporations and depositories**.

**Background**

- In April, 2022, SEBI had formed a committee under **G. Mahalingam**, a former whole-time member, to strengthen governance norms at the MIIs.
- The committee was formed after India’s largest stock exchange--the National Stock Exchange (NSE), was found dealing with corporate governance issues related to the **co-location scam**.

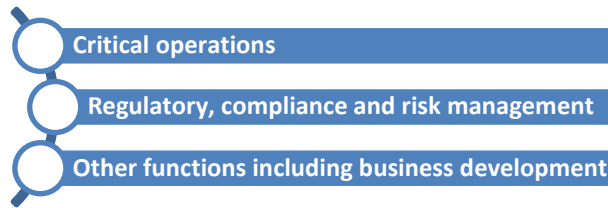
**Key Points Of The Report**

- The report has proposed stricter regulations for enhancing accountability and transparency of MIIs.
- The panel has proposed measures for:
  - Strengthening the role played by the **governing board and committees of MIIs**.
  - Reviewing the requirements related to **appointment and role & responsibility of directorson the board and key managerial persons (KMPs)**.
  - Developing effective **metrics for monitoring** various aspects of their functioning.
  - Reviewing the policy on **safekeeping and sharing of information held by MIIs**.

- Revisiting the code of conduct and code of ethics for directors of the governing board and KMPs and
- Activities and governance of investee companies of MIIIs.

### Functions of MIIIs

- Under the proposal, the functions of MIIIs should be categorized into **three verticals**:



- The KMPs heading the functions under the first two verticals should be at par in hierarchy with the KMPs heading the third vertical.
- In terms of resource allocation and utilization, the functions under the first two verticals separately should be given higher priority by MIIIs over functions under the third vertical.
  - The resources including the **human as well as financial and technology resources** deployed by MIIIs for each of the core functions should be disclosed in the annual report of the MIIIs.

### Guidelines for the Board

- To ensure greater independence of the Board of the MII, at least two-third members of the Board of the MII should comprise Public interest directors (PIDs).
- The roles and responsibilities of all directors should be clearly outlined, especially their responsibilities towards regulatory, compliance and risk management functions.
- In order to enhance transparency, the MIIIs should disclose the **agenda and minutes of meetings of their board**.
- The board meetings of MIIIs should be required to have **audio and video recordings**.

### Periodic Review

- Periodic review through an internal as well as external mechanism, should be conducted to evaluate the effectiveness of the MIIIs in discharging their core and critical functions.
  - Accordingly, the MIIIs should internally evaluate its own performance on an **annual** basis and engage an external agency for evaluating its performance once in every **three years**.
- The first external evaluation should be conducted within a period of twelve months from the date of implementation of the recommendations.
- MII may frame its own **evaluation metrics** based on the indicative parameters specified by SEBI.

### Escalation Matrix

- MIIIs should develop an escalation matrix for sharing confidential and sensitive information for any legitimate purpose.
- If any KMP or Board member becomes/ is aware of any acts of wrongdoing and fails to report the same to the Board of the MII or to SEBI, respectively, then such person should be held accountable

### Systemic Importance of MIIIs

- Due to the significant growth of these institutions in terms of market capitalization of listed companies, capital raised and the number of investor accounts with brokers and depositories and the value of assets held in the depositories' account.



- Moreover, unlike typical financial institutions, the number of stock exchanges, depositories and clearing corporations in an economy is **limited** due to the nature of its business, although they serve the entire marketplace.
- Any failure of such an MII could lead to even bigger collapse that may result in an overall economic downfall that could potentially extend beyond the boundaries of the securities market and the country.
- Therefore, governance and oversight are absolutely critical and need to be of the highest standards.

### India's Gold Reserves

- The **Reserve Bank of India's (RBI)** gold reserves touched 794.64 metric tonnes in fiscal 2023, an increase of **nearly 5 %** over fiscal 2022, when it held 760.42 metric tonnes of gold.
- The **RBI** bought 34.22 tonnes of gold in fiscal 2023; in fiscal 2022, it had accumulated 65.11 tonnes of gold.
- Between the fiscal year ended June 30, 2019 (the RBI used to follow the July-June accounting year then; this was changed to April-March starting 2020-21) and fiscal 2023, the RBI's gold reserves increased by 228.41 tonnes.
- The 794.64 tonnes of gold reserves in fiscal 2023 also included gold deposits of 56.32 tonnes.
- 437.22 tonnes of gold are held overseas in safe custody with the Bank of England and the Bank of International Settlements (BIS), and 301.10 tonnes of gold is held domestically.
- In value terms (USD), the share of gold in the total foreign exchange reserves increased from about 7 per cent at the end of March 2022 to about 7.81 per cent at the end of March 2023.

### Reasons For Purchasing Gold

- Experts believe that the RBI has been increasing its gold purchases over the last few years in order to **diversify its overall reserves**.
- This change in strategy, has been driven by negative interest rates in the past, the weakening of the dollar and growing geopolitical uncertainty.
- Central banks want security, safety, liquidity and return. Gold is a safe asset to have as it is liquid, has an international price which is transparent, and can be traded anytime. Due to this, central banks are buying gold.

### Scenario At Other Central Banks

- Many other central banks, including the Monetary Authority of Singapore (MAS), the People's Bank of China (PBoC) and the Central Bank of the Republic of Turkey have been buying gold.
- During 2022, the central banks from the Middle East, including Egypt, Qatar, Iraq, UAE, and Oman significantly boosted their gold reserves.
- In calendar year 2022, central banks around the world purchased 1,136 tonnes of gold, which was a record high.

#### India's Gold Market

- **As per the World Gold Council report (released in January 2023):**
  - India is the **second largest gold jewellery consumer in the world**.
  - In 2021, India bought 611 tonnes of gold jewellery, second only to China (673 tonnes).
  - Gold jewellery exports in India have grown from US \$7.6 billion in 2015 to US \$12.4 billion in 2019.
  - **Rural India is the largest consumer of gold jewellery occupying 55-58 per cent of the market share, and the middle class is the primary gold consumer in India.**



- The two key drivers of central banks' decisions to hold gold are its performance during times of crisis, and its role as a long-term store of value.

### Impact of Gold on Economy

- **Business/employment opportunities:**
  - Gold is used as a raw material for jewellery fabrication and making coins. This in turn creates business opportunities, value addition and employment.
- **Current account deficit (CAD):**
  - The import of gold requires foreign currency, which puts pressure on the country's foreign exchange reserves.
  - It should be noted that the gold imports are also used for export of gold jewellery, it has the potential to mitigate the adverse impact of imports on CAD.
- **Inflation:**
  - Gold is often used as a hedge against inflation, which means that during times of high inflation, demand for gold increases. This can lead to an increase in the price of gold.
- **Savings and investments:** Gold is considered a safe-haven asset and a store of value in India

### Financialization of Gold

- A report by NITI Aayog estimated that around 23,000-24,000 tons of gold lies unused with the households and religious institutions throughout the nation.
- It is with the view to monetise this unutilized gold that the Government introduced the **Gold Monetisation Scheme (GMS)** in the Union Budget, 2015.
  - The gold accumulated under the GMS was to be used productively and profitably, by banks through the Gold (Metal) Loan (GML).
  - GML was introduced as a low interest rate financial product for meeting inventory financing needs of the borrower.
- The Government had launched the **Sovereign Gold Bonds Scheme (SGBS)** in November, 2015.
  - It to reduce the demand for physical gold and shift a part of the gold imported every year for investment purpose into financial savings.

### Changes In GST

- To increase compliance under the Goods and Services Tax (GST) regime, the government has decided to lower the threshold for businesses to generate e-invoice for business-to-business (B2B) transactions.
- It has also rolled out the automated return scrutiny module for GST returns in a backend application for central tax officers.

### Automated Return Scrutiny Module (ARSM)

- ARSM for GST returns will enable the officers to scrutinise GST returns of centre-administered taxpayers selected on the basis of data analytics and risks identified by the system.
- Discrepancies on account of risks associated with a return will be displayed to the tax officers.
- They will interact with the taxpayers through the GSTN common portal for communication of discrepancies noticed in returns.
- And subsequent action in form of either issuance of an *order of acceptance of reply* or issuance of *show cause notice* or initiation of audit/investigation.

- ARSM has already commenced with the scrutiny of GST returns for FY 2019-20, with the requisite data already with the tax officers.

### e-invoicing

- In 2019, the GST Council had approved the **standard of e-invoice** with the primary objective to enable interoperability across the entire GST ecosystem.
- Under this, a phased implementation was proposed to ensure a common standard for all invoices.
- That is, an e-invoice generated by one software should be capable of being read by any other software and through machine readability, an invoice can then be uniformly interpreted.
- With a uniform invoicing system, the tax authorities are able to pre-populate the return and reduce the reconciliation issues.
- With a high number of cases involving fake invoices and fraud avilment of input tax credit, GST authorities have pushed for implementation of this e-invoicing system.
- The government has now lowered the threshold for businesses to generate e-invoice for B2B transactions to Rs 5 crore from Rs 10 crore under GST. The changes will come into effect from August 1.
- At present, businesses with turnover of Rs 10 crore and above are required to generate e-invoice for all B2B transactions.

### Significance

- For companies, e-invoicing is a boon rather than a bane as suppliers who are e-invoicing-compliant result in proper flow of **input tax credit** and reduce the churn around credit issues.
- These changes are expected to broaden the compliance mandate for more businesses, especially small and medium enterprises and help boost the GST revenue collections.
- It is expected to help to curb the actions of tax evaders and reduce the number of frauds as the tax authorities will have access to data in real-time.

### Angel Tax Exemptions

- Investors from 21 countries including US, UK, France, Australia, Japan have been exempted from the levy of angel tax for investment in unlisted Indian startups.
- Countries like Singapore, Netherlands and Mauritius, which constitute the major chunk of FDI in India, have not been included in the exemption list.

#### Background

- The **Finance Act, 2023**, had *amended Section 56(2)(viib) of the Income-tax Act* in February, 2023. The provision is colloquially known as the 'angel tax' and was **first introduced in 2012**.
- It was introduced to discourage the generation and use of unaccounted money through the subscription of shares of a closely held company at a value that is higher than the fair market value of the firm's shares.
  - The amended provision stated that when an **unlisted company**, such as a start-up, receives equity investment from a **resident** for issue of shares that exceeds the face value of such shares, it will be **counted as income** for the start-up.
  - Thus, it will be subject to income tax under the head **Income from other Sources** for the relevant financial year.
- For instance, if the fair market value of a start-up share is Rs 10 apiece, and in a subsequent funding round they offer it to an investor for Rs 20, then the difference of Rs 10 would be taxed as income.

- The **Finance Act, 2023** had also proposed to include **foreign investors in the ambit**, i.e. when a start-up raises funding from a foreign investor, even that would have been counted as income and would be taxable. However, **DPIIT-recognised startups were excluded**.

### Current Exemptions

- In the recent notification, the Central Board of Direct Taxes (CBDT) excluded entities which include those registered with Sebi as *Category-I FPI, Endowment Funds, Pension Funds*.
- Broad-based pooled investment vehicles where the number of investors in such vehicle or fund is more than 50 and the residents of 21 specified nations including US, UK, Australia, Germany and Spain have also been exempted.
- Other nations mentioned in the notification are Austria, Canada, Czech Republic, Belgium, Denmark, Finland, Israel, Italy, Iceland, Japan, Korea, Russia, Norway, New Zealand and Sweden.
- Other exempt entities include *government and government-related investors such as central banks, sovereign wealth funds, international or multilateral organisations or agencies including entities controlled by the government or where direct or indirect ownership of the government is 75 per cent or more*.
- Banks or entities involved in insurance business where such entity is subject to applicable regulations in the country where it is established or incorporated or is a resident are also exempt.

### Reasons For Current Exemptions

- The amendment in February was introduced in a backdrop where funding for India's startups dropped by 33 per cent to \$24 billion in 2022 as compared to the previous year, according to a PwC India report.
- Foreign investors are a key source of funding for start-ups & have played a big role in increasing the valuation.
- For instance, Tiger Global, one of the most prolific foreign investors in India, has invested in over a third of the start-ups that have turned unicorn, with a valuation of at least \$1 billion.
- This could push more startups to move overseas, as foreign investors may not want to deal with additional tax liability due to their investment in the startup.

### Concerns Regarding The Exemptions

- This relaxation is a welcome step to ease foreign investments. However, the exemption for broad-based fund is provided for 21 countries, which excludes top jurisdictions like Singapore, Mauritius and UAE.
- These three countries together constitute over 50% of foreign investment in India. Not including Singapore, Mauritius and UAE is a cause for concern for all significant PE/VC funds and start-ups in which they invest.
- Startup exemption for Angel Tax applies to less than 2% of DPIIT registered start-ups due to a long list of conditions they need to fulfill for a 7-year period, which makes it an exemption just on paper.
- Government spends a lot of time making policies after due consultation with the industry. However, the gap between policy intent and implementation needs to be bridged quickly, to utilise the opportunity available to Indian entrepreneurs today.



### PM SVANidhi Scheme

- Over 46.54 lakh small working capital loans have been disbursed to street vendors under the Prime Minister Street Vendor's AtmaNirbhar Nidhi (PM-SVANidhi) in the three years since it was launched in June, 2020.

- Out of the loans disbursed, about 40% (18,50,987) have been repaid so far.
- Most of the loans disbursed and repaid so far are first-term loans – 36,26,653 disbursed and 17,67,241 repaid.
- A total of 9,68,209 second-term loans and 59,440 third-term loans have also been disbursed till now.
- While no third-term loans have been repaid so far, 83,746 second-term loans have been paid back.

**Evaluation of Scheme on 3-year Completion**

- In 10 states and UTs, almost all in the Southern and North-East region, **women are the majority of the beneficiaries.**
  - Kerala is an exception, but this state has been a pioneer in fostering women’s empowerment through its own programmes like the Kudumbashree.
- The social fabric of the regions has a part to play in women outnumbering men in the number of beneficiaries.
  - For example, in the matrilineal societies of Meghalaya where the youngest daughter inherits property and women operate most enterprises.
- In some states, the local authorities targeted women’s self-help groups (SHGs) as beneficiaries.
  - For example, Andhra Pradesh’s MEPMA [Mission for Elimination of Poverty in Municipal Areas] was already working with SHGs.

**Scheme Details**

Launched in 2020, PM SVANidhi is a Central Sector Scheme fully funded by the Ministry of Housing and Urban Affairs. The scheme facilitates affordable collateral-free loans to street vendors.

Street vendors are eligible for a first-term loan up to Rs.10,000. A timely repayment ensures that the vendor gets a credit score and is eligible for a higher loan.

For instance, if the vendors repay the first loan, they are then eligible for a second-term loan of up to Rs.20,000 and subsequently, a third-term loan of up to Rs.50,000.

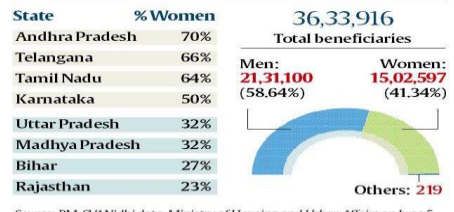
To incentivize adoption of digital transactions, a cashback of up to Rs 100 per month is given to street vendors.

Lending Agencies: Microfinance Institutions, Non-Banking Financial Company(NBFC), SHGs. On timely/early repayment of the loan, an interest subsidy of 7% per annum will be credited to the bank accounts of beneficiaries through direct benefit transfer (DBT) on a 6 monthly basis.

**Eligibility**

- The scheme is available for beneficiaries (engaged in vending in urban areas) belonging to only those States/UTs which have notified Rules and Scheme under Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.
- Beneficiaries from Meghalaya, which has its own State Street Vendors Act may, however, participate.

**THE SOUTH-NORTH DIVIDE**



Source: PM-SVANidhi data, Ministry of Housing and Urban Affairs on June 5

**Various Challenges In Implementing the Scheme**

- **Uneven implementation of the Street Vendors Act across the states:** The Act necessitates a survey of the vendors to issue a certificate of vending. However, many states and cities have not conducted the survey yet.
- **Some municipalities are also slow in issuing LORs:** In the absence of the survey, the urban local bodies (ULBs) can provide a Letter of Recommendation (LOR), if the vendor is a member of a vendor association.

**Street Vendors In India**

There are an estimated 50-60 lakh street vendors in India, with the largest concentrations in the cities of Delhi, Mumbai, Kolkata, and Ahmedabad. Most of the street vendors across the country are migrants.

**Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014**

- It was enacted to regulate street vendors in public areas and protect the livelihood rights of street vendors.
- As per the Act, vending and non-vending zones have to be demarcated and all street vendors have to be accommodated in the vending zones.
- As reported by the States/UTs, a total of 13,403 vending zones have been identified so far.

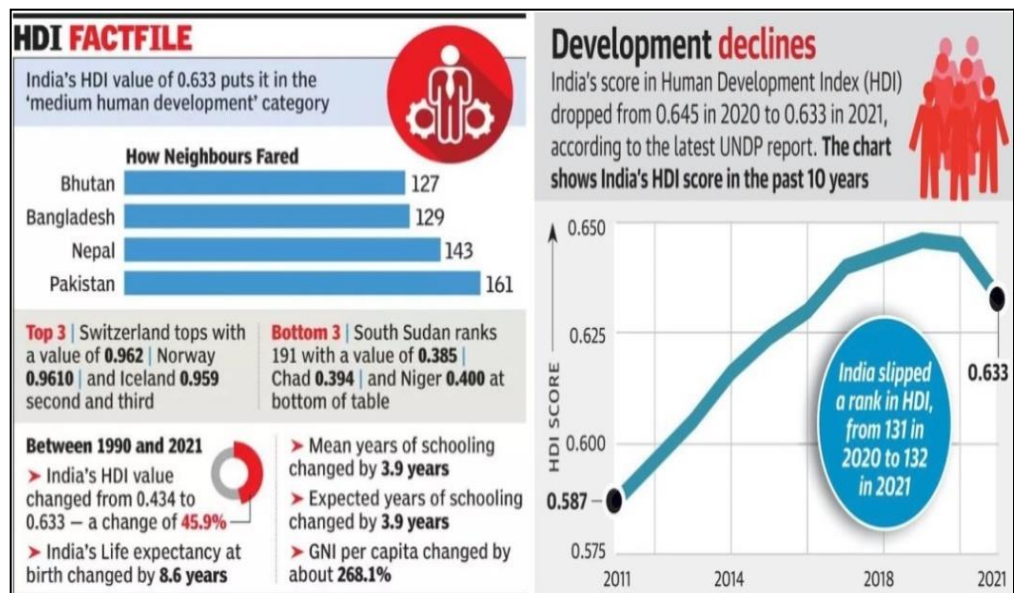


- The Act provides for a survey of all existing hawkers and certificates of vending are to be issued to all existing hawkers identified in the survey.
- Further, no hawker can be removed from his/her spot unless and until the survey has been done and certificates of vending issued.
- In order to prevent harassment of street vendors, the Act states that no street vendor shall be harassed under any other law in force. Moreover, the Street Vendors Act will override any other law related to street vendors.

## Inclusive Growth

### India Ranks 132 In UNDP's HDI

- According to the Human Development Index (HDI) 2021, **India ranks 132 out of 191 countries**, following a decline in its score. The decline is consistent with the global trend since the outbreak of COVID-19.
- The Index is part of the United Nations Development Programme's (UNDP) recently issued Human Development Report (HDR) 2021-2022.



### Human Development Report 2021-2022

- According to the recent report, global progress is reversing, as the 'Human Development' has fallen for two years in a row (2020 and 2021).
- Globally, nine out of ten countries' human development performance has slipped due to multiple crises such as COVID-19, war in Ukraine and environmental challenges. This indicates that global human development has stalled for the first time in **32 years**.
- A significant contributor to the HDI's recent decline is a global decline in life expectancy, which has fallen from 72.8 years in 2019 to 71.4 years in 2021.
- The latest HDR highlights that stress, sadness, anger and worry have been increasing over the last decade and are now at record levels as the new normal takes shape. The world is still not transitioning to a post-Covid-19 build-back-better scenario.
- On the contrary, **developing countries across the globe are entering a period of sharp social, political and economic divergence**, adversely affecting the most vulnerable and increasing gender inequality (which increased 6.7% globally).
- **Asian Region:** At 73 and with an index value of 0.782, **Sri Lanka emerged** as the best performer in the Indian sub-continent. It was followed by China (79 and 0.768), Bhutan (127 and 0.666), Bangladesh (129 and 0.661), **India (132 and 0.633)**, Nepal (143 and 0.602) and Pakistan (161 and 0.544)



**India's Performance In 2021**

- India is **ranked 132 out of 191 countries** in the 2021 HDR's HDI. In the 2020 HDI, India was ranked 130th out of 189 countries.
- India's HDI value fell owing to a **drop in life expectancy** from **69.7 to 67.2 years**. In 2020, too, India recorded a decline in its HDI value (0.642) in comparison to the pre-Covid level of 2019 (0.645).

	India	World Average
HDI value	<b>0.633</b> (0.642 in 2020)	0.732
Life expectancy at birth	67.2 years	71.4 years
Expected years of schooling	11.9 years	12.8 years
Mean years of schooling	6.7 years	8.6 years
Gross national income per capita (2017 PPP)	\$6,590	\$16,752.

- According to the GII, India ranks **122** out of 170 countries, with a value of **0.490**. This indicates that India's GII value **improved slightly** in the latest report compared to the 2020 index (0.490 vs 0.493), despite gender inequality worsening between 2019 and 2020.
  - The GII measures inequality in achievement between women and men in three dimensions - **Reproductive health, Empowerment and the Labour market.**

Multidimensional Index (MPI)	Poverty	Gender Development Index	Inequality-adjusted Development Index	Human
Country (HDI rank)	India	Country (HDI rank)	India (#132)	World
Population in severe MPI (in %)	8.8	GDI	0.849	0.958
Population vulnerable to MPI (in %)	19.3	GNI per capita for women (in 2017 PPP \$)	2,277	12,241
Population living below income poverty line (%) (PPP \$1.90 a day)	22.5	GNI per capita for men (in 2017 PPP \$)	10,633	21,210
			Country (HDI rank)	India (#132)
			What happens to HDI when adjusted for inequality	Falls by 25%
			Income share held by poorest 40% of	20%
			Income share held by the richest 1%	22%
				World
				Falls by 19%
				18%
				17%

**Inference**

- According to UNDP, comparing rankings across countries is inaccurate because the HDI was calculated for 189 countries in 2020 and 191 countries this year.
- Despite the decline in India's HDI value, it continues to outperform the average human development in South Asia.
- Since 1990, India's HDI value has been steadily catching up to the global average, indicating a faster rate of progress in human development than the global average.

**The Indian Payments Handbook 2022-27**

- Unified Payments Interface (UPI) transactions are expected to continue growing steadily, reaching a remarkable milestone of 1 billion transactions per day by 2026-27.
- This projection was made in the recently released report by PwC India titled "The Indian Payments Handbook 2022-27".

**Key Highlights**

- UPI, which has been instrumental in driving the digital payments revolution in India, accounted for approximately 75% of the total transaction volume in the *retail segment* during the period of 2022-23.
- UPI is projected to dominate the retail digital payments landscape even further, accounting for an impressive 90% of the total transaction volume over the next five years.
- This projection underscores the increasing adoption and reliance on UPI as the preferred mode of digital payment in the country.
- The Indian digital payments market has witnessed consistent growth, with a compounded annual growth rate (CAGR) of 50% in terms of transaction volume.
- The report predicts that this growth trajectory will continue, projecting the number of transactions to surge from 103 billion in FY 2022-23 to a staggering 411 billion in FY 2026-27.
  - ✓ Specifically, it is estimated that UPI transactions will experience a substantial rise from 83.71 billion in 2022-23 to 379 billion transactions by 2026-27.

**Card Payments**

- While UPI takes the lead, the report also acknowledges the significance of the credit card segment, which continues to experience robust growth.
- Card payments, including both debit and credit cards, remain popular instruments for retail digital payments after UPI.
- However, the report foresees a shift in dominance between debit and credit cards, with credit card transactions expected to surpass debit card transactions by FY 2024-2025.
- Over the **next 5 years**, credit card issuance is projected to grow at a healthy CAGR of 21%, whereas debit card issuance is anticipated to have stagnant growth with a CAGR of 3%.
- The decline in debit card usage is attributed to the fact that cash withdrawal, which has been a primary use case for debit cards, can now be conveniently replaced by UPI-based cash withdrawal methods.
- In 2022-2023, revenue generated through the credit card segment accounted for nearly 76 per cent of the total cards' revenue, making it an attractive and lucrative business segment for banks, non-banking financial companies (NBFCs), and fintech firms.
- The revenue from credit card issuance witnessed a substantial increase of 42% in 2022-2023 compared to the previous year and is projected to grow at a CAGR of 33% over the next 5 years.

**Land Reforms In India**

**Unique Land Parcel Identification Number (ULPIN)**

The Rural Development Ministry said that ULPIN has been adopted by 26 states and UTs so far.

- Digital India Land Records Modernization Program (DILRMP) is being implemented by the Department of Land Resources (Under Ministry of Rural development) through State / UT Governments to accelerate digitization of land records (textual and spatial) to facilitate land related information to the citizens.
- Under this programme, Unique Land Parcel Identification Number (ULPIN) or Bhu Aadhaar ("the Aadhaar Number for land") will be assigned to a land parcel.

**Digital India Land Records Modernization Program (DILRMP)**

- This program was launched in 2008 by combining two Centrally Sponsored Scheme of Department of Land Resources viz.:
  - Computerization of Land Records (CLR)
  - Strengthening of Revenue Administration and Updating of Land Records (SRA&ULR).
- This program (Central sector scheme) has been extended to 2023-24, to complete its original targets as well as expand its ambit with a slew of new schemes.
- The program has introduced various new measures such as the National Generic Document Registration System (NGDRS), ULPIN, Transliteration of Record of Rights, the connection between revenue court and land records, and the integration of consent-based Aadhar numbers with land records.
  - NGDRS: It is aimed at providing one Nation one software for registration of documents & properties to 'empower citizens'.
- DILRMP's next phase will include linkage of land record databases with banks.
- This will improve the provision of services to the citizens of the country and serve as valuable inputs for schemes in other sectors such as Agriculture, Finance, Disaster Management, and more.



**Objective of DILRMP**

To build upon the commonalities that exist in the arena of land records in various States to develop an appropriate *Integrated Land Information Management System (ILIMS)* across the country

- ✓ The ILIMS integrates all the processes and lands records databases with the banks, financial institutions, circle rates, Registration Offices and other sectors.

**Three Components**

(a) Computerization of land record (b) Survey/re-survey (c) Computerization of Registration.

**About Unique Land Parcel Identification Number (ULPIN)**

<b>What?</b>	<ul style="list-style-type: none"> <li>• Also known as the Bhu Aadhaar, it is a 14-digit (Alpha-Numeric Unique ID) identification number accorded to a land parcel and is a single, authoritative Source of Truth for information on any parcel of land or property to provide Integrated Land Services to the citizens as well as all stakeholders.</li> <li>• It would uniquely identify every surveyed parcel of land and prevent land fraud, especially in rural India, where land records are outdated and disputed.</li> </ul>
<b>Why?</b>	<ul style="list-style-type: none"> <li>• Earlier different states used different methods for assigning unique IDs to land parcels for digitizing the land records.</li> <li>• This made extraction of important information about the farmer and his land difficult and cumbersome. A lot of times, these IDs were repeated in each village, making it difficult to establish farmer-land relationships.</li> <li>• To solve this issue, bring uniformity in the process and for standardizing the data, ULPIN was introduced with the aim of having one registration system across the country.</li> </ul>
<b>Implemented by</b>	Department of Land Resources (DoLR) along with the Ministry of Electronics and Information Technology (MeitY), Department of Science and Technology (DST) and the National Remote Sensing Centre (NRSC).
<b>How?</b>	<ul style="list-style-type: none"> <li>• The unique IDs are based on the longitude and latitude coordinates of the land parcel and depend on detailed surveys and geo-referenced cadastral maps (geo-referencing is a pre-condition for generation of BhuAadhaar).</li> <li>• Various types of data relating to the landed properties, which are currently under the possession of different ministries and departments, too will be linked with the ULPIN.</li> <li>• These IDs are of international standard and compliance of the Electronic Commerce Code Management Association (ECCMA) standard and Open Geospatial Consortium (OGC) standards.</li> </ul>

**Benefits**

- It will allow proper land statistics and land accounting which will help develop land bank and lead towards *Integrated Land Information Management System (ILIMS)*.
- It will ensure uniqueness in all transactions and keep the land records always up-to-date.
- It will link all property transactions.
- It will enable single window delivery of citizen services of land records.
- It will allow sharing of land record data across departments, financial institutions and all stakeholders.
- Standardization at data and application-level will bring in effective integration and interoperability across departments.
- It will help in tackle corruption and effective handling of land disputes.

**Drawbacks**

- It could exclude rural and indigenous people who do not hold titles.
- It could marginalize those with no access to internet.
- The process can become ineffective if it uses outdated records.
- It will impact the privacy of an individual as all the records will be available online and could be accessed by anyone.
- Data recorded without ground survey may lead to eviction of vulnerable.
- Many plots have been subdivided since the last survey, yet remain as one plot in cadastral maps to avoid transaction costs. This could lead to incomplete information being recorded in the system.
- Implementing the scheme without addressing legacy issues can seriously undermine citizen trust and may lead to further disputes.

**Transliteration of Record of Rights**

- The Records of Rights in each state and Union territory are maintained in local languages.
- The linguistic barriers within these states pose serious challenge in accessing the information.
- To address this issue, the government with the technical support of the Centre for Development of Advanced Computing, Pune, has undertaken an initiative to transliterate the Records of Rights available in local languages to any of the 22 languages recognized by the Constitution.

**Industrial Policy and Growth, Trade And Investment**

**Framework For Fake e-Commerce Reviews**

- The Department of Consumer Affairs launched the framework for protecting consumer interest from **fake and deceptive reviews in e-commerce**.
- Titled *Indian Standard (IS) 19000:2022 Online Consumer Reviews — Principles and Requirements for their Collection, Moderation and Publication*, the framework was **prepared by Bureau of Indian Standards (BIS)**.

**Need For The Standard**

- According to a survey by Local Circles, a community research platform and part of the committee that drafted the guidelines, 64% respondents consult reviews at all times, 26% occasionally, 7% only for expensive products.
- However, there have been **concerns about the integrity of these reviews**. There are complaints of manufactured positive reviews by sellers or negative reviews by a competitor.
- Further, **“online reputation management”** companies are being engaged for improving reviews.

- Moreover, companies have both penalised and incentivised consumers for writing negative and positive reviews respectively.
- As per the survey, 80% respondents had purchased a product seeing higher reviews and were disappointed – at least once.
- Noting the impact of fake reviews, the consumer affairs department **constituted a committee** for developing a framework on checking fake and deceptive reviews in June, 2022.
- The committee included various stakeholders, including e-commerce companies, industry associations, consumer organizations and law chairs.

### Key Points Of The Standard

- The guiding principles of the standard are integrity, accuracy, privacy, security, transparency, accessibility and responsiveness.
- The standard will be **applicable to every online platform that publishes consumer reviews**. These include suppliers of products and services which collect reviews from their customers, third parties contracted by suppliers or independent third parties.
- The organization will have to develop a code of practice, and necessary requirements for terms and conditions like *accessibility, criteria, and ensuring content does not contain financial information etc.*

### Paid Reviews

- The BIS has defined reviews as **solicited and unsolicited**. Solicited review refers to consumers' reviews of products or services as requested by the supplier or review administrator.
- E-commerce platforms will **need to “voluntarily” disclose “paid customer reviews”** of products and services.
  - If a review is purchased or you are rewarding the person for writing the review, then that has to be clearly marked as a purchased review.

### Review Authors and Review Administrators

- The person responsible for handling the review in any organisation will be called the **review administrator**.
- The standard prescribes specific responsibilities for the review author and the review administrator.
  - **For review author**, these include confirming acceptance of terms & conditions, providing contact information.
  - **For review administrator**, responsibilities include safeguarding personal information & training of staff.
- The guidelines provide for **ways to ‘verify a review author’** through email, telephone or text message to confirm the registration, or by clicking a link, and using a captcha system, to establish genuineness
- It also has provisions to protect the reviewer’s identity that should not be revealed without permission.

### Methodology Disclosure

- Disclosure is an important factor on the basis of which the standards for online reviews are computed. All the organizations will have to be transparent about the methodology used to rate the products.
- For instance, if a product gets a 4-5 stars rating, the organization will have to inform the period in which the data was collected, and if an average was calculated.

### Certification

- BIS will soon come out with a certification process to check whether an organisation is complying with these standards. E-commerce players can apply for the **certification of this standard** with the BSI.

**Impact**

- The standard will drive increased transparency for both consumers and brands and promote information accuracy.
- It would ensure that negative reviews on e-commerce platforms are not removed without reason.
- For platforms such as Google and Meta, the validation guidelines would, over time, erase accounts created solely for fake reviews.
- It will help to increase confidence among consumers to purchase goods online and help them take better purchase decisions.
- Thus, the standard is expected to benefit all stakeholders in the e-commerce ecosystem i.e., consumers, e-commerce platforms, sellers etc.

**Way Ahead**

- The standard will be **voluntary** but the government will consider making them mandatory in case the issue of fake reviews continue on the online platforms.
- Once made mandatory, if required, the violation of the standards may be considered as an unfair trade practice or violation of consumer rights.
- And a consumer may submit such grievances to the National Consumer Helpline, Consumer Commissions or the Central Consumer Protection Authority (CCPA).

**PM MITRA Parks**

The government recently announced that **seven mega textile parks** under the ₹4,445-crore **PM Mega Integrated Textile Regions and Apparel (PM MITRA)** scheme will be set up in the first phase.

**Details of PM MITRA**

- First announced in Union Budget 2021, PM MITRA is designed to make the textile industry globally competitive.
- It is inspired by the **5F vision of Farm to Fibre to Factory to Fashion to Foreign**. It aims to create an **integrated textiles value chain** from spinning, weaving, processing/dyeing and printing to garment manufacturing at one location.
- Under the first phase of the PM MITRA scheme, large textile parks, spread across at least 1,000 acres, will come up in 7 States —Tamil Nadu, Karnataka, Telangana, Madhya Pradesh, Maharashtra, Gujarat, and UP.
- The parks will have **plug-and-play manufacturing facilities** and all the common amenities required.
- **Special purpose vehicles (SPVs)**, with a 51% equity shareholding of the State government and 49% of the Centre, will be formed for each park.
- Each park will have an incubation centre, common processing house, a common effluent treatment plant, design and testing centres, skill training centres and warehouses too.
- It is designed to attract investment from companies that are looking to scale up, and require integrated manufacturing facilities in one location.

**Support Under The Scheme**

- The centre will provide **Development Capital Support** for the development of common infrastructure (@30% of the project cost) with a cap of Rs 500 crore for each greenfield MITRA park and up to Rs 200 crore for each brownfield park.
- A **greenfield** project refers to a completely new project and **brownfield** projects are pre-existing projects that are modified or upgraded.



- An additional Rs 300 crore will be provided as **Competitiveness Incentive Support (CIS)** for the early establishment of textiles manufacturing units in each of these parks.
  - Under CIS, a maximum support of Rs 10 crore per year for a maximum of three years will be provided to such anchor (early) investors.
- State Government support will include provision of **1,000 Acre land** for development of a world class industrial estate.

### Benefits

- Convergence with other Central Government and State Government Schemes is also available under the scheme. This will **enhance competitiveness** of the textiles industry, by helping it **achieve economies of scale**.
- It will help in setting up world-class industrial infrastructure that would attract new age technology, boost FDI and local investment (expected to generate investments worth ₹70,000 crore) and help Indian companies to emerge as **global champions**.
- The value chain at one location will **reduce logistics cost** and each park is expected to directly generate around **20 lakh jobs**.

### Samarth (Scheme for Capacity Building in Textile Sector)

- In order to broad base the panel of implementing partners of **Samarth**, Ministry of Textiles has invited proposals for **empanelment** from textile industry and industry associations related to textile sector.
- Samarth is a **demand driven and placement-oriented umbrella skilling programme** of Ministry of Textiles.
- The scheme was formulated under the broad skilling policy framework adopted by Ministry of Skill Development & Entrepreneurship. Its implementation period is **up to March 2024**.
- The scheme is **implemented through** Implementing Partners (IPs) comprising of Textile Industry/ Industry Associations, State government agencies and Sectoral Organizations of Ministry of Textiles like DC/ Handloom, DC/Handicrafts and Central Silk Board.
- Samarth **aims to** incentivize and supplement the efforts of the industry in creating jobs in the organized textile and related sectors, covering the entire value chain of textiles, **excluding spinning and weaving**.
- The training programme and course curriculum have been rationalized keeping in view the technological and market demand of the domestic and international economies.
- In addition to the entry level skilling, a special provision for upskilling/re-skilling programme has also been operationalized towards improving the productivity of the existing workers.
  - It also caters to the upskilling/ re-skilling requirement of traditional textile sector such as handloom, handicraft, silk and jute.
- Furthermore, a total of 184 courses aligned with **National Skill Qualification Framework (NSQF)** have been adopted under the scheme.
- **Employment linkage** is mandated in the courses under organized textile sector with **mandatory placement 70% in entry level & 90% for Upskilling programmes**.

### Impact

- The scheme has been penetrated across 28 States and 6 Union territories and caters to all sections of the society including SC, ST and other marginalized categories.
- Out of the skilling target of 3.47 lakh beneficiaries allocated so far, **1.5 lakh beneficiaries have been provided training**.
- More than **85% of the beneficiaries trained** so far are **women**. More than **70% of the beneficiaries** trained in organized sector courses have been **provided placement**.

**National MSME Council**

- The Ministry of MSME organised the *first meeting of the National MSME Council*.
  - The event was organised under the Central Sector Scheme **Raising and Accelerating MSME Performance (RAMP)**.
- The National MSME Council has been set up to work as an administrative and functional body to oversee inter-Central Ministerial/Departmental co-ordination, facilitate Centre State synergies and monitor progress on the reforms mandated in the MSME sector including the RAMP programme.
  - RAMP is a World Bank-assisted central government program, launched in June 2022, with the outlay of Rs 6,062.45 crore.
  - From the total corpus, Rs 3750 crore would be loaned by the World Bank and the remaining Rs 2312.45 crore would be contributed by the Union Government.
- RAMP aims to enhance **access to market and credit** by strengthening institutions, enhance centre-state partnerships, address issues of delayed payments and greening of MSMEs.
- It also aims to ramp up implementation capacity and MSME coverage in states, with impact enhancement of existing MSME schemes.

**India Handmade Portal**

- The Ministry of Textiles has developed an E-Commerce portal called **India handmade portal** for handicrafts and handloom sector.
- India is well-known for its rich cultural heritage and traditional crafts, which include handloom and handicraft products.
- Handloom refers to the process of weaving cloth using a manually operated loom, while handicrafts are items made by skilled artisans using traditional techniques.
- The aim is to provide products from more than 35 Lakh Handloom weavers & 27 Lakh Handicraft artisans directly to the consumers.
- The portal offers a wide range of products, including clothing, home decor, jewellery, accessories, and more. All the products are handmade by skilled artisans.
- Many of the products sold on the portal are made using eco-friendly and sustainable materials, making them a great choice for those who are conscious about their impact on the environment.
- Overall, it is a one-stop-shop for all things handmade in India and a great way to discover and support Indian artisans and their crafts.
- It also provides free handholding of sellers from registration till order fulfilment to ensure ease of doing business.

**Significance**

- With the help of this virtual Indian store, the artisans will get remunerated fairly with no middlemen to manipulate prices.
- The portal will also provide an opportunity to total 62 Lakh weavers and artisans become future e-entrepreneurs.
- Furthermore, city dwelling urban Indians will get access to 100% authentic & best handicrafts products emerging straight from the heart of India.

Indian Handloom Industry	Handicraft Industry
<ul style="list-style-type: none"> <li>• The operations of the handloom industry in India are primarily</li> </ul>	<ul style="list-style-type: none"> <li>• Handicrafts are items that are</li> </ul>

household based. It is one of the largest, but unorganized, economic activity in the country.

- It provides employment directly and indirectly to over 43.31 lakh weavers from rural and semi-urban areas, with as much as 77% of the adult weavers and allied workers in the sector being women.
- Strengths of the sector include minimal use of capital and power, environment-friendly production processes and flexibility to innovate and offer products as per market requirements.
- As per the Third Handloom Census conducted in 2009-10, nearly 27.83 lakh handloom households are engaged in weaving and allied activities, out of which 87% are in rural areas and the remaining 13% are in urban areas.
- A vast majority of the handlooms are located in the North Eastern Region (NER) of India, which accounts for nearly 65.2% of the total handlooms that are operational in the country.
- NER accounts for 49.8% of the total weavers in the country with Assam leading the share of handloom workers.
- There are various popular handloom products which have Geographical Indication (GI) viz. Muga silk (Assam), Bhagalpur Silk (Bihar), Patan Patola (Gujarat), Chanderi Sarees (Madhya Pradesh), Paithani sarees and Fabrics (Maharashtra), Kancheepuram silk (Tamil Nadu), Mysore silk (Karnataka).

constructed by hand using simple tools rather than mass production methods and equipment.

- It is one of the most important sectors in the Indian economy employing more than seven million people.
- The country produces wood ware, art metal wares, hand printed textiles, embroidered goods, zari goods, imitation jewellery, sculptures, pottery, glassware, agarbattis, etc.
- Indian handicraft industry is dominated by female artisans with over 56% of the total artisan.
- The country has 744 handicraft clusters employing nearly 212,000 artisans and offering over 35,000 products.
- Surat, Bareilly, Varanasi, Agra, Hyderabad, Lucknow, Chennai, and Mumbai are among the major clusters.

### Trade Statistics

- Ministry of Commerce and Industry recently released India's trade data for fiscal year **2022-23**.
- Total goods exports in 2022-23 rose 6.03% to \$447.46 billion, while the import bill increased by a steeper 16.5% to \$714 billion.
- The goods trade deficit rose almost 40% to over \$266 billion in 2022-23, compared to \$190 billion in 2021-22.
- However, using estimates for Services exports during March for which final data will be available in May, the Ministry pegged the total trade deficit for the year at \$122 billion, 46% higher than the \$83.5 billion gap in 2021-22.

### Status of Imports

- While petroleum imports jumped about 30% to nearly \$210 billion in 2022-23, coal imports grew at a faster 57% to touch almost \$50 billion.
- Gold imports, on the other hand, fell around 24% to \$35 billion as global prices for the metal surged and the Rupee turned weaker.
- Fuelled by discounted oil shipments, India's imports from Russia grew almost 370% to over \$46 billion in 2022-23.
- Russia's share in import increased from 1.6% in 2021-22 to 6.5% last year, making it the fourth largest import source nation for India, behind **China, UAE and USA**.

- China's **share of goods imports** dipped to 13.8% in the year gone from 15.4% in 2021-22. However, imports from the country still grew 4.2% to reach \$98.5 billion last year.

### Status of Exports

- India's uptick in outbound shipments was **largely led by petroleum, up 27% to \$94.5 billion**, followed by **electronics goods that rose 7.9% to \$23.6 billion**. Petroleum exports now account for 21.1% of total exports, up from 16% in 2021-22.
- The other three of India's top five export items registered insignificant growth - Rice (up 1.5%), chemicals (1%), and drugs and pharmaceuticals (0.8%).
- Engineering goods, India's mainstay in goods exports in recent years, shrank 5.1% to \$107 billion, bringing down their share in total exports from 26.6% to 23.9%.
- **Non-oil exports**, in fact, contracted 0.5%, and if electronics exports were excluded too, goods shipments were 2.8% lower than 2021-22, which economists called a red flag.
- Important segments like engineering and gems and jewellery witnessed negative growth and a further slowdown is expected in exports.

### Export Destinations

- The **USA remained India's top export destination**, followed by **UAE**, while **Netherlands** emerged as the third largest goods buyer, displacing China to the fourth position in 2022-23.
- Exports to China fell 28% to just \$15.3 billion and Indian shipments to China now account for just 3.4% of total exports, from over 5% in 2021-22.
- Netherlands' share of Indian exports jumped from under 3% in 2021-22 to 4.7%, recording a significant 66.6% increase year-on-year.
- Bangladesh and Hong Kong remained in India's top 10 export markets, although the value of shipments contracted by 27.8% and 9.9%, respectively.

### Future Outlook

- Weakening external demand amid the global slowdown in the second half last year, along with the moderation in global commodity prices hurt non-oil exports and these concerns are set to worsen this year.
- This could lead to a deeper contraction in merchandise exports in 2023-24, affecting manufacturing output and dragging down GDP growth.
- Moreover, with the Rupee seeing an appreciating tendency, the currency advantage would be weaker for exporters.
- Imports may slow a little as domestic growth slows down but could keep putting pressure on the deficit that could increase if oil prices increase.

## Infrastructure: Energy, Ports, Roads, Airports, Railways etc

### UDAN 5.1

- The Ministry of Civil Aviation has launched UDAN 5.1 to further enhance the connectivity to remote areas of the country and achieve last mile connectivity through helicopters.
- For the first time under the Regional Connectivity Scheme (RCS) - UdeDesh Ka Aam Nagrik (UDAN), this round is **designed specifically for helicopter routes**.

- The latest round of UDAN scheme is a testament to **two emerging phenomena in Indian civil aviation**:
  - A deeper democratisation of air travel with a focus on last-mile connectivity.
  - A growing appetite for helicopters in aiding tourism.

### Main Features

- An increase in the scope of operations for operators wherein the scheme will now allow routes where one of the origin or destination locations is in a priority area. **Earlier both points had to be in priority areas**.
- **Airfare caps have been reduced by as much as 25%** to make flying in helicopters more affordable for passengers.
- **Viability Gap Funding (VGF) caps** for the operators have been **increased substantially** for both single and twin-engine helicopters to enhance financial viability for operating the awarded routes.

### Benefits

- Under the scheme passengers have received the benefit of air connectivity, airlines have received concessions for operating regional routes, and unserved regions have received the direct and indirect benefits of air connectivity for their economic development.
- Greater helicopter penetration through such efforts will help boost tourism, hospitality, and thus local economies. While the intended target is to provide last-mile connectivity, it is also projected to give the helicopter segment of the Indian civil aviation industry a much-needed boost.
- Till date 46 helicopter routes have been operationalized under previous rounds of the scheme benefitting a number of hilly and North East states and this round is targeting coverage of a much larger number of routes.

### Sagar Manthan

- The Ministry of Ports, Shipping and Waterways (MoPSW) has launched the Real-Time Performance Monitoring Dashboard called **Sagar Manthan**.
- Developed in-house by the MoPSW, the platform will have all the integrated data related to the ministry and other subsidiaries.
- It will enable organizations to monitor and track the progress of their projects and key performance indicators (KPIs).
- In addition to **real-time project tracking** it also promotes risk management, resource allocation and progress reporting.

### Features Of The Dashboard

- Data visualization
- Real-time monitoring
- Improved communication
- Data-driven decision making
- Increased accountability
- In future, the dashboard would further be integrated with input from CCTV camera, live streaming from drones, AI based algorithm to map actual progress.

### Significance

- It is a significant step towards digitalization and transparency in the **maritime transport sector**.

- The dashboard will transform the workings of various departments by improving well-coordinated real time information.
- Effective project monitoring will ensure **timely completion of projects**, informed decision-making, increased efficiency & effectiveness of projects.

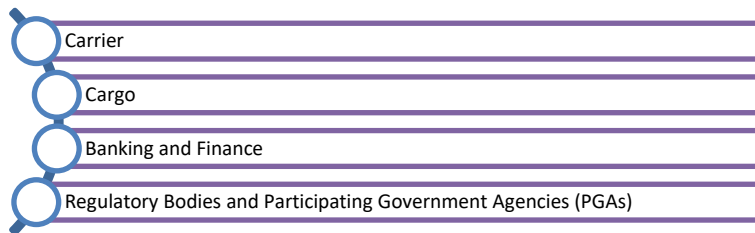
**Sagar Setu App**

- The Ministry of Ports, Shipping and Waterways has launched the App version of **National Logistics Portal (Marine)** called **Sagar Setu**.
- The app covers features like *Login Module, Service Catalogue, Common Application Format, Letter of Credit, Bank Guarantee, Certification, and Track & Trace etc.*
- It will **provide real-time information** of activities that are generally not in reach of the importer, exporter, and customs broker including vessel-related information, gate, container freight stations and transactions on fingertips.
- It also **enables digital transactions for payments** required for the clearance process of import and export like container freight station charges, shipping line charges, transportation charges, etc.

Benefits for Traders	Benefits for Service Providers
<ul style="list-style-type: none"> <li>• Improve convenience with reduced turnaround time for approval and compliances.</li> <li>• Increase visibility of operations and tracking.</li> </ul>	<ul style="list-style-type: none"> <li>• Help in tracking of records and transactions offered</li> <li>• Receive notification of service requests.</li> </ul>

**National Logistics Portal (Marine) (NLP)**

- NLP is a one-stop platform aimed at connecting all the stakeholders of the logistics community using IT, to improve efficiency and transparency.
- It aims to reduce regulatory complexities and enhance the ease of doing business by moving towards user-friendly paperless trade.
- The activities of NLP Marine are categorized into **four distinct verticals** viz.



- NLP will be a **single window for all trade processes of the logistics sector** spread across the country covering all modes of transport in the waterways, roadways, and airways.
- It is a one stop marketplace where all logistic stakeholders are integrated for easier, speedier & competitive services thereby promoting trade and growth.
- This will enrich the user experience through end-to-end tracking of the shipment with notifications at each stage, seamless exchange of documents, and the ability to securely transact with transparency and speed.

**Logistic Performance Index 2023**

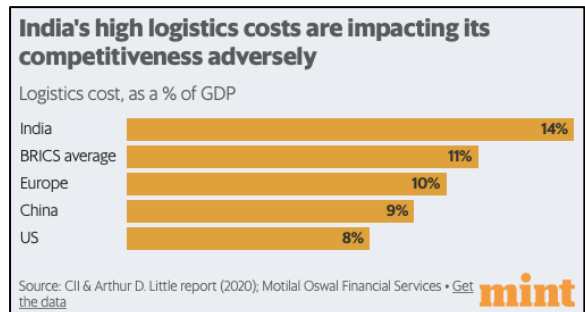
- The **World Bank** recently released the **Logistic Performance Index (LPI) 2023**.



- The LPI covers **139 countries and** measures the ease of establishing reliable supply chain connections and the structural factors that make it possible, such as the quality of logistics services, trade and transport-related infrastructure, and border controls.
- The survey report is usually released every two years, but it was delayed due to difficulties in conducting the survey during 2020-21.
- Countries are given a **score between 0 and 5 on six factors**, which have remained the same since its inception in 2007. The final score is an average of these numbers.
- The **six factors** are: customs, infrastructure, shipments, competence and quality, timeliness, and tracking and tracing.

### Key Findings

- **India** was ranked 44th on the index in 2018 and has now **climbed to 38th in the 2023** listing, due to significant investments in logistics infrastructure and technology. India **scored 3.4** out of a maximum possible score of 5 on the 2023 index.
- Timeliness was a problem on a global scale due to the lingering effect of the pandemic on the supply chain.
- The report quotes modernisation and digitalisation as a reason for emerging economies, like India, to leapfrog advanced countries.
- The average dwell time for containers between May and October 2022 was three days for India and Singapore, much better than in some of the industrialised countries. The dwell time for the U.S. was seven days and for Germany, it was 10 days.
  - Dwell time is how long a vessel spends at a specific port or terminal. It may also refer to the amount of time that a container or cargo spends at a port or terminal before being loaded onto a vessel or after being unloaded from a vessel.
- Shipping container vessels operate on schedules and delays in any particular port are felt across the service. The shorter the dwell time, the lower the vessel and marine-terminal operating costs.



### Measures Taken In India

- The government has launched the **PM Gati Shakti initiative**, a National Master Plan for multimodal connectivity, in 2021, to reduce logistics cost and boost the economy by 2024-25.
- In 2022, the Indian government launched the **National Logistics Policy (NLP)** to ensure the required efficiency in the logistics sector.
- The country has set a goal of raising its LPI score to rank among the top 25 by the year 2030. The current average score of these 25 nations is 3.92.
- One of the other primary goals of the country's National Logistics Policy is to lower logistics expenses, which account for 13-14% of the country's GDP compared to only 8-10% in developed nations.
- The government has also invested in **trade-related soft and hard infrastructure** connecting port gateways on both coasts to the economic poles in the remote areas.
- Technology has been a critical component of this effort, with implementation under a public-private partnership of a supply chain visibility platform, which contributed to remarkable reductions of delays.
- NICDC Logistics Data Services Limited applies radio frequency identification tags to containers and offers consignees end-to-end tracking of their supply chain.

## CoEs Under Mission for Integrated Development of Horticulture

- The Ministry of Agriculture and Farmers Welfare recently approved three Centers of Excellence (CoE) under the **Mission for Integrated Development of Horticulture (MIDH)**.
- The ministry has approved 49 CoEs till now. The CoEs are being established in various states through Bilateral Cooperation or Research Institutes.
- These CoEs serve as demonstration and training centres for latest technologies in the field of horticulture.
- The CoEs also serve as source of planting material for fruits and vegetable seedlings for protected cultivation.
- They are used for transfer of technology and knowhow in diverse areas, viz., post-harvest management, irrigation and fertigation, plant protection, introduction of new varieties, pollination etc.
- The three CoEs currently approved are:
  - CoE for **Kamlam (Dragon Fruit)** will be set up by the Indian Institute of Horticultural Research (IIHR) in Bengaluru.
  - CoE for **mango and vegetables** will be set up under the Indo-Israel Action Plan at Jajpur.
  - CoE for **vegetables and flowers** under the Indo-Israel Action Plan will be established at a government agricultural farm in Ponda, South Goa.

## Mission for Integrated Development of Horticulture

- MIDH is a **Centrally Sponsored Scheme** launched in 2014-15, for the **holistic growth of the horticulture sector**.
- MIDH covers fruits, vegetables, root & tuber crops, mushrooms, spices, flowers, aromatic plants, coconut, cashew, cocoa and bamboo.
- The **Central Government contributes 85% of total outlay** for developmental programmes in all the states except the states in Northeast and Himalayas and 15% share is contributed by State Governments.

## Objectives of MIDH

- Promote holistic growth of horticulture sector, based on regionally differentiated strategies, which include research, technology promotion, post-harvest management, processing and marketing.
- Encourage farmers to form farmer groups like Farmer Producer Organizations (FPOs) to bring economy of scale.
- Enhance horticulture production, increase farmers income and strengthen nutritional security.
- Support skill development and create employment generation opportunities for rural youth in horticulture and post-harvest management, especially in the cold chain sector.

## Impact of MIDH

- MIDH has played a significant role in increasing the area under horticulture crops. **Area and production** during the years 2014 – 15 to 2019 – 20 has increased by 9% and 14% respectively.
- Government intervention in the horticulture sector has led to a situation where horticulture production has surpassed the agriculture production in the country.
- During the year 2021-22, the country recorded the highest ever production of 342.33 million tonne.
- Moreover, the mission has led to significant improvement in the quality of produce and productivity of farmland.

- It has not only led to India's self-sufficiency in the horticulture sector but also contributed towards achieving sustainable development goals of zero hunger, good health and wellbeing, no poverty, gender equality etc.

### Way Ahead

- However, the horticulture sector is still facing a lot of **challenges** in terms of high post-harvest loss and gaps in post-harvest management and supply chain infrastructure.
- There is tremendous scope for enhancing the productivity of Indian horticulture which is necessary to address the country's estimated demand of 650 Million MT of fruits and vegetables by the year 2050.
- Some of the new initiatives like focus on planting material production, cluster development programme, credit push through Agri Infra Fund, formation and promotion of FPOs will help to address the issues in the sector.

## Storage, Transport & Marketing of Agricultural Produce & Issues & Related Constraints

### One Nation One Fertiliser

- The Ministry of Chemicals and Fertilisers implemented One Nation One Fertiliser (ONOF), under which a **single brand and logo** for fertilisers will have to be used by all manufacturers.
- This will be done under the Centre's fertiliser subsidy scheme newly renamed as **Pradhanmantri Bhartiya Janurvarak Pariyojna (PMBJP).**

### Details of ONOF

- Under the scheme, all fertiliser companies (public & private sector), State Trading Entities (STEs) and Fertiliser Marketing Entities (FMEs) will be required to use a single **Bharat brand** for fertilisers and **logo** under PMBJP.
- The single brand name for urea or di-ammonium phosphate (DAP) or muriate of potash (MOP) or NPK (Nitrogen, Phosphorus and Potassium) will be Bharat Urea, Bharat DAP, Bharat MOP and Bharat NPK, irrespective of the manufacturer.
- The new Bharat brand name and PMBJP logo will cover **two-thirds** of the front of the fertiliser packet.
- The manufacturing brands can only display their name, logo, and other information on the remaining one-third space.

### Reasons For The Move

- The price of the most used fertiliser, **urea**, is controlled by the government, meaning all manufacturing companies sell at an MRP fixed by the government, which is just 10-20% of production costs. The government provides 80-90% of the cost of production to the manufacturers in the form of a subsidy.
- The MRPs of non-urea fertilisers are, on paper, decontrolled. But companies cannot get subsidy if they sell at MRPs higher than that **informally** indicated by the government.
- Thus, there are some 26 fertilisers on which government bears subsidy and also effectively decides the MRPs.
- The **fertiliser subsidy bill** of the government is huge each year (expected to be over **Rs. 2 lakh crore** in 2022-23) and only second to the food subsidy in terms of expenditure.
- The government possibly wants the farmers to know the financial burden it incurs in providing fertilisers at a cheaper rate.

**Freight Subsidy**

- Moreover, the government also pays manufacturers, **freight subsidies**- or the cost of ferrying their products to the end-user, which is estimated to be **Rs. 6,000 crore** per year.
- While the government decides where manufacturers can sell their products under the **Fertiliser (Movement) Control Order, 1973**, due to the freight subsidy provided, manufacturers tend to sell across longer distances.
- For instance, the indigenous urea produced by a plant in Uttar Pradesh moves to Rajasthan and the urea produced by a plant in Rajasthan moves to Uttar Pradesh.
- **Brand-wise demand for fertilisers in specific areas is one of the reasons for this movement.**

Benefits of ONOF	Issues with ONOF
<ul style="list-style-type: none"> <li>• If manufacturers stop selling urea under individual brands, there would be no need for companies to move fertilisers across states, thus <u>reducing the fertiliser subsidy expenditure.</u></li> <li>• It will <u>streamline the supply process without bottlenecks, reduce transit time, increase the availability basket and lead to timely availability of fertilisers.</u></li> <li>• It will also <u>help in checking the diversion</u> of about 10 lakh tonnes (lt) of <u>urea for non-agricultural use</u>, estimated to be a loss of Rs 6,000 crore to the exchequer.</li> </ul>	<ul style="list-style-type: none"> <li>• It will <u>disincentivize fertiliser companies from undertaking marketing and brand promotion activities.</u> Any company’s strength ultimately is its brands and farmer trust built over decades.</li> <li>• However, they will now be <u>reduced to contract manufacturers and importers</u> for the government.</li> <li>• This could <u>impact the quality of fertilisers</u> and discourage manufacturers from bringing newer and more efficient products into the market.</li> <li>• Currently, in case of fertilisers not meeting the required standards, the blame is put on the company. But now, that may be passed on fully to the government.</li> <li>• It would also act as a <u>disincentive for fertiliser companies to take up field programmes</u> to introduce efficient methods of nutrient <u>application</u> as part of their market promotion activities.</li> <li>• Further, a government brand will add <u>another layer of regulation</u> to the sector where almost every aspect- from product pricing to cost structure to geographical distribution and sale- is controlled by the government.</li> </ul>

**PDS, Buffer Stock and Food Security**

**Stock Limits on Tur and Urad Dal**

- The Centre has imposed stock limits on tur and urad dal by invoking the **Essential Commodities Act, 1955**, in order to prevent hoarding and speculation, and also to improve affordability.
- These stock limits on pulses are applicable to wholesalers, retailers, big chain retailers, millers and importers and will be applicable till October 31, 2023.
- Stock limits applicable to each pulse individually will be 200 MT for wholesalers; 5 MT for retailers; 5 MT at each retail outlet and 200 MT at the depot for big chain retailers.
- In the case of millers, the stock limit will be the last three months of production or 25 per cent of annual installed capacity, whichever is higher. Whereas importers are not allowed to hold stock beyond 30 days from the date of customs clearance.

**Issues with ECA**

- The Act has created **market distortions** that have prevented the efficient development of agricultural markets.
- As almost all crops are seasonal, ensuring round-the-clock supply requires adequate build-up of stocks during the season. So, it may not always be possible to differentiate between genuine stock build-up and speculative hoarding.
- Also, there can be genuine shortages due to **weather-related disruptions** in which case prices will move up. So, if prices are always monitored, farmers may have no incentive to farm.
- Further, the Act does not distinguish between hoarders and firms that genuinely need to hold on to these stocks due to the nature of their operations.
- For example, **food processing industries** need to maintain large stocks to run their operations smoothly. Stock limits curtail their operations.
- In such a situation, large scale private investments are unlikely to flow into food processing and cold storage facilities.
- The Act has also reduced the effectiveness of **free trade and flow of commodities** from areas with surplus stock to markets with higher demand.
- Despite, several raids conducted under the ECA, the conviction rate has been very low. This shows that the ECA only seems to **enable rent-seeking and harassment.**
  - ✓ Rent-seeking is a practice of manipulating public policy or economic conditions as a strategy for increasing profits.

**Free Foodgrains to Beneficiaries Under NFSA**

- The Union government said it would provide **free foodgrains** to beneficiaries under the National Food Security Act (NFSA), 2013, as per their entitlement, for a year beginning January 2023.
- It has, however, discontinued the Pradhan Mantri Garib Kalyan Anna Yojana launched in April 2020 amid Covid-19.

**Why NFSA and PM-GKAY Are Merged?**

- The government decided to provide free foodgrains to 81.35 crore people for one year under the NFSA at an estimated cost of Rs 2 lakh crore.
  - PM-GKAY has been merged with the NFSA. Now, the entire quantity of 5 kg and 35 kg under the NFSA would be available free of cost.
- The discontinuation of PMGKAY comes at a time when the foodgrains stock has depleted over the months.
- With this decision, for the first time, India will have a Central food security legislation which gives the poor a 'right' to receive 5 kg foodgrains free of cost.
  - Earlier, the poor paid a small price of Rs 3 per kg for rice and Rs 2 per kg for wheat.
- The decision softens the blow the poor may suffer with the PM Garib Kalyan Anna Yojana being discontinued by the end of the month.

<b>WHY PMGKAY, NFSA WERE MERGED</b>	
<p><b>LOWER FOODGRAIN STOCKS</b></p> <p>As on Nov 30, combined stock of rice (115.42 lakh metric tonne) and wheat (190.27 LMT) was at 305.69 LMT. This was lower than the figure of 591.56 LMT (rice 213.03 LMT, wheat 378.53 LMT) on Nov 30, 2021.</p>	<p><b>HIGHER ECONOMIC COST</b></p> <p>Economic cost for rice has increased to Rs 3,670.04 per quintal this year from Rs 3,597.17 last year. For wheat, it has gone up to Rs 2,588.70 per quintal from Rs 2,4999.69 per quintal last year.</p>

**Food Allocation And Estimated Bill**

- As per the latest allocation order for December, 13.67 lakh metric tonnes of wheat and 31.72 lakh metric tonnes of rice are required under the NFSA.
- The monthly requirement of the PMGKAY stood at about 40 lakh metric tonnes (wheat: 7 lakh metric tonnes and rice: 33 lakh metric tonnes).
- Discontinuing the PMGKAY would, however, save **the government Rs 15,000 crore a month or about Rs 1.8 lakh crore a year.**

FOODGRAIN ALLOCATION UNDER NFSA (FOR FY23, INLMT)				
	Rice	Wheat	Nutri-cereals	Total
Antyoday Anna Yojana	71.07	28.68	0	99.75
Priority Households	272.8	144.76	6.3	423.86
Targeted PDS (tide over)	20.94	5.46	0	26.4
<b>Total under Targeted PDS</b>	<b>364.81</b>	<b>178.9</b>	<b>6.3</b>	<b>550.01</b>

**Govt. Revises Nutritional Standards In Its Food Safety Schemes For Kids**

A decade after the National Food Security Act (NFSA) was enacted, the Central government has revised the nutritional standards of meals at schools and anganwadis.

- The **revised nutritional standards has augmented the proportion of calories and protein, while also mandating the inclusion of micronutrients in them.**
- The amendment has been done on the recommendations of an inter-ministerial committee.
- In its draft report, the inter-ministerial committee had recommended “urgent action”, citing the possible impact of the **Covid-19 pandemic** in worsening the “silent crisis” of under-nutrition.

**About National Food Security Act, 2013**

- The issue of 'food security' at the household is continuously being addressed by the Government since long, through the Public Distribution System (PDS) & Targeted Public Distribution System (TPDS).
- However, the enactment of the National Food Security Act, (NFSA) 2013 in July, 2013 marks a **paradigm shift** in the approach to food security from **welfare to rights based approach.**
- The Act legally entitles up to **75% of the rural population** and **50% of the urban population** to receive subsidized foodgrains under TPDS
  - About **two thirds of the population** therefore is covered under the Act to receive highly subsidized foodgrains.
- As a step towards women empowerment, the eldest woman of the household of age 18 years or above is mandated to be the head of the household for the purpose of issuing of ration cards under the Act.
- **Coverage** The Act is being implemented in **all the States/UTs**, and on an all India basis, out of maximum coverage of 81.34 crore persons, **around 80 crore persons have been covered**
- In case of non-supply of the entitled quantities of foodgrains or meals to entitled persons under NFSA, such persons shall be entitled to receive such food security allowance from the concerned State Government to be paid to each person.
- **Responsibilities under NFSA –**
  - NFSA defines the joint responsibility of the Centre and State/UT Government.
  - While the Centre is responsible for allocation of required foodgrains to States/UTs, the States/UTs are responsible for effective implementation of the Act.
  - The work of identification of eligible households is to be done by States/UTs.

**Central Issue Price under NFSA**

- The NFSA provides a **legal right** to persons belonging to “eligible households” to receive foodgrains at subsidised price– **rice at Rs 3/kg, wheat at Rs 2/kg and coarse grain at Rs 1/kg** — under the TPDS.



- The Central government decided to provide **free foodgrains to about 81.35 crore beneficiaries under the NFSA for one year from January 1, 2023.**
- The term “eligible households” comprises two categories —
  - “Priority Households”, and families covered by the Antyodaya Anna Yojana (AAY).
  - **Priority households** are entitled to receive 5 kg of foodgrains per person per month, whereas **AAY households** are entitled to 35 kg per month at the same prices.
- Under Schedule-I of the Act, these subsidised prices were fixed for “a period of three years from the date of commencement of the Act”.
  - However, the government has yet not revised the subsidised prices.

### What Are the Revised Nutritional Standards

- The amendment has been made under Schedule-II of the NFS Act
  - Schedule-II of the Act fixes nutritional standards for nine groups, starting from children aged six months to one year and those in upper primary classes (VI-VIII).
- **Three new categories have been created for undernourished children aged between six months to six years.**
- The nutritional standards for some existing categories such as *lower primary classes, and upper primary classes* have been revised.
  - For instance, under the previous norms, every child in **lower primary classes** was entitled to get 450 kilocalories (kcal) and 12 gm protein with midday meals.
  - Now, the protein quantity has been hiked to 15-20 gms, while fat (18-21 gms) and carbohydrates (70 gms) are part of the mix as well.
  - Standards for micronutrients have also been fixed: calcium 170 mg, zinc 2 mg; iron 3.5 mg; dietary folate 50 micrograms, Vitamin A 100 micrograms; Vitamin B6 0.43 micrograms; Vitamin B12 0.66 micrograms.

### Volatility In Edible Oil Prices

- Edible oil prices have witnessed a lot of volatility over the last 2-3 years.
- The UN Food and Agriculture Organization’s **global vegetable oils price index** (2014-16 base period value = 100) fell down to a low of 77.8 points in May 2020 at the height of the worldwide Covid lockdowns.
- It reached an all-time-high of 251.8 in March 2022 after Russia’s invasion of Ukraine. But by April 2023, it was down to a 29-month-low of 130 points.

### Factors Influencing Oil Prices

- The oil that has witnessed the *highest price rise and fall* in just the last one year is **sunflower**. This is because, Ukraine and Russia together accounted for nearly 58% of the world’s production of sunflower oilseed in 2021-22.
- As the war shut off their supplies through the Black Sea ports, prices increased.
- However, the situation changed with the **Black Sea Grain Initiative agreement** between Russia and Ukraine signed on July 22.
- The initiative facilitated the safe navigation of vessels carrying grain and foodstuffs from *three designated Ukrainian ports*.
- The opening of the corridor helped much of the sunflower oil, meal, and seed that had accumulated in Ukraine to be shipped out. It led to international vegetable oil prices falling below even pre-war levels.

**Oil Consumption In India**

- India consumes 23.5-24 million tonnes (mt) of cooking oil annually, out of which 13.5-14 mt is imported and the balance 9.5-10 mt produced from domestically cultivated seed.
- Sunflower is the fourth largest consumed oil (2-2.5 mt), behind mustard (3-3.5 mt), soyabean (4.5-5 mt) and palm (8-8.5 mt).
- **Both sunflower and palm oil are almost wholly imported**, with their domestic production at hardly 50,000 tonnes and 0.3 mt respectively.
- This is unlike mustard and soyabean, where the share of domestic output are close to 100% and 30-32% respectively.
- Thus, what the Indian consumer pays for edible oils is significantly dictated by import prices. The other locally produced oils — cottonseed (1.2-1.3 mt), rice bran (1-1.1 mt), groundnut (0.75-1 mt), and coconut (0.4 mt) — aren't big enough to influence prices.

**Market Evolution**

- Roughly 70% of the country's sunflower oil consumption is in the South, with Maharashtra (10-15%) and other states making up the rest.
- One reason for this geographical skew has to do with sunflower being traditionally grown in Karnataka, Telangana, and Maharashtra.
- Consumers in these states were familiar with this oil, just as those in Madhya Pradesh and Rajasthan knew about soyabean that was already being planted there.

**Impact on India**

- India's edible oil imports at 8 mt during November-April 2022-23, a 22.3% increase over the 6.5 mt for the corresponding six months of the previous oil year.
- At the present rate, total imports for this oil year (November-October) may well surpass the record **14.9 mt** of **2018-19**. The import surge has been led by palm and sunflower, which have gained at the expense of soyabean oil.
- When prices increased significantly, many households replaced sunflower with relatively cheap soyabean or even local oils.
- Institutional consumers such as restaurants, tiffin rooms and canteens that were using sunflower, likewise, switched to palm oil.
- But with import flows and price parity being restored, they are all being restored.

**E-Technology in the Aid of Farmers, Technology Missions****Face Authentication for PM Kisan**

- In a first for any central welfare scheme, the government has rolled out a **face authentication feature** in the Pradhan Mantri Kisan Samman Nidhi (PM Kisan) app.
- This will enable beneficiary farmers to complete their e-KYC process by just scanning their face on mobile phones.
- Until now, e-KYC of the PM-Kisan beneficiaries used to be done through either biometrics at a designated centre or one-time passwords sent to mobile phone numbers linked with Aadhaar.

- However, during the e-KYC exercise, officials found many instances when farmers' mobile numbers were not linked to Aadhaar due to which the process could not be completed.
- In the case of biometrics, several elderly farmers faced problems going to the nearby centre. Also, many faced the issue of non-matching of fingerprints.
- Therefore, to ease the e-KYC process, the ministry decided to introduce the face authentication feature in the PM-Kisan mobile app.
- The face authentication feature uses iris data of a person having an Aadhaar number. The Aadhaar iris data was available with the Unique Identification Authority of India.

### Integration with Bhashini

- In another move, the PM-Kisan scheme is also integrating with Bhashini to **provide farmers information in their native language**.
- Bhashini is the government's **National Public Digital Platform** for languages to develop services and products for citizens by utilising the power of artificial intelligence and other emerging technologies.

### PM Kisan

- PM Kisan is a **central sector scheme**, with 100 per cent funding from the Union Government. The scheme was started to increase the income of the farmers by providing income support to eligible landholding farmers' families across the country.
- It aims to supplement the financial needs of the farmers in procuring various inputs to ensure proper crop health, appropriate yields as well as to meet **domestic needs**.
- Under the scheme, which became effective from 2018, the Centre provides **Rs 6,000 per year** to eligible farmers in three equal instalments of Rs 2,000.
- The state governments and Union Territory administration identify the farmers who are eligible for the scheme and share the list with the Centre.
- The central government then directly transfers the fund to the bank accounts of the beneficiaries.
- According to the Agriculture Ministry, **more than 11 crore farmers** have availed the scheme and an **amount of Rs 2.42 lakh crore** has been transferred to their accounts.

### Eligible farmers

- The Scheme initially provided income support to all Small and Marginal Farmers' families across the country, holding cultivable land upto 2 hectares.
- In June, 2019, the scheme was **extended to cover all farmer families** in the country irrespective of the size of their land holdings.

### Exclusion criteria

- However, the following categories of people holding cultivable land have been excluded from the scheme:
  - Institutional landholders.
  - Present or retired officers and employees of state/central government as well as PSUs and government autonomous bodies.
  - Income Tax payers in last assessment year.
  - Farmer families holding constitutional posts.
  - Professionals like doctors, engineers and lawyers.
  - Retired pensioners with a monthly pension of over Rs 10,000.

**Issues**

- India’s poverty line is ₹32 per person/day in rural areas and ₹47 in urban areas, according to the **Rangarajan Committee**.
- PM-KISAN support of ₹17 a day for a household is largely **insufficient** for even bare minimum sustenance. <sup>[SEP]</sup>Due to volatility of markets and price fluctuations in different regions, it is important to **index the cash transfers to local inflation**.<sup>[SEP]</sup>
- The scheme also does not provide a clear framework for effective **grievance redressal**.

**Animal Rearing/ Issues related to Wild Animals**

**Animal Husbandry Statistics**

- The Ministry of Fisheries, Animal Husbandry and Dairying recently released its annual publication ‘**Basic Animal Husbandry Statistics 2022**’.
- The publication gives an overview of animal husbandry sector briefly in terms of important livestock statistics.
- It is the primary source of data on production estimates of **four Major Livestock Products (MLPs)** like milk, egg, meat and wool for the year 2021-22.
- The information will be useful for all stakeholders for planning and policy making purposes as well as for research and academicians across the globe.

**Major Highlights**

- In 2020-21, the share of Livestock at **constant prices** in **Agriculture Sector** and **total GVA** was 30.13% and 4.9% respectively.
- During 2014-15 and 2020-21, the value addition of sector grew at a **compound annual growth** rate of 7.93%.

**Milk Production**

- Total milk production in the country during 2021-22 is **221.06 million tonnes**. In 2021-22, the milk production registered an annual growth rate of **5.29%**.
- Top **five major milk producing States** are **Rajasthan** (15.05%), Uttar Pradesh (14.93%), Madhya Pradesh (8.06%), Gujarat (7.56%) and Andhra Pradesh (6.97%).
- The per-capita availability of milk is **444 gram/day** during 2021-22 increased by 17 gram/day over previous year.

**Egg Production**

- In 2021-22, the total egg production in the country was **129.60 billion numbers** which has increased by **6.19%** as compared to previous year.
- Total **five major egg producing States** are Andhra Pradesh (20.41%), Tamil Nadu (16.08%), Telangana (12.86%), West Bengal (8.84%) and Karnataka (6.38%).
- In 2021-22, the per-capita availability of egg is **95 numbers/annum** increased by 5 numbers/annum over previous year.

**Meat Production**

- The total **meat production** in the country is **9.29 million tonnes** for the year 2021-22 with an annual growth rate of **5.62%**.
- The total **five major meat producing States** are Maharashtra (12.25%), Uttar Pradesh (12.14%), West Bengal (11.63%), Andhra Pradesh (11.04%), and Telangana (10.82%).
- The per-capita availability of meat is **6.82 kg/annum** during 2021-22 increased by 0.30 kg/annum over previous year.

**Wool Production**

- The total wool production in the country during 2021-22 is **33.13 thousand tonnes** which has decline by 10.30% as compared to previous year.
- The top **five major wool producing States** are Rajasthan (45.91%), Jammu and Kashmir (23.19%), Gujarat (6.12%), Maharashtra (4.78%) and Himachal Pradesh (4.33%).

**Animal Husbandry**

- It refers to livestock raising and selective breeding. It is the management and care of animals by which the genetic qualities and behaviour of animals are further developed for profit. The total Livestock population in the country is 535.78 million which is an increase of 4.6% over Livestock Census 2012.

**National Flagship Programmes for Fisheries**

The Ministry of Fisheries, Animal Husbandry and Dairying has launched **three National Flagship Programmes** for the development of fisheries sector.

**National Surveillance Programme for Aquatic Animal Diseases Phase II**

- India is the **third-largest fish-producing country** with a fish production of **14.73 million metric tonnes**. Further, it is one of the largest exporters of farmed shrimp at around 7 lakh tonnes.
- However, fish diseases cost the country approximately 7,200 crores per year. Therefore, early detection and managing the spread of diseases are considered crucial for controlling the diseases.
- For this, the government has implemented the National Surveillance Programme for Aquatic Animal Diseases (NSPAAD) **since 2013**, with a focus on **strengthening the farmer-based disease surveillance system**.
- The objective is to ensure that **disease cases are reported immediately, investigated, and farmers receive scientific assistance**.
- The results of the first phase proved the reduction in revenue losses due to diseases, **increased farmers' income and exports**.
- To continue the efforts, **NSPAAD: Phase-II** has been launched under the **Pradhan Mantri MatsyaSampada Yojana**.
- Phase II will be implemented across India, and all the state fisheries departments, along with the **Marine Products Export Development Authority (MPEDA)** are expected to play an important role in this nationally important surveillance programme.

**Genetic Improvement Programme of Indian White Shrimp**

- Farmed **shrimp** accounts for approximately **70% of India's seafood exports worth Rs. 42000 crores**.
- However, the shrimp farming sector mostly depends on **one exotic specific pathogen free stock of pacific white shrimp** (*Penaeus vannamei*).

- It is highly risky to depend on one species for the production of 10 lakh tonnes with huge investments on farming infrastructure and the livelihoods of two lakh farm families directly and around ten lakh families indirectly associated in the ancillary sectors.
- Therefore, to break this single species dependence and to promote indigenous species the government has taken up the '**Genetic Improvement Program of Penaeus indicus (Indian White Shrimp)-Phase-I**', as a national priority under the Make in India program.
- The program has an outlay of Rs. 25 crore under PMMSY, to establish a **National Genetic Improvement Facility** for shrimp breeding.

### Shrimp Crop Insurance Product

- Similarly, shrimp farming is labelled as a risky venture and due to this, the banking and insurance institutions are cautious about taking up business in the shrimp sector.
- However, India has achieved about 430% growth in shrimp production during the last decade, which highlights the overall profitability, growth and stability of the shrimp farming sector.
- Majority of the aquaculture farmers are small farmers who own 2–3 ponds and face huge obstacles to raise working capital for the crop due to a lack of access to institutional credit and insurance.
- The loss of one crop due to natural calamities or viral diseases makes the farmers fall into deep debt.
- It is estimated that Rs 1000 to Rs 1500 crores is the business potential of shrimp crop insurance per year and a microcredit requirement of over Rs 8,000 to 10,000 crores per annum, which is now being serviced by informal creditors at higher interest rates.
- Therefore, a Shrimp Crop Insurance product has been developed, which charges differential premium based on location and requirements of the individual farmer from 3.7 to 7.7 % of input costs.
- The farmer will be compensated up to 80% loss of input cost in the event of total crop loss. i.e., more than 70% crop loss.

### Issue Of Stray Dogs In India

- The Centre has decided to reach out to the States, local self-governments (LSGs) and Resident Welfare Associations (RWAs) on implementing **the new set of Animal Birth Control Rules prepared by the Ministry of Animal Husbandry.**
- The Rules, which came amid increasing instances of stray dog attacks, put the onus of maintaining and controlling the population of stray dogs on LSGs and RWAs.

### Population of Stray Dogs in India and Policies to Control them

- At present, there are over 10 million pet dogs in the country and **the stray dog population is about 35 million.**
  - Dogs are **highly fertile animals**, and reproduce at a high rate if enough resources are available.
  - **Nearly 90% of the dog population** needs to be sterilised over a short period of time to achieve a sustained population reduction over a 10-15-year period.
- **The Prevention of Cruelty to Animals (PCA) Act 1960** mandates that every

#### India's Stray Dog Menace:

- The increasing population of stray dogs deprives people of their right to **life, free movement, and a safe environment.**
  - According to the National Crime Records Bureau (NCRB), there were 4,146 reported cases of dog bites leading to human deaths in India in 2019.
  - According to a study, dogs were the **second leading cause of road accidents** in urban areas.
- **Creates huge conflict between feeders and ordinary residents** who have to deal with packs of dogs roaming around their neighborhoods.
- Dogs are also leading causes of **harm to wildlife, and cause immense loss of biodiversity.**





owner of an animal is responsible for its well-being, and it is illegal to abandon pets or allow them to become strays.

- **The Animal Birth Control (ABC) Rules 2001**, are based on **the PCA Act 1960**
  - The Rules aimed to control the population of stray dogs through **sterilization and vaccination**.
  - The program is implemented by **local municipalities and NGOs**, with the government providing financial assistance.
- However, the government has failed to implement effective measures to control the stray dog population and ensure their well-being.

#### **The ABC Rules 2023**

- The new Rules prescribe that ABC programmes for sterilisation and immunisation of stray dogs are **to be carried out by LSGs for birth control as well as maintenance of stray animals**.
- The Rules also suggest **euthanasia** for “incurably ill and mortally wounded dogs” as diagnosed by a team appointed by the Local Animal Birth Control Monitoring Committee.
- The Rules want the **RWAs to designate feed spots for dogs** which shall be far from children play areas, entry and exit points, staircase or in an area which is likely to be least frequented by children and senior citizens.
- It also suggests establishment of an **Animal Help Centre** where complaints about dog or cat bites can be registered.
- The local authorities will be held **responsible** for any violation and animal-human conflicts.
- Therefore, **the effective implementation of these Rules** will help in reducing stray dog population while addressing animal welfare issues.

#### **Problems With The ABC programme**

- **It does not seem to have any benchmarks or targets**. Municipalities set targets for sterilisation based on budgets and available facilities.
  - **For example**, before the start of the programme, a municipal corporation would be required to **estimate the base population of dogs to be sterilised**.
  - It would then need to set targets for population reduction within a reasonable time period and then calculate how many would need to be sterilised to achieve this objective.
- **The other major problem is that the new ABC Rules require people to feed dogs**.
  - The concept of feeding animals in India is associated either with **religious beliefs, a false sense of compassion, or a misinterpretation of Article 51G** of the fundamental duty to be compassionate to all living beings.
  - A study conducted in Bengaluru found that roadside eateries and a few households that fed dogs were the main factors responsible for high dog densities.
- **It is cruel to dogs**, since homeless life on the streets is not easy, with accidents, disease, wanton cruelty and constant fear being their normal state.

#### **What Needs To Be Done?**

- Solving this problem requires a **multi-pronged approach** and some difficult decisions.
- The government needs to **implement effective animal control measures and waste management** to eliminate open litter from the roads.
- **Strict pet ownership laws**, a ban on irresponsible feeding in public places, and encouraging adoption and long-term sheltering of homeless dogs will result in win-win solutions.
- **Individuals** also have a role to play in solving this problem.

- Cities such as **Ooty, Chennai and parts of Uttarakhand, Goa and Delhi** can be showcased as better models in managing stray dogs.

We shouldn't be turning our best friends into our deadliest foes if the "**greatness of our nation and its moral progress**" is to be assessed by how we treat animals.

## SCIENCE & TECHNOLOGY

### Indian Space Policy 2023

The Centre's updated Space Policy, cleared by the Union Cabinet was made public, has drawn measured optimism from the India's budding private sector start-up space.

#### Space Sector of India

- ISRO has an exceptional success rate and is the 6th largest space agency globally.
- India has over 400 private space companies and ranks fifth globally in terms of the number of space companies.
- The satellite manufacturing capabilities are expected to reach USD 3.2 billion by 2025.
- ISRO also launched a student outreach program called SAMVAD to encourage space research among young minds.

### Indian Space Policy 2023

#### • About

- The Indian Space Policy 2023 is a comprehensive set of guidelines that outlines the roles and responsibilities of different entities in the Indian space sector.
- The policy is expected to pave the way for much-needed clarity in space reforms and encourage private industry participation in the space economy.
- It aims to encourage and institutionalize private sector participation in India's space sector, with the ISRO primarily focusing on R&D of advanced space technologies.

#### • Objectives

- To augment space capabilities;
- Enable, encourage and develop a flourishing commercial presence in space;
- Use space as a driver of technology development and derive benefits in allied areas;
- Pursue international relations, and create an ecosystem for effective implementation of space applications among all stakeholders

### What Are The Key Features Of The Indian Space Policy 2023?

#### • Creates four distinct, but related entities

- The policy creates four distinct, but related entities, that will facilitate greater private sector participation in activities that have usually been the traditional domain of ISRO.
- These four entities are:

ISRO

IN-SPACe

New Space India Limited (NSIL)

Department of Space

#### • Private companies allowed to undertake end-to-end space activity

- Private companies, referred to as non-governmental entities in the policy, will be allowed to undertake end-to-end space activity.
- These activities include –
  - Launching and operating satellites, developing rockets, creating ground stations, building spaceports and mobile launch platforms; and
  - Providing services like communication, remote sensing and navigation, nationally and internationally.
- **Other roles envisaged for private entities**
  - Private entities have also been encouraged to develop space situational awareness capabilities.
    - Space situational awareness capabilities is a mechanism to track objects in space and avoid collision of satellites and space stations with each other or space debris.
  - The policy also says that private players can engage in commercial recovery of asteroids or space resources.
  - Private participation will be limited to Indian companies.
    - The question of whether foreign direct investment via the automatic route will be permitted in space is as yet unresolved and pending government approval.
- **Role of the IN-SPACE (Indian National Space Promotion and Authorisation Centre)**
  - As per the policy, IN-SPACE will be the single-window agency for authorisation of all space activities.
  - It will also develop space industry standards, promote identified space activities and work with academia to widen the space ecosystem and enable industry-academia linkages.
- **Role of ISRO**
  - ISRO, meanwhile, has been asked to move away from routine activities and focus on research and innovation.
  - This will mean developing new space technologies and applications in order to maintain India's edge in the areas of space infrastructure, space transportation, space applications, capacity building and human spaceflight.
- **Role of New Space India Ltd (NSIL)**
  - The government's commercial arm, NSIL, has been asked to commercialise technologies and platforms created by government entities.
  - It has also been tasked to manufacture, lease, or buy space technologies or assets, and provide space-based services to government as well as private entities.
- **Role of the Department of Space**
  - It has been asked to implement the policy, interpret and clarify any ambiguities and establish a framework for safe and sustainable space operations.
  - It will be the nodal department for implementing space technologies.
  - It will also look after international cooperation and coordination in the area of global space governance and programmes in consultation with Ministry of External Affairs.
  - It has also been tasked to create an appropriate mechanism to resolve disputes arising out of space activity.
- **Enables open satellite data access**
  - Satellite images with a ground sample distance (GSD) greater than five metres (a satellite image where two adjacent pixels represent points five metres apart on the ground) would be freely available.

- However, those with a GSD less than 30 cm will require INSPACE authorisation due to national security considerations.



## Indigenization & Developing New Technology

### Gross Domestic Expenditure on R&D (GERD)

- India's R&D expenditure-GDP ratio of 0.7% is very low when compared to major economies and is much below the world average of 1.8%.
- The main reason is the low investment in R&D by the corporate sector. While the corporate sector accounts for about **two-thirds** of gross domestic expenditure on R&D (GERD) in leading economies, its share in India is just 37%.
- However, there is evidence, that India's GERD data are an underestimate.
- A 2022 info brief of the National Science Foundation (NSF) of the United States on Foreign R&D by U.S.-based MNCs shows a spend of \$9.5 billion (₹649.7 billion) on R&D in India in 2018. This increased to \$9.8 billion (₹690.2 billion) in the following year.
- There are MNCs from other leading countries also spending on R&D in India. But the latest R&D Statistics, published by the Department of Science and Technology (DST) in 2020, has provided an estimate of ₹60.9 billion R&D spending in 2017-18 by foreign MNCs.
- This is only about 10% of what U.S. firms have reported

### Issues With The Current System

- The National Science and Technology Management Information System (NSTMIS) of the DST is the agency that compiles GERD statistics in India.
- It is easier to gather the information on R&D by the government sector, the higher education sector and public sector enterprises.
- The challenge lies in collecting data from the private corporate sector. There are two key factors that make the official R&D estimates significantly inadequate.
  - The **method used** for identification of R&D performing firms does not capture all the R&D performing firms.
  - The *NSTIMS* relies on the Department of Scientific and Industrial Research (DSIR) list of recognised R&D units and the Prowess database of the Centre For Monitoring Indian Economy Pvt. Ltd. for this purpose.
- The DSIR list may not have many of the actual R&D performers for two reasons:
  - Firms which consider government incentives as not attractive enough or that are sensitive about sharing critical information with the DSIR may not be inclined to register themselves with the DSIR.
  - Second, it may be difficult for R&D firms in services such as software and R&D services to meet the requirement of having separate infrastructure for R&D to distinguish it from their usual business.
- In fact, many of the R&D performing enterprises in new technology areas may come under the services category.
- A study at the Institute for Studies in Industrial Development, that looked at 298 firms receiving foreign investment (2004-16) for R&D purposes, found that only 11% had been registered with DSIR.
- The Prowess database, on the other hand, covers only 3.5% of the currently active registered enterprises in India.

- Some of the leading Indian enterprises in new technology areas and foreign R&D centres are not covered in both the DSIR directory of recognised R&D units and Prowess.

**Way Ahead**

- Transforming India’s R&D statistics to truly reflect the R&D ecosystem needs **short-term and medium-term measures**.
- In the short term, the NSTMIS should use the patents granted data, both in India and the U.S., in addition to its current method to identify R&D performing enterprises.
- While surveys can collect much more information related to innovation activities, R&D statistics should not be restricted to the responses to the surveys.
- Instead, annual R&D estimates can be prepared from **mandatory disclosures** that the enterprises are required to make to the MCA.
- In order to ensure compliance and proper reporting, technologies can be used like in the case of revamped income-tax return forms where various sections are interlinked. Additionally, proper disclosure of information to regulatory agencies, including R&D spending data, should be made an essential component of the environmental, social and governance (ESG) ranking of enterprises.

**Open Network for Digital Commerce (ONDC)**

Recently, Centre directed e-commerce companies and food delivery players to join the government-backed Open Network for Digital Commerce (ONDC).

**About ONDC**

<b>What?</b>	It is a network based on <b>open-sourced methodology</b> to enable local commerce across segments, such as mobility, grocery, food order and delivery, hotel booking and travel, among others, to be discovered and engaged by any network-enabled application.
<b>Objective</b>	<ul style="list-style-type: none"> <li>• To promote open network for all aspects of exchange of goods and services over digital or electronic networks and create new opportunities,</li> <li>• To curb <b>digital monopolies</b> by supporting micro, small and medium enterprises and small traders and help them get on online platforms.</li> </ul>
<b>Reasons for creating ONDC</b>	<ul style="list-style-type: none"> <li>• Technological self-reliance</li> <li>• Demand for level playing field mainly from small retailers</li> <li>• Lower the barrier of entry and discovery online</li> <li>• Adoption of open digital ecosystem across key sectors</li> <li>• Fixing the non-competitive behavior of big e-commerce firms like Amazon and Flipkart</li> <li>• To increase e-retail penetration from the existing 4.3% to its maximum potential.</li> <li>• To enable population-scale inclusion of all types and sizes of sellers in e-commerce.</li> </ul>
<b>Features</b>	<ul style="list-style-type: none"> <li>• Also known as <u>UPI for e-commerce</u>, ONDC will democratize digital or electronic commerce, moving it from a <u>platform-centric model to an open-network</u>.</li> <li>• It will standardize operations like cataloguing, inventory management, order management and order fulfilment.</li> <li>• It will create a level playing field for e-commerce behemoths such as Amazon, Flipkart, and offline traders who have been crying foul at the unfair trade practices of these e-tailers.</li> <li>• It will be compliant with the Information Technology Act, 2000 and emerging Personal Data</li> </ul>

	<p>Protection Bill.</p> <ul style="list-style-type: none"> <li>• It will enable sellers and buyers to be digitally visible and transact through an open network, regardless of the platform or application they are using and form a single network to drive innovation and scale, transforming all types of businesses.</li> <li>• Data storage - Through ONDC, merchants will be able to save their data to build credit history and reach consumers.</li> <li>• It will ensure confidentiality and privacy of data in the network. Sharing of any transaction-level data by participants with ONDC will not be mandatory.</li> </ul>
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**Working**

ONDC is an interoperable network based on the **BeckN protocol** which comprises of different entities called ‘Network Participants’, including Buyer Applications, Seller Applications, and Gateways that perform the search and discovery function.

Benefits		
<p><b>For Sellers</b></p> <ul style="list-style-type: none"> <li>• Access to more buyers</li> <li>• Better discoverability of products and cost.</li> <li>• Autonomy on terms because of multiple choices for being digitally visible.</li> <li>• Lower cost of doing business</li> <li>• More options for value chain services like logistics and fulfilment.</li> <li>• Reduces the skewed bargaining power which favors ecommerce giants, and often results in higher entry barriers and lower margins for sellers.</li> </ul>	<p><b>For Buyers</b></p> <ul style="list-style-type: none"> <li>• Promotes discoverability of local digital stores across industries.</li> <li>• More inclusive and accessible for consumers.</li> <li>• Increased freedom of choice for consumers.</li> <li>• Better service and faster deliveries due to access to hyper-local retailers</li> <li>• Better customer experience</li> </ul>	<p><b>For Technology Platforms</b></p> <ul style="list-style-type: none"> <li>• New opportunities for <u>start-ups to drive innovation in various parts of the network</u></li> <li>• Access to the growth of digital commerce through buyer and seller side applications</li> <li>• Reduced <b>time-to-market</b> and <b>time-to-scale</b></li> <li>• Focus on niche aspects leaving other partners to focus on different aspects</li> </ul>

**Challenges**

<p><b>Awareness and information overload</b></p>	<ul style="list-style-type: none"> <li>• A massive awareness campaign must be organized as most small business owners lack the technical expertise to get involved in this program.</li> <li>• Another challenge is the sheer information overload that customers has to shift through.</li> </ul>
<p><b>ONDC and UPI</b></p>	<ul style="list-style-type: none"> <li>• ONDC is a far more complex system than UPI.                             <ul style="list-style-type: none"> <li>➤ The UPI loop closes the moment a transaction is completed.</li> <li>➤ But in ONDC, the loop is much longer – anything bought online has to be delivered offline.</li> <li>➤ A mechanism for returns, grievance redressal is required.</li> </ul> </li> <li>• Unlike UPI, which the government has consistently funded, ONDC stakeholders are banks and financial institutions.</li> <li>• Hence, ONDC is unlikely to receive similar financial or policy support.</li> </ul>
<p><b>Viability</b></p>	<ul style="list-style-type: none"> <li>• So far big players are reluctant to join the network.</li> <li>• Hence, it raises the question whether ONDC can be a success without the participation of the very entities whose hold over the e-commerce market it is vying to challenge?</li> </ul>



**Way Forward**

- Achieving a harmonious equilibrium between fostering *equitable competition and upholding service quality* plays a pivotal role in ensuring the triumph of ONDC.
- Provide technical assistance and support to e-commerce platforms and sellers for seamless integration with the ONDC.
- Establish an all-encompassing regulatory structure to govern the ONDC, encompassing elements such as fair competition, safeguarding consumer rights, and combating anti-competitive practices.



**Global Innovation Index 2022**

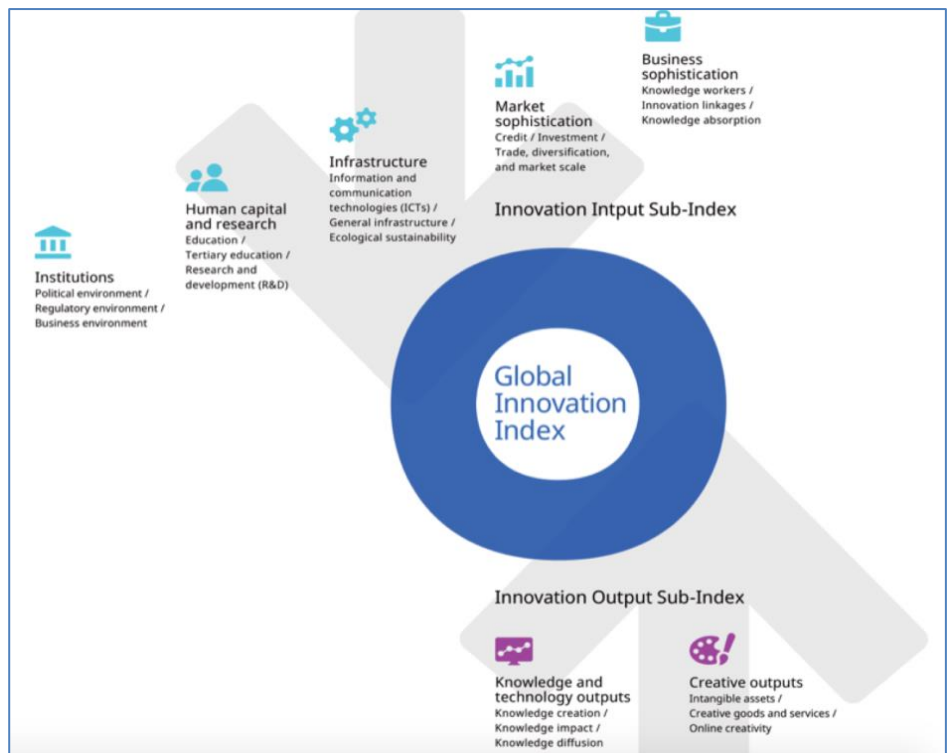
- World Intellectual Property Organization (WIPO) released the Global Innovation Index (GII) 2022.
- This year the index includes **132 economies**, which represent **94.3% of the world’s population** and **99 % of the world’s GDP** in purchasing power parity (PPP).
- GII 2022 tracks the most recent global innovation trends against the background of an ongoing COVID-19 pandemic, slowing productivity growth and other evolving challenges.

**Evaluation Framework**

- GII is computed by taking an average of the scores in **two sub-indices:**



- **Innovation Input Sub-Index** considers elements of the national economy that enable innovative activities. It includes **5 pillars**: Institutions; Human capital and research; Infrastructure; Market sophistication; and Business sophistication.
- **Innovation Output Sub-Index** provides information about outputs that are the result of the innovative activities of economies. There are **two output pillars**: Knowledge and technology outputs; and Creative outputs.
- Each of the five input and two output pillars is divided into **three sub-pillars**, each of which is composed of individual indicators.



**Findings From India**

- India secured the **40th position out of 132 countries** in the Index. This is the first time the country entered the top 40. Last year, India was at the 46th position. India’s rank has risen by 41 places since

2015, when it was at the 81st spot.

- India is the **innovation leader in the lower middle-income group**, and continues to lead the world in ICT (information and communications technology) services exports.
- The country also ranked high in venture capital received (6), finance for startups and scaleups (8), graduates in science and engineering (11), entrepreneurship policies and culture (12), cultural creative services exports (12), labour productivity growth and domestic industry diversification.
- However, India did poorly in environmental performance (130), new businesses (114), number of students from abroad studying in the country (109) and females employed with advanced degrees (103).
- Among the seven GII pillar ranks, India scored **best in market sophistication** (19), while it ranked its **lowest in infrastructure** (78).

#### Rise In IP Filings

- There has been a steady rise in intellectual property (IP) filings in India as the number of patents applications went up from 15,914 in 2011 to 37,880 in 2020.
- For trademarks, the figure rose from 194,796 to 418,560 during the same period.
- Foreign applicants lead when it comes to patent filings in India. In 2020, non-residents filed as many as 33,630 patent applications and were granted 21,373 patents.
- Meanwhile resident Indians made 23,141 patent applications and were granted 4,988 patents.
- Moreover, as many as 14,739 Indians filed for patents in other countries, and were granted 8,081 patents.

#### Initiatives Taken By India

- Incubation, handholding, funding, industry-academia partnership and mentorship have given a boost to entrepreneurial spirit across the country.
- India started its Digital India journey in 2015 and has set up a goal of a trillion-dollar digital economy in the next few years.
- **Digital technologies** are employed from mapping capital assets using Geographic information system (GIS) technology to revolutionizing payments through UPI. In fact, 40% of global real-time digital transactions happened in India last year.
- To further strengthen innovation, the **National Education Policy** has been introduced, which promotes the spirit of enquiry by setting up incubation & technology development centers.
- With over 9000 **Atal Tinkering Labs**, youth is encouraged to develop solutions to society's problems.
- India has taken up structural reforms to strengthen its **Intellectual Property Rights (IPR) regime** including modernization of IP office, reducing legal compliances and facilitating IP filing for start-ups, women entrepreneurs, small industries and others.

## BIODIVERSITY & ENVIRONMENT

#### COP15 to Convention on Biological Diversity

At the 15th Conference of Parties (COP15) to the Convention on Biological Diversity, Small Island Developing States (SIDS) agreed to form a Coalition for Nature (led by Cabo Verde, Samoa and Seychelles.)

- ✓ COP15 has been split into two parts, the first was held online in October 2021.
- ✓ The second part was recently held in Montreal, Canada

✓ The next COP i.e., COP16 will be held in Turkey in 2024.

### About Coalition for Nature

- It forms for the implementation and adoption of the **Global Biodiversity Framework (GBF)**.
- The goal is to advocate for agreed common SIDS priorities and needs such as greater means of implementing biodiversity objectives in these places by putting up a unified front.
- The purpose of this Coalition is to underline how SIDS are home to a large portion of the world's biodiversity and show that they have been using **nature-based solutions**.
  - ✓ It will also highlight how enhancing these means of implementation of SIDS will be strategic to save the planet.

KEY GLOBAL TARGETS FOR 2030	
<ul style="list-style-type: none"> <li>➤ Effective conservation and management of at least 30% of the world's lands, inland waters, coastal areas and oceans (Currently 17% and 10% of the world's terrestrial and marine areas respectively are under protection)</li> <li>➤ Complete restoration of at least 30% of degraded terrestrial, inland waters, and coastal and marine ecosystems</li> <li>➤ Reduce to near zero the loss of areas of high biodiversity importance</li> <li>➤ Cut global food waste in half, and significantly reduce overconsumption and waste generation</li> <li>➤ Reduce the use of pesticides and highly hazardous chemicals by half</li> <li>➤ Progressively phase out or reform by 2030 subsidies that</li> </ul>	 <ul style="list-style-type: none"> <li>harm biodiversity by at least \$500 billion per year</li> <li>➤ Mobilize by 2030 at least \$200 billion per year in domestic and international biodiversity-related funding from all sources – public and private</li> <li>➤ Raise international financial flows from developed to developing countries to at least US\$ 20 billion per year by 2025, and to at least US\$ 30 billion per year by 2030</li> <li>➤ Big business and investors must also report on their actions that impact and protect nature</li> </ul>

### Global Biodiversity Framework (GBF)

- It is a new framework that will guide actions worldwide through 2030, to preserve and protect nature and its essential services to people.
- It emphasises respect for the rights of indigenous communities that traditionally protect forests and biodiversity, and their involvement in conservation efforts.
- Its proposed aims include reducing pesticide use by at least two-thirds and eliminating the most detrimental subsidies, including fisheries and agricultural subsidies.
- One of the key targets of the GBF - **the 30x30 target** - is to protect at least 30% of the planet (especially areas of particular importance - land and sea - for biodiversity) by 2030.
- Once approved unanimously by all 195 countries under the CBD, the GBF will be signed as a global deal to take specific measures under 23 proposed targets by 2030.
  - The targets which are not accepted by one or more countries will not be part of the Framework.

### India's Position on GBF

- **Overall:**
  - The GBF must be framed in the light of **science and equity**, and the sovereign right of nations over their resources, as provided for in the CBD.
  - If climate is profoundly linked to biodiversity, then the principle of equity and common but differentiated responsibilities and respective capabilities (**CBDR-RC**) must equally apply to biodiversity.
  - Biodiversity must be promoted through positive investment.
- **On subsidies, pesticide use and invasive alien species:**
  - That the essential support to vulnerable sections **cannot be called subsidies** and targeted for elimination, but may be rationalised.
  - India's position on pesticide use, stating that a numerical global target for pesticide reduction is unnecessary and should be left up to individual countries to decide.

### The Forest (Conservation) Amendment Bill 2023

The Forest (Conservation) Amendment Bill, 2023 which seeks to amend the Forest (Conservation) Act, 1980 was referred to the Joint Committee of Parliament after its introduction in the Lok Sabha.

**Objective Of Forest (Conservation) Amendment Bill 2023**

- Remove ambiguity in the applicability of the provisions of the existing Act.
- Build forest carbon stock by raising plantations and Forest conservation.
- Freeing up land currently locked up as unrecorded forests & Make land available for developers to meet their legal obligation towards compensatory afforestation.

**Need**

**New Targets:** To achieve Net Zero Emission targets by 2070 and to enhance forest carbon stock.

**To Remove ambiguity in the applicability of the provisions of the existing Act:**

- Before the T.N. Godavarman Thirumulpad vs. Union of India case 1996, the Forest (Conservation) Act only applied to notified (reserved/protected) forest lands and not to revenue (recorded) forest areas.
- However, the Supreme Court's judgment expanded the Act's coverage to forest areas, including those being used for non-forestry purposes.
- As a result, authorities were prohibited from changing the land use or allowing any development or utility work. This caused confusion about the Act's applicability to private and non-forest lands, leading to misinterpretation of its provisions.

**Fast-tracking of Projects:** To develop vital security infrastructures along international borders, strategic and security-related projects of national importance need to be fast-tracked.

**Proposed Amendments**

**Insertion of Preamble:** To encompass the country's rich tradition of preserving forests, their bio-diversity and tackling climate change challenges within its ambit.

**Land under the Purview of the Act**

- i. The land that has been declared/ notified as a forest in accordance with the provisions of the Indian Forest Act, 1927 or under any other law for the time being in force.
- ii. The lands that are not covered under the above category, but notified as forest in Government records, as on or after the **25th of October 1980**.

It will **not apply** to land changed from forest use to non-forest use by any authority authorized by a state/UT on or **before December 12, 1996**.

**Restrictions on Forest Activities**

Act	Bill
<ul style="list-style-type: none"> <li>• De-reservation of forest or use of forest land for non-forest purposes. The restrictions may be lifted with the prior approval of the central government.</li> <li>✓ Non-forest purposes include use of land for cultivating horticultural crops or for any purpose other than reafforestation.</li> </ul>	<p>It adds more exempted activities from <b>non-forest purposes</b> to this list such as:</p> <ul style="list-style-type: none"> <li>✓ Works related to the conservation, management, and development of forest and wildlife.</li> <li>✓ <b>Zoos and safaris</b> under the <b>Wildlife (Protection) Act, 1972</b> owned by the government or any authority, in forest areas other than protected areas.</li> <li>✓ Eco-tourism facilities.</li> <li>✓ Silvicultural operations (enhancing forest growth).</li> <li>✓ Any other purposes specified by the central government.</li> </ul>

**Exempted Land Categories**

- Forest land situated alongside a rail line, or a public road maintained by the Government, which provides

access to habitation up to a maximum size of 0.10 hectare.

- Forest land situated within **100 kilometers** along international borders or **Line of Control or Line of Actual Control** proposed to be used for construction of strategic linear project of national importance and concerning national security.
- Forest land up to **10 hectares** proposed to be used for construction of **security related infrastructure**.
- Forest land proposed to be used for construction of defence related project or a camp for paramilitary forces or public utility projects, as may be specified by the Central Government (not exceeding five hectares in a Left-Wing Extremism affected area notified by central government).

#### **Power to Issue Directions**

The central government is empowered to issue directions to any authority/organization under the Central Government, State Government or Union territory Administration for the implementation of this Act.

#### **Concerns Raised**

1. **No Protection for unrecorded forest land:** This diverts away from the Supreme Court's 1996 verdict which had ensured every forest mentioned in government records gets legal protection against deforestation.
  - The new bill seeks to limit the applicability of the Act only to forest land recorded by the government. This will affect nearly 28% of land or 197,159 sq km (as per the latest State of Forests Report (SFR 2021)) which is not recorded as 'forest'.
2. **Exemption from Forest Clearance:** Land not covered under the Act can be used to raise plantations and compensate for an equivalent area of diverted forest land. This will incentivize building private land banks of plantations and streamline the forest clearance process. Conservationists consider it as blow to the FC Act as it will result in losing unrecorded forests to plantations and diverting recorded forests for projects. This will further promote commercialization of forests (including notified forests) and cause irreversible disturbance to wildlife.
  - Critics argue that plantations are a significant threat to Indian forests as they replace the natural ecosystems, affect soil quality, and particularly threaten the native biodiversity.
3. The terms like 'proposed', 'ecotourism facilities', and 'any other purposes' can be exploited or misused for activities damaging forests and ecosystems in forest lands.
4. **Exemptions:** The bill seeks to exempt security-related infrastructure requiring up to 10 hectares, without defining its scope, silvicultural operations, construction of zoos and wildlife safaris, eco-tourism facilities etc. Clearing of forests without any assessment and mitigation plan will not only threaten the biodiversity but will also increase the vulnerability of the ecologically and geologically sensitive areas already threatened by unsustainable infrastructure developments and extreme weather events.
5. **Creating Carbon Sinks:** Focus on raising tradeable vertical repositories of carbon can jeopardize the very purpose of the Act to protect and conserve India's forests.
6. **Dependent Communities:** Indigenous and forest communities may have no say on the extensive plantations that are envisaged on land on which they depend as communities.

#### **NCST Upset With Environment Ministry Over Forest Rights**

- The National Commission for Scheduled Tribes (NCST) is caught in a row with the Ministry of Environment, Forest and Climate Change over the latest **Forest Conservation Rules (FCR), 2022**.
- The row is over the potential violation of provisions enshrined in the **Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act, 2006** dubbed as Forest Rights Act (FRA).



**Role of Forest Advisory Committee (FAC)**

- The FAC is a **statutory body** established under the Forest Conservation Act (FCA), 1980.
- The FAC considers questions on the diversion of forest land for non-forest uses such as mining, industrial projects, townships and advises the state government on the *issue of granting forest clearances*.
- Once the FAC is convinced and approves (or rejects a proposal), it is forwarded to the concerned State government where the land is located, who then has to ensure that provisions of the **Forest Right Act, 2006**, a separate Act that protects the rights of forest dwellers and tribals over their land, are complied with.
- The FAC approval also means that the future users of the land must **provide compensatory land** for afforestation as well as **pay the net present value** (ranging between Rs 10-15 lakh per hectare.)

**FOREST CONSERVATION RULES**

- The Forest Conservation Rules deal with the implementation of the **Forest Conservation Act (FCA), 1980**.
- They prescribe the procedure to be followed for forest land to be diverted for non-forestry uses such as road construction, highway development, railway lines, and mining.
- The **broad objectives of the Forest Conservation Act are to –**
  - Protect forest and wildlife,
  - Put brakes on State governments' attempts to hive off forest land for commercial projects and
  - Strive to increase the area under forests.
- For forest land beyond five hectares, approval for diverting land must be given by the Central government.
- This is via a specially constituted committee, called the Forest Advisory Committee (FAC).

**Forest Conservation Act, 2022 Rules**

- The latest version of the rules, which consolidates changes to the Forest Conservation Act over the years from various amendments and court ruling, was made public in June, 2022.
- The new rules make a provision for private parties to cultivate plantations and sell them as land to companies who need to meet compensatory forestation targets.
  - This, according to the Central government, will help India increase forest cover as well as solve the problems of the States of not finding land within their jurisdiction for compensatory purposes.
  - In the earlier rules, there was no such provision.
- Also, in the new rules, there is no mention about what happens to tribals and forest-dwelling communities whose land would be hived off for developmental work.
  - Prior to the updated rules, state bodies would forward documents to the FAC that would also include information on the status of whether the forest rights of locals in the area were settled.
- The opposition parties have alleged that the amended rules would disempower crores of tribals and others living in forest areas.

**NCST on FCA Rules 2022**

- Within two months of the FCR, 2022 coming into force, the National Commission for Scheduled Tribe (NCST) constituted a "Working Group on the Forest Rights Act 2006."
- It was constituted to monitor the implementation of the FRA and "make recommendations to the Union government and State governments".
- The NCST concluded that the **new FCR infringed on the rights of STs and other traditional forest dwellers (OTFDs) by violating the FRA**.
- According to the **FRA 2006**, in case of a dispute over forest land, precedence has to be given to the rights of STs and OTFDs, who live in the forest and its resources, over any other party.
- The NCST argued that the previous versions of the Rules provided a legal space for "ensuring completion of the processes for recognition and vesting of rights under the FRA in areas where forests are being diverted."



### Environment Ministry's Response

- **FCR, 2022 does not violate any provisions granting land rights to STs and OTFDs.**
- It said that the FCR has been issued in accordance with the Forest (Conservation) Act, 1980, which will run “parallel” to the provisions of the FRA, 2006.
- It also said that there was “**no legal basis**” for the NCST’s concerns about the FCR’s impact on the FRA.

### UN Adopts High Seas Treaty

- The United Nations has **adopted** the **first-ever international treaty** to govern the high seas and protect remote ecosystems vital to humanity.
- The pact that will establish a legal framework to extend environmental protections to international waters, known as the **high seas**.
- It will be opened for signatures on **September 20**, during the annual meeting of world leaders at the UN General Assembly.
  - The treaty will take effect once it is ratified by 60 countries.

### Need For UN High Seas Treaty

- **Ocean and Biodiversity**
  - The high seas comprise 64% of the ocean surface, and about 43% of the Earth.
  - These areas are home to about 2.2 million marine species and up to a trillion different kinds of microorganisms.
- **Ocean and Global Climate**
  - Oceans are an integral part of the global climate cycle, and perform a range of ecological services including absorption of carbon dioxide and excess heat.
  - Hence, this treaty is being considered as a landmark in the efforts to keep the planet habitable.
- **Unregulated human activities**
  - Climate change is already influencing, and is being influenced by, ocean systems, and is exacerbating the pressures on marine biodiversity from unregulated human activities.
  - It is these specific challenges — a combination of climate change, biodiversity, and pollution — that the High Seas Treaty seeks to address.
- **UNCLOS and concerns regarding the biodiversity**
  - Though UNCLOS asks countries to protect the ocean ecology and conserve its resources, it does not provide the specific mechanisms or processes to do so.
    - **UN Convention on the Law of the Sea (UNCLOS)** is an international treaty that establishes a framework for the use and management of the world's oceans and their resources. It was adopted by the UN in 1982 and came into force in 1994.
  - Hence, it is believed that the High Seas Treaty will work as an implementation agreement under the UNCLOS.
    - This is similar to the Paris Agreement working under the UN Framework Convention on Climate Change (UNFCCC).

### UN High Seas Treaty

- Agreed under the UNCLOS, this treaty is commonly known as the **agreement on biodiversity beyond national jurisdictions (BBNJ)**.

- This treaty is the first international law to offer some protection to the nearly two-thirds of the ocean that is beyond national control.
- **This treaty will be legally binding in nature.**

#### **Key Provisions Of UN High Seas Treaty**

- **Demarcation of marine protected areas (MPAs)**
  - MPAs are where ocean systems, including biodiversity, are under stress, either due to human activities or climate change.
    - These can be called the national parks or wildlife reserves of the oceans.
  - Activities in these areas will be highly regulated, and conservation efforts similar to what happens in forest or wildlife zones, will be undertaken.
  - Only about 1.44% of high seas are currently protected, according to the International Union for Conservation of Nature (IUCN).
  - In December 2022, at the meeting of the Convention on Biodiversity (CBD) in Montreal, Canada, countries had agreed to **put at least 30% of degraded coastal and marine ecosystems under effective restoration by 2030.**
    - MPAs will be helpful in achieving this objective.
- **Sustainable use of marine genetic resources and equitable sharing of benefits arising from them**
  - Genetic information from marine organisms is already being extracted, and their benefits are being investigated.
  - The treaty seeks to ensure that any benefits arising out of such efforts, including monetary gains, are free from strong intellectual property rights controls, and are equitably shared amongst all.
  - The knowledge generated from such expeditions are also supposed to remain openly accessible to all.
- **Initiation of the practice of environmental impact assessments for all major activities in the oceans**
  - Under the new treaty, commercial or other activities that can have significant impact on the marine ecosystem would require an environmental impact assessment to be done.
  - The results of this exercise have to be shared with the international community.
- **Capacity building and technology transfer**
  - This will help small island states and landlocked nations, who do not have the resources or the expertise, to meaningfully participate in the conservation efforts.
- **Creation of New body**
  - The treaty will create a new body to manage conservation of ocean life and establish marine protected areas in the high seas.

#### **Challenges For UN High Seas Treaty**

- **Many issues remain unaddressed**
  - Many issues remain unaddressed, including the *mechanisms for policing the protected areas, the fate of the projects that are assessed to be heavily polluting, and the resolution of disputes.*
- **Ratification is not expected to be easy**
  - The process of ratification is not expected to be easy.
  - It took UNCLOS 12 years to become international law because the necessary number of ratifications was not reached.

- **Provisions of this treaty do not overrule regulations laid down by the authorities that oversee existing high seas activities**
  - Authorities overseeing high seas activities include:
    - International Maritime Organization, which is responsible for shipping;
    - International Seabed Authority, which oversees deep-sea mining;
    - 17 regional fisheries management organizations tasked with regulating fisheries in various parts of the ocean, including Antarctica.
  - Military activities and existing fishing and commercial shipping are, in fact, exempt from the treaty.
  - Hence, the treaty cannot create protected areas in places already covered by fishing agreements, even if that fishing is unsustainable and depleting stocks.

**Conference of the Parties (COP 27)**

- The 27<sup>th</sup> session of the Conference of the Parties (COP27) to the United Nations Framework Convention on Climate Change (UNFCCC) was held in Sharm El Sheikh, Egypt.
- COP27 seeks *renewed* solidarity between countries, to deliver on the landmark Paris Agreement adopted in 2015, for people and the planet. It is built on COP26 outcomes to deliver action on tackling climate emergency issues like reducing greenhouse gas (GHG) emissions, building resilience, financing climate action etc.
- It included the issue of loss and damage in its formal main agenda for the 1st time ever.

**Key Themes**

Adapting to Climate Change	Loss and Damage	Finance
Renewable energy	Net Zero	Biodiversity

**“Loss and Damage” Issue**

- Impacts of climate change results in unquantifiable loss and damages which include loss of lives and livelihoods, degradation of territory, cultural heritage, ecosystem etc.
- Calculating the “Loss and damage” is difficult as it consists of **economic or non-economic loss**. Economic loss can be calculated like infrastructure cost but non-economic is difficult to assess like loss of biodiversity.
- To compensate for these losses the UN proposed a “loss and damage” **fund** for the vulnerable countries. It mandates the rich countries to pay the vulnerable ones for the losses and new adaptation efforts and is based on the “*polluter pays*” principle.
- It was pushed by blocs like the Alliance of Small Island States (AOSIS) and Least Developed Countries (LDCs) backed by G77.
- US and EU (one of the largest carbon emitters) have resisted this fund fearing spiralling liabilities.

**Initiatives**

- In 2009, **developed countries agreed to provide US\$ 100 billion** every year from 2020 to help developing nations fight climate change.
- Warsaw International Mechanism for Loss and Damages was set up in 2013 to compensate developing countries.
- Small funding commitments have been made by countries like Denmark and Scotland.

**India’s Participation in COP27**

- At the COP27 India submitted its **long-term strategy** to achieve low GHG emissions.

- National Museum of Natural History (NMNH), under the Ministry of Environment Forest and Climate Change and UNDP, jointly launched “*In Our LiFetime*” campaign at COP 27.

#### Long-Term Low Emission Development Strategy (LT-LEDS)

- Under the 2015 Paris Agreement, all countries had to submit their LT-LEDS document to the UNFCC by 2020.
- It is a way to showcase how they will implement respective climate action goals.
- So far, only 57 countries (including India) have submitted their document.
  - India is the last of the world’s 5 biggest economies to submit this strategy document.

#### In Our LiFetime campaign

- It aims to encourage youth from around the world between the ages of 18 to 23 years to become message bearers of sustainable lifestyles.
- The campaign gives a global call for **ideas from youth**—who are passionate about living environmentally conscious lives.
- The youth will be encouraged to submit their climate actions that contribute to lifestyles for the environment within their capacity.

#### India’s Position At COP27 Climate Summit

- India is prioritizing a gradual transition to cleaner fuels but does not want a single sector, fuel source, or gas to be singled out for climate action.
  - India’s call to “phase down all fossil fuels” has reportedly received support from the European Union.
- On decarbonization, India clarified that its low-carbon development strategy will not come at the cost of food and energy insecurity or slowdown of economic growth and employment.
- India expects developed countries to take the lead as “the bulk of both finance and technology transfer is available with them.”
- It committed to achieving net zero emissions by 2070.
- Pushed for a new global climate finance target called **New Collective Quantified Goal on Climate Finance (NCQG)** for addressing and adapting to climate-change.
  - It is expected to be finalised by 2024.
  - It will replace the current climate finance goal of \$100 billion annually from developed countries which was set in Copenhagen conference, 2009 (COP-15).

#### Indian Sludge Finds High Potential For Use As Fertilizer

A study has found that the sludge found in Indian sewage treatment plants (STP), has “high potential” to be used as fertilizer.

#### About Sludge

- It is the thick residue produced during the treatment of wastewater or sewage in sewage treatment plants.
- It is rich in organic chemicals and is also a repository of heavy metals, industrial effluents, and bacterial contaminants. The composition of sludge can vary depending on the source and treatment processes used.

#### Classification of Treated Sludge

- As per standards of the *United States Environment Protection Agency*, treated sludge can be classified as:
  - **Class A sludge** - It is safe to be disposed of in the open and useful as organic fertilizer.

- **Class B sludge** - It can be used in restricted agricultural applications, with the edible parts of the crop not exposed to the sludge-mixed soil, and animals and people not coming into extensive contact.

### Use of Sludge as Fertilizer

Sludge can be utilized as a fertilizer or soil amendment due to its nutrient content and organic matter. When properly treated and processed, sludge can provide beneficial nutrients and improve soil fertility.

- **Nutrient Content:** Sludge contains valuable nutrients such as nitrogen, phosphorus, and potassium (NPK), as well as micronutrients like iron, zinc, and copper. These nutrients are essential for plant growth and development.
- **Organic Matter:** Sludge is rich in organic matter, which improves soil structure, *water-holding capacity*, and *nutrient retention*. Organic matter also encourages the growth of beneficial soil microorganisms, enhancing overall soil health.
- **Fertilizer Value:** Sludge can replace or supplement commercial fertilizers, reducing the reliance on chemical fertilizers and promoting sustainable agriculture.
- **Soil Improvement:** Applying sludge to agricultural land can help improve soil fertility and productivity, particularly in degraded or nutrient-deficient soils.

### Government Initiative to Treat Sludge

- **Arth Ganga** aims to monetise, and *reuse treated wastewater and sludge*.
  - Arth Ganga is a sustainable viable economic model conceptualized under the Namami-Gange program to integrate people in the basin with Ganga Rejuvenation.
  - This means converting sludge into usable products such as manure and brick

### Challenges With the Sludge

- Contaminants in sludge require careful management to avoid negative impacts on water bodies and agricultural land.
- *India doesn't yet have standards classifying sludge as class A or B.*
- A study by IIT-Roorkee found that most of the sludge analysed after drying fell into the class B category.

### Way Forward

To improve the quality of sludge, it must be stored for at least three months to kill pathogens, and animal manure and husk or local soil must be added to reduce heavy metals.

### Meri LiFE App

The Government launched the Meri LiFE mobile application to empower young people and encourage their participation in tackling climate change.

- It aims to promote *mindful utilisation instead of wasteful consumption*.
- It will foster a nationwide movement for LiFE, demonstrating the power of citizens in saving the environment.
- Through this app, the impacts of simple actions in daily life can be understood, which can have a larger climate impact.

### About Mission LiFe (Lifestyle for Environment)

- It is a global initiative by India to help the world in its fight against climate change.
- It was introduced by India during the 26th United Nations Climate Change Conference of the Parties (**COP26**) in Glasgow in 2021.

- It aims at following a **three-pronged strategy** for changing our collective approach toward sustainable and healthy Lifestyle:

<b>Change in Demand</b> (Phase I)	Nudging individuals across the world to practice simple yet effective environment-friendly actions in their daily lives.
<b>Change in Supply</b> (Phase II)	Changes in large-scale individual demand are expected to gradually nudge industries and markets to respond and tailor supply and procurement as per the <b>revised demands</b> .
<b>Change in Policy</b> (Phase III)	By influencing the <u>demand and supply dynamics</u> , it aims to trigger shifts in large-scale <u>industrial and government policies</u> that can support both sustainable consumption and production.

- The Ministry of Environment, Forest and Climate Change is the nodal Ministry for national-level coordination and implementation of Mission LiFE.

### Can Countries Be Sued Over Climate Change?

- Recently, the United Nations General Assembly (UNGA) passed a resolution seeking opinion from the ICJ regarding the accountability of countries towards climate change reduction, based on the promises made by these countries to the UNFCCC.
- The resolution, passed by consensus, had been pushed through by one of the smallest countries in the world, the Pacific Island of Vanuatu.
  - This island was devastated in 2015 by the effects of Cyclone Pam, believed to have been spurred by climate change.

### Resolution Asked The ICJ To Deliberate On Two Questions

- These questions are:
  - What are the obligations of states under international law to ensure the protection of the climate system for present and future generations?
  - What are the legal consequences under these obligations for states where they, by their acts and omissions, have caused significant harm to the climate system.
- The resolution refers to several international protocols including the Paris Agreement (2015), the United Nations Convention on the Law of the Sea and even the Universal Declaration of Human Rights.

### What Is India's Position?

- **Cautiously silent about the move**
  - India has thus far been cautiously silent about the move, although it is generally supportive of the need for climate justice.
  - India is also vocal in holding the developed world accountable for global warming.
  - It has referred the resolution to legal authorities in the country who will look into the implications and international ramifications of the ICJ opinion.
- **India did not co-sponsor the draft resolution**
  - India did not join the overwhelming majority of countries that co-sponsored the draft resolution.
- **Wait and watch mode**
  - India is watching how global powers like the U.S. and China respond to the resolution, as without their support, it will be hard to implement.



**India does not want top-down approach in climate change discussion**

- India was among the countries which voiced concerns about whether launching a judicial process was the best way to reach shared goals.
  - Successfully tackling the climate crisis is best achieved via diplomatic efforts.
- As per India, top-down approach is not needed in the discussion around climate change.

**Is The Advisory Opinion Of The ICJ Binding?**

- The ICJ is being asked for an advisory opinion, which by definition would not be legally binding as an ICJ judgment.
- However, its clarification of international environmental laws would make the process more streamlined.
- The ICJ opinion would carry legal weight and moral authority in dealing with contentious issues such as:
  - climate reparations by the developed world,
  - legal culpability for countries that do not achieve their NDC promises, and
  - climate support to the most vulnerable parts of the world battling the effects of global warming.

**5th Cycle of All-India Tiger Estimation**

The Prime Minister of India has launched the International Big Cats Alliance.

**About International Big Cats Alliance (IBCA)**

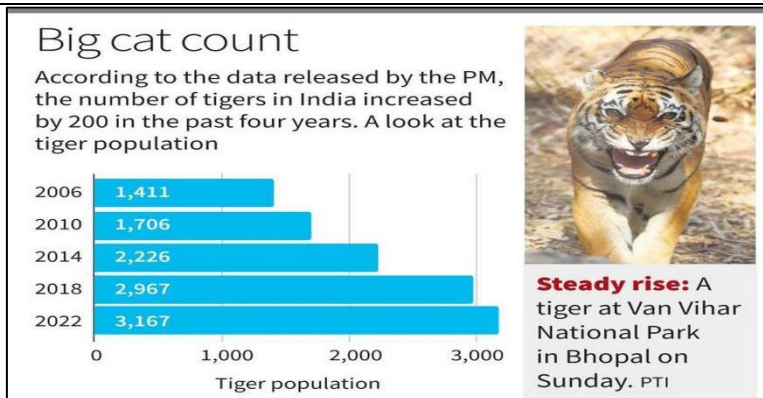
- **50 years of Project Tiger (1973):** To mark this, the PM inaugurated the International Big Cat Alliance, the first of its kind in the country.
- It is a proposed mega-global alliance that will work toward the protection and conservation of the **seven major big cats**.
- Seven major big cats are tiger, lion, leopard, snow leopard, puma, jaguar and cheetah.
- Membership to the alliance will be open to **97 range countries**, which contain the natural habitat of these big cats, as well as other interested nations, international organizations, etc.
- It is expected to sustain itself through contributions from the private sector, multilateral institutions and bilateral institutions and membership fees.

**5th Cycle of the All-India Tiger Estimation**

Prime Minister of India released the summary report of the 5th cycle of the All-India Tiger Estimation.

**Key Highlights of This Estimation**

- The tiger population in India grew by 200 from 2018 to 2022.
  - The number of tigers in India was 3,167 in 2022, up from 2,967 in 2018.



- The growth, however, slowed to 6.7% in these four years from around 33% during 2014-2018.
- The number of tigers has almost doubled in the last two decades in the country.
- As many as 1,161 of India's tigers are now in Central India, 824 in the Western Ghats, 804 in the Shivalik Range, 194 in the North-eastern states and 100 in the Sunderbans.
- The **Western Ghats** have shown a significant fall in the occupancy of tigers.

- Tiger occupancy has also declined in the states of Jharkhand, Odisha, Chhattisgarh, and Telangana.
- The north-western states such as Uttarakhand and Uttar Pradesh now have more tigers outside reserves, requiring officials to step up habitat conservation.

### Tiger Census in India

- After the **Sariska** Tiger Reserve debacle (2005, Rajasthan), where **despite total local extinction of tigers, official records showed presence of substantial tigers** based on the **pugmark census**.
- This disaster prompted the PM of India to appoint the **Tiger Task Force (TTF)** with a mandate to develop a strategy for tiger conservation in India.
- Besides recommending the creation of the **National Tiger Conservation Authority (NTCA)**, etc., the TTF also suggested a **country wide monitoring of tigers and their ecosystems**.
  - National Tiger Conservation Authority is a **statutory body**, constituted under **Wildlife (Protection) Act, 1972**
  - Chairman NTCA: Union Minister of Environment, Forest and Climate Change
- **NTCA in collaboration with the Wildlife Institute of India (WII)**, has conducted a national assessment for the "**Status of Tigers, Co-predators, Prey and their Habitat**" every four years since then.
- The first status assessment of **2006** was peer reviewed by the **International Union for Conservation of Nature (IUCN)**.
- After identifying individual tigers from camera-trapped photos, the WII uses the Spatially Explicit Capture-Recapture (SECR) method to estimate the range of tiger abundance.

### 30 Years of Project Elephant

President of India inaugurates Gaj Utsav at Kaziranga National Park in Assam to mark 30th anniversary of Project Elephant (PE).

#### Status of Elephants in India

- India has the largest and the most stable population of Asian elephants. In fact, India is home to more than 60% of all wild Asian elephants.
- As per Elephant Census conducted in 2017, Karnataka has the highest number of elephants (6,049), followed by Assam (5,719) and Kerala (3,054), respectively
- Asian Elephant is listed as Endangered in IUCN Red List and Schedule I in Wildlife (Protection) Act, 1972.

#### Project Elephant

- It was launched by Ministry of Environment, Forest and Climate Change (MoEF&CC) in 1992 as a Centrally Sponsored Scheme.
- It was launched to provide financial and technical support to wildlife management efforts by states for their free-ranging populations of wild Asian Elephants.
- The Project is primarily being carried out in 16 States / UTs.



#### Objective of Project Elephant

- To protect elephants, their habitats and elephant corridors.
- To address issues of man-animal conflict.
- To ensure the Welfare of domesticated elephants.

#### Conservation Strategies for Elephant

- There are around **33 elephant Reserves** in India notified by the governments.
  - The 1<sup>st</sup> elephant reserve was the Singhbhum elephant Reserve of Jharkhand.
- The elephant has been declared as the national heritage animal by the government of India in 2010.
- **Monitoring of illegal killing of elephants (MIKE)** programme was started in South Asia in 2003.

- The National Elephant Conservation Authority (NTCA) is now being created, in accordance with the Elephant Task Force (ETF) recommendations.
- MoEF&CC in partnership with Wildlife Trust of India (WTI) has launched a campaign called **Hathi Mere Sathi**.
- The elephant task force (ETF) has recommended the campaign to Take Gajah (the elephant) to the Prajaha (the people) in order to increase public awareness.

**First Ever Census on Water Bodies in India**

The Ministry of Jal Shakti has released the first-ever Census of Water Bodies across the nation.

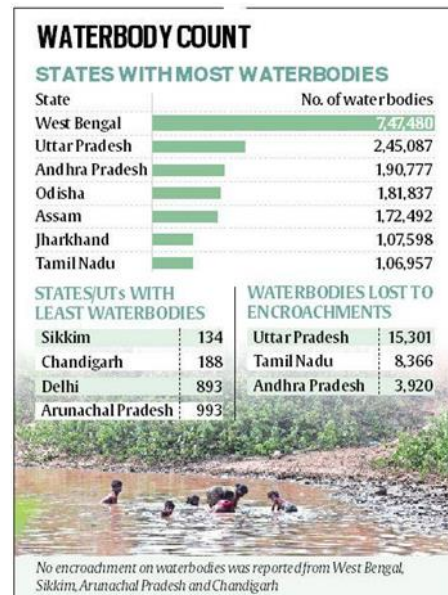
**Key Highlight of the Census**

**About the Census**

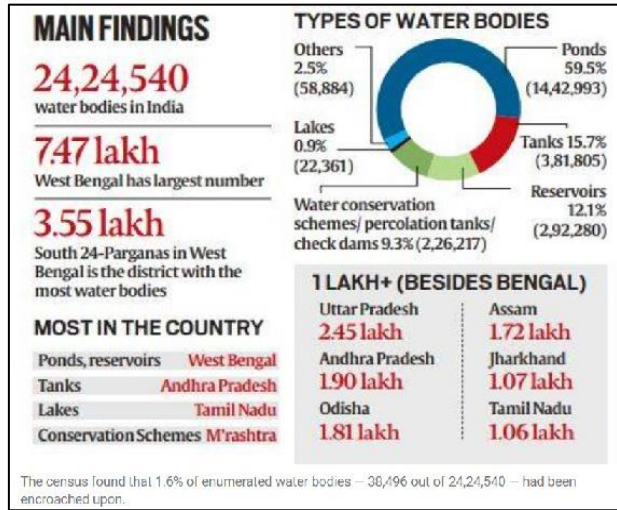
- The Census was launched under the centrally sponsored scheme, “Irrigation Census” in convergence with the **6th Minor Irrigation Census** in order to have a comprehensive national database of all water bodies.
- The census provides a comprehensive inventory of India's water resources, including **natural and man-made water bodies** like ponds, tanks, lakes, and more, and to collect data on the encroachment of water bodies.
- It covered all the water bodies located in **rural as well as urban** areas that are *in-use or not in-use*.
- The census also took into account all type of uses of water bodies like *irrigation, industry, pisciculture, domestic/ drinking, recreation, religious, ground water recharge etc.*

**Did The Census Cover All Water Bodies That Fit This Definition?**

- Seven specific types of water bodies were excluded from the count:
  - Oceans and lagoons;
  - Rivers, streams, springs, waterfalls, canals, etc. which are free flowing, without any bounded storage of water;
  - Swimming pools;
  - Covered water tanks created for a specific purpose by a family or household for their own consumption;
  - A water tank constructed by a factory owner for consumption of water as raw material or consumable;
  - Temporary water bodies created by digging for mining, brick kilns, and construction activities, which may get filled during the rainy season; and
  - Pucca open water tanks created only for cattle to drink water.



- Out of 24.24 lakh water bodies in the country, 97.1% or 23.55 lakh are in rural areas, and only 2.9% or 69,485 are in urban areas.
- 78% water bodies are man-made water bodies whereas 22% are natural water bodies. 1.6% (38,496) water bodies out of all the enumerated water bodies are reported to be encroached out of which 95.4% are in rural areas and remaining 4.6% in urban areas.
- 55.2% of water bodies are owned by private entities, while 44.8% are in the domain of public ownership.
  - Out of all public owned water bodies, maximum water bodies are owned by Panchayats, followed by State Irrigation/State WRD.
  - Out of all private owned water bodies, maximum water bodies are in hands of Individual owner/farmer followed by group of individuals and other private bodies.
- Sikkim has the least number of water bodies, with only 134.



**IPCC Published Its Synthesis Report**

The 4<sup>th</sup> and final instalment of the sixth assessment report (AR6) by the Intergovernmental Panel on Climate Change (IPCC) was released.

**About Synthesis Report**

- It is supposed to be a relatively **non-technical summary** of the previous reports, aimed largely at policymakers around the world.
- This report is meant to address a wide range of policy-relevant scientific questions related to climate change, but, like all IPCC reports, in a non-prescriptive manner.
- This will bring an end to the Sixth Assessment Report, a collective work of thousands of scientists over a period of **eight years**, starting in February 2015.

Key Findings Of This Report	Recommendations In This Report
<ul style="list-style-type: none"> <li>• Human-induced global warming of 1.1 degrees C has spurred changes to the Earth’s climate that are unprecedented in recent human history.</li> <li>• Adaptation measures can effectively build resilience, but more finance is needed to scale solutions.</li> <li>• There is a more than 50% chance that global temperature rise will reach or surpass 1.5 degrees C (2.7 degrees F) between 2021 and 2040</li> </ul>	<ul style="list-style-type: none"> <li>• Deep systemic changes are needed across all economic sectors to reduce emissions. Some steps include:                             <ul style="list-style-type: none"> <li>➤ Widespread electrification</li> <li>➤ Diversifying energy generation to include more wind, solar, and small-scale hydropower</li> <li>➤ Conserving and restoring forests while also reducing tropical deforestation.</li> </ul> </li> <li>• Accelerated financial support for developing countries from developed countries is a critical enabler, with a greater focus needed on public grant-based finance.</li> </ul>

**IPCC Assessment Reports (AR)**

- IPCC Assessment Reports (AR) cover the full scientific, technical and socio-economic assessment of climate Change. It is generally divided into following parts:
- **IPCC Assessment Report = (Working Group (WG) I Report + WG II Report + WG III Report) + Three Special Reports + Methodology Reports + Synthesis Report**
- Five Assessment Reports have been completed in 1990, 1995, 2001 and 2007, 2014. The IPCC is now in its sixth assessment cycle, in which it is producing the Sixth Assessment Report (AR6).
- The Synthesis report is the last of the AR6 publications to inform the 2023 Global Stocktake by UNFCCC.

**Graded Response Action Plan (GRAP)**

The **Commission for Air Quality Management (CAQM)** said that measures under 'Stage-1' of the **Graded Response Action Plan (GRAP)** will be enforced in the NCR with immediate effect. The order came after Delhi's Air Quality Index (AQI) deteriorated to be in the 'poor' category.

**About GRAP**

- It is a set of emergency measures that kick in to prevent further deterioration of air quality once it reaches a certain threshold. It is **implemented by the CAQM**.
- **Stage 1** of GRAP is activated when the **AQI is in the 'poor' category (201 to 300)**.
- The 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> stages will be activated when AQI reaches the **'very poor' category (301 to 400)**, **'severe' category (401 to 450)** and **'severe +' category (above 450)** respectively.
- The orders and directions of the CAQM will prevail in **case of any conflict** between directions issued by the State governments and the CAQM.
- Measures under the different categories of the plan are to be enforced by the pollution control boards of the NCR states and the concerned departments and agencies, including the traffic police, the Transport Department and road-owning and construction agencies.
- It was approved by the Supreme Court in 2016. It was 1<sup>st</sup> notified in January 2017 by the Ministry of Environment, Forest and Climate Change (MoEFCC)

**Has GRAP Helped?**

It has been successful in doing two things that had not been done before -



**Creating a step-by-step plan for the entire Delhi-NCR region**

**It has gathered several agencies: all pollution control boards, industrial area authorities, municipal corporations, regional officials of the India Meteorological Department, and others.**

- The biggest success of GRAP has been in fixing accountability and deadlines. For each action to be taken under a particular air quality category, executing agencies are clearly marked.
- Three major policy decisions that can be credited to GRAP are -
  - ✓ Closure of the thermal power plant at Badarpur
  - ✓ Bringing BS-VI fuel to Delhi before the deadline set initially, and
  - ✓ Ban on Pet coke as a fuel in Delhi-NCR.



Older version of GRAP	This year GRAP
In the version of the GRAP that was notified in 2017, measures kicked in after pollution concentrations reached a certain level.	Measures are pre-emptive and will kick in based on forecasts in an attempt to prevent the AQI from deteriorating further.
GRAP was enforced based <b>only on the concentration of PM2.5 and PM10.</b>	GRAP is being enforced based on the AQI, which takes <b>other pollutants also</b> into account, such as ozone, sulphur dioxide and oxides of nitrogen.
The construction ban was implemented only in the 'severe +' category.	A ban on construction activities (except for those involving railways, projects of national security, hospitals, metro services, and linear public projects like highways, roads) will be imposed under the ' <u>severe</u> ' category.
No such provisions	For the first time, it specifies that State governments in the NCR may impose restrictions on <b>BS-III petrol and BS-IV diesel</b> four wheelers under <u>Stage-3</u> , or when the AQI is likely to reach the 'severe' category.  In the ' <u>severe +</u> ' category, GRAP imposes a ban on plying of four-wheelers in Delhi and NCR districts bordering Delhi, <b>except for BS-VI</b> vehicles and those plying for emergency or essential services.

## DEFENCE AND SECURITY

### Money laundering/Institutional framework

#### Crypto Under PMLA

The government has recently issued a notification bringing transactions involving crypto assets under the Prevention of Money Laundering Act.

Advantages Of Cryptocurrencies	Concerns Associated With Cryptocurrencies
<ul style="list-style-type: none"> <li>The primary advantage of cryptocurrencies is the <u>mathematically designed blockchain network with finite supply</u>. The main problem with the current monetary set-up is that when the government starts printing more money, the value of money gets wiped out due to high inflation.</li> <li>Traditionally, gold has been one of the options for investors to hedge against inflation, but the supply of gold is not mathematically designed. Cryptocurrencies like Bitcoin give a better hedge against inflation compared to gold by ensuring a limited supply. Thus, it can act as a <b>store of value</b>.</li> <li>Further, there are systems and processes that can be developed around the blockchain network, such as</li> </ul>	<ul style="list-style-type: none"> <li>Transaction records of cryptocurrencies are publicly available in an open ledger (blockchain) for record keeping in an anonymous (unnamed) and an encrypted form.</li> <li>Though each transaction is recorded in a public log, names of buyers and sellers are never revealed and only their wallet IDs are revealed.</li> <li>This keeps cryptocurrency users' transactions private, but it also lets them buy or sell anything without easily tracing it back to them. That's why it has become the preferred currency for <b>buying drugs</b> online</li> </ul>



**decentralised finance systems**, which can provide greater efficiency compared to the traditional finance systems.

- For example, international payments through cryptocurrencies are **easy and cheap** as they are not tied to any country or banking institution. Moreover, cryptographic techniques provide **enhanced security**.
- Blockchain technology itself has great potential to reform financial record-keeping and keeping track of asset transactions.
- Furthermore, entry barriers for new players to create new protocols and applications are significantly lower than traditional financial institutions like banks.

or other illicit activities like **terror financing**.

- Further, the anonymous nature of cryptocurrencies goes against the global **money laundering** rules.
- Moreover, investments in cryptocurrencies are highly volatile, which leads to significant **investment risks**.
- Central banks are concerned that if acceptance of cryptocurrencies as a medium of exchange grows, it can potentially undermine their control on monetary policies.

**Transactions To Be Covered Under PMLA**

- Exchange between virtual digital assets (VDAs) and fiat currencies;
- Exchange between one or more forms of VDAs;
- Transfer of VDAs;
- Safekeeping or administration of VDAs or instruments enabling control over VDAs; Participation in and provision of financial services related to an issuer’s offer and sale of a VDA.

**Reasons For The Current Move**

- A July 2021 report had estimated India as being the country with the highest number of crypto owners, at **10.07 crore**, which was more than threefold the number of owners of crypto assets in the second-ranked U.S.
- Disclosures by the government indicate that the volume of trade in unregulated virtual assets has grown sizeably in recent years.
- Last month, Ministry of Finance informed the Lok Sabha that the Enforcement Directorate was investigating several cases related to cryptocurrency frauds wherein a few crypto exchanges had been found involved in money laundering.
- As much as **₹936 crore had been attached or frozen** as on January 31, deemed to be proceeds of crime.
- Bringing VDAs under PMLA now lays the responsibility of highlighting the origin of all activity, including safekeeping, in such assets upon individuals and businesses participating in or facilitating these transactions.

**Legal Status Of Crypto In India**

- In the Union Budget last year, even though the government brought in a **tax for cryptocurrencies**, it did not proceed with framing regulations.
- Earlier, the Reserve Bank of India had proposed a ban that was set aside by a court order. In July last year, flagging the RBI’s concerns, the finance minister told the Parliament that international collaboration would be needed for any effective regulation or ban on cryptocurrency.
- From April 2022, India introduced a 30 per cent income tax on gains made from cryptocurrencies.
- In July 2022, rules regarding 1 per cent tax deducted at source on cryptocurrency came into effect.

**IMF Guidelines On Crypto**

Recently, the **International Monetary Fund** has also laid out a **nine-point action plan** for countries to treat crypto assets: The nine elements—or policy actions—are:

- (i) Safeguard *monetary sovereignty* and stability by strengthening monetary policy frameworks and **do not** grant crypto assets official currency or legal tender status.
- (ii) Guard against excessive capital flow volatility and maintain effectiveness of capital flow management measures.
- (iii) Analyze and disclose fiscal risks and adopt unambiguous tax treatment of crypto assets.
- (iv) Establish legal certainty of crypto assets and address legal risks.
- (v) Develop and enforce prudential, conduct, and oversight requirements to all crypto market actors.
- (vi) Establish a joint monitoring framework across different domestic agencies and authorities.
- (vii) Establish international collaborative arrangements to enhance supervision and enforcement of crypto asset regulations.
- (viii) Monitor the impact of crypto assets on the stability of the international monetary system.
- (ix) Strengthen global cooperation to develop digital infrastructures and alternative solutions for cross-border payments and finance.

By adopting the framework, policy makers can better mitigate the risks posed by crypto assets while also harnessing the potential benefits of the technological innovation associated with it.

### Amendments To The Rules On Money Laundering

- The Department of Revenue under the Ministry of Finance brought in ***The Prevention of Money Laundering (Maintenance of Records) Amendment Rules, 2023***.
- These amendments have widened the ambit of reporting entities under money laundering provisions.
- These changes are in line with the recommendations of the Financial Action Task Force (FATF).

### Key Highlights Of The Amendment

- **Rules related to Politically Exposed Persons (PEP)**
  - The rules related to PEP covers individuals *working for a foreign country, senior politicians, functionaries of political parties, senior bureaucrats, judges, and military personnel*.
    - Earlier, these entities and individuals were not included in the PMLA.
  - For these people, banks will need to maintain records on the nature and value of transactions.
  - The new rule also lays down the procedure:
 

○	for how this information will be shared
○	time for which such data will be retained
○	manner in which identity records of such clients will be maintained by banking companies, financial institutions and intermediaries
- **For NGOs:** The new rules add more data retention requirements:
  - Every banking company or financial institution shall register the details of such a client on the **DARPAN Portal** of Niti Aayog.
  - These records should be maintained for a period of 5 years.
- **For identifying beneficial owners by reporting entities**
  - The term beneficial owner was defined to mean ownership of or entitlement to more than **25%** of shares or capital or profit of the company.

- The threshold of **25% is now reduced to 10%**, thereby bringing more indirect participants within the reporting net.

- **Regarding cryptocurrencies**

### **Purpose Of Bringing These Amendments**

- **Bringing uniformity in PEPs**

- The move to define PEPs under PMLA is to bring uniformity with a **2008 circular** of the RBI for KYC norms/anti-money laundering standards for banks and financial institutions.
  - RBI had already defined PEPs in line with **FATF norms**.
- With this amendment, the same definition will be applicable everywhere.

- **Proposed FATF assessment of India**

- The amendments assume significance ahead of the proposed FATF assessment of India, which is expected to be undertaken later this year.
  - These amendments remove ambiguities before the FATF assessment.
  - Previously, in June 2010, the FATF conducted an evaluation for India.

### **AFSPA Lifted From More Areas In Northeast States**

- The Centre has decided to further reduce the jurisdiction of 'disturbed areas' under the **Armed Forces (Special Powers) Act, 1958 (AFSPA)** in Assam, Nagaland and Manipur.
- With the latest decision, starting April 1, the Disturbed Areas notification will be lifted from:

#### **Armed Forces (Special Powers) Act, 1958 [AFSPA]**

- The Armed Forces (Special Powers) Act was enacted in 1958 to bring under control what the government of India considered **disturbed areas**.
  - AFSPA was first implemented in the Northeast, and then in Punjab.
- Under its provisions, the armed forces have been empowered to open fire; enter and search without warrant, and arrest any person who has committed a cognisable offence.
- **Prosecution of the officer on duty needs prior permission of the Central Government.**

- 1 more district in Assam; 4 more police stations in Manipur & 3 more police stations in Nagaland.

- On the other hand, 1 police station in Arunachal Pradesh — Chowkham — was declared a Disturbed Area under the Act.

### **States Where AFSPA Is In Effect**

- **AFSPA can be implemented in an area after it has been declared as disturbed.**
- Before the current (March 2023) notification, States/UT under AFSPA included:
  - Assam, Nagaland, Manipur (excluding seven assembly constituencies of Imphal),
  - Arunachal Pradesh (only the Tirap, Changlang and Longding districts plus a 20-km belt bordering Assam), and Jammu and Kashmir.
  - It was completely **lifted from Meghalaya** in April 2018. It was **repealed in Tripura** in 2015

### **Disturbed Area**

- A disturbed area is one which is declared by notification under **Section 3** of the AFSPA.
  - Section (3) of the AFSPA Act empowers the **governor of the state** or the **Administrator of UT** to issue an official notification on The Gazette of India.
  - Following which the centre has the authority to send in armed forces for civilian aid.

- The state or central government considers those areas as disturbed by reason of differences or disputes between members of different religious, racial, language or regional groups or castes or communities.
- Once declared 'disturbed', the region has to maintain status quo for a minimum of **three months**, according to The Disturbed Areas (Special Courts) Act, 1976.
- The state governments can suggest whether the AFSPA is required to be enforced or not.
  - But under Section (3) of the APSPA, their opinion can still be overruled by the governor or the centre.

#### **Controversial Provisions Of AFSPA**

- **Section 3** – It empowers the Centre to declare any area as Disturb Area without taking consent of the concerned state.
- **Section 4** – Accords certain power to an authorised officer which also include power to open fire at any individual even if it results in death.
  - Under this section, the officer has also been given the power to (a) arrest without a warrant; and (b) seize and search any premise without any warrant.
- **Section 7** – It mandates prior executive permission from central or state authorities for prosecution of a member of the security forces.

#### **Unlawful Activities Prevention Act (UAPA): SC Changes Stand**

Recently, the Supreme Court ruled that **membership** of an unlawful organisation by itself would constitute an offence under the **Unlawful Activities (Prevention) Act, 1967**.

#### **Key Highlights**

- **Apex court had overruled its earlier judgment**
  - In 2011, the SC had held that mere membership of a banned organisation will not make a person a criminal unless he resorts to violence or incites people to violence or creates public disorder by violence or incitement to violence.
- **Upheld Section 10(a)(i) of UAPA**
  - The Supreme Court upheld Section 10(a)(i) of UAPA that makes membership of an association, which has been declared to be unlawful, to be an offence.
  - The court said that Section 10(a)(i) is in consonance with 19(1)(a) and 19(2) of the Constitution and accordingly, it is also in consonance with the objectives of the UAPA

#### **Unlawful Activities (Prevention) Act (UAPA)**

- Also known as the Anti-terror law, UAPA was enacted in 1967.
- It lays down the definitions and rules for designating an organisation as an "unlawful association" if it is engaged in certain types of activities directed against the integrity and sovereignty of India.
- Under the Act, the central government may designate an organisation as a terrorist organisation if it:
  - commits or participates in acts of terrorism;
  - prepares for terrorism;
  - promotes terrorism;
  - is otherwise involved in terrorism;
- The most recent amendment of the law, the Unlawful Activities (Prevention) Amendment Act, 2019 has made it possible for the Union Government to designate **individuals as terrorists** without following any formal judicial process.

- The law provides the government with wide-ranging powers to arrest, detain and prosecute individuals or groups who are suspected of being involved in terrorism or related activities.

**Criticism Of UAPA**

- **Extremely wide ambit**
  - This makes it possible to use them against not just criminals and terrorists, but even authors, academics, and human rights activist.
- **Undefined and vague terms**
  - The definition of unlawful activities includes terms which are vague and broad.
  - For instance, questioning the territorial integrity of India and activities to cause **“disaffection against India”** are an unlawful activity.
  - However, it has not defined what constitutes dissatisfaction against India.
- **No definition of membership**
  - There is no definition of membership (when should a person be called a member of banned organisation?) in the UAPA, making it susceptible to misuse.
- **Other controversial provisions**
  - Some of the provisions such as extended detention periods, no anticipatory bail, no bail if case seems prima facie true etc. have been termed as draconian.

## Role of External State & Non-State Actors in Creating Challenges to Internal Security

**Manipur Govt Ends Its Peace Pact With 2 Insurgent Groups**

- The Manipur government withdrew from the **Suspension of Operations (SoO) agreement** with two hill-based tribal insurgent groups.
  - SoO pact was signed in August, 2008, with the primary objective of initiating political dialogue.
  - The important terms under the SoO are that security forces, including state and central forces, are not to launch any operations, nor can the underground groups(UG).
  - On the other hand, signatories groups shall abide by the Constitution of India, the laws of the land and the territorial integrity of Manipur.
  - As a rehabilitation package, the UG cadres living in the designated camps are given a monthly stipend of Rs 5000.
- The state government claimed that a protest rally organised recently, defying Section 144, was influenced by the two groups, Kuki National Army (KNA) and Zomi Revolutionary Army (ZRA).

**Insurgency in Manipur**

- There is an ongoing armed conflict between India and a number of separatist rebel groups in Manipur.
- This insurgency in Manipur is part of the wider Insurgency in Northeast India which combines elements of a national liberation war as well as an ethnic conflict.

**Historical background**

- Following the brief **Anglo-Manipur War of 1891**, the Kingdom of Manipur was conquered by Britain.

- After this war, Manipur kingdom became a British protectorate.
- Manipur became a part of India in October 1949 and became a **separate state in 1972**.

### **Rise of insurgency in Manipur**

- Manipur's incorporation into the Indian state led to the formation of a number of insurgent organisations.
  - These groups demanded the creation of an independent state within the borders of Manipur, and dismissed the merger with India as involuntary.
- The insurgency problem in Manipur came into existence in the late 1960s and 1970s.
  - There was no problem of insurgency when Manipur merged into India.
- The first separatist faction, **United National Liberation Front (UNLF)**, was founded in November 1964.
  - Now, the region is infested with many insurgent groups.

### **Reasons for insurgency in Manipur**

- **Merger with India**
  - **Meiteis** are the majority community of Manipur. Their influence declined after Indian Independence.
  - This led to resentment in a section of Meities about the merger of the State with the Indian Union, which led to the Meitei insurgency from the 1960s.
- **Ethnic conflict**
  - Manipur has a diverse ethnic population with *Meitis controlling the Valley, Nagas on the surrounding hills and Kukis interspersed in between.*
  - This leads to clashes between these communities.
    - Kukis and Nagas of Manipur have overlapping and conflicting territorial interests over almost all the hill districts of Manipur.
    - Similarly, there are competing interests between the Nagas and Meitis.
    - The demand for **Nagalim or Greater Nagaland** includes the Naga inhabited areas of Manipur. On the other hand, the Meitis want to preserve what has been a single geographic entity for centuries.
- **Lack of socio-economic development**
  - Owing to its topographical structure, the state has had problems of economic development and socio-economic transformation for a long period.
  - Over the years, endless corruption, mismanagement of funds and the failure to devolve power to common people have led to the rise of dissatisfaction.

### **Steps taken to address the issue of insurgency in NE**

- The govt has negotiations with the Hill-based groups in the region.
  - NLFT Tripura Agreement, Bru Accord, Naga peace accord etc. are few examples.
  - Govt signed the Bodo agreement in January 2020 and the Karbi Anglong agreement in September 2021.
- The **Ministry of Development of North Eastern Region** has been created to provide an impetus to the socio-economic development of the region.
  - Also, the **North Eastern Council** was created as the nodal agency for the economic and social development of the North Eastern Region.



## Demand for Greater Tipraland

The newest political party in Tripura, the Tipraha Indigenous Progressive Regional Alliance (TIPRA) Motha, has created a flutter with its demand for Greater Tipraland.

### About Greater Tipraland

- Greater Tipraland is the core ideological demand of the TIPRA Motha.
- The objective is to carve out a new State for the 19 indigenous tribes of Tripura under Articles 2 and 3 of the constitution.
  - **Article 2** - Parliament may by law admit into the Union, or establish, new States on such terms and conditions as it thinks fit.
  - **Article 3** comes into play in the case of formation of new States and alteration of areas, boundaries or names of existing States by the Parliament.
- **Regional Extent of the proposed State**
  - It includes the region under Tripura Tribal Areas Autonomous district Council (TTAADC) and 36 villages out of it, within the Tripura State boundaries.
  - The demand seeks to include every tribal person living in indigenous area or village outside TTAADC
  - However, the idea doesn't restrict to Tripura tribal council areas.
    - It extends to include Tiprasa (indigenous people of Tripura) spread across different states of India like Assam, Mizoram etc.
    - It also includes those living in Bandarban, Chittagong, Khagrachari and other bordering areas of neighbouring Bangladesh.

### How Did The Demand Originate?

- **Apprehension of the indigenous communities**
  - The demand mainly stems from the anxiety of the indigenous communities in connection with the change in the demographics of the state, which has reduced them to a minority & dislodged from land reserved for them.
  - It happened due to the huge influx of refugees from East Pakistan leading to bitter differences.
    - From 63.77% in 1881, the population of tribals in Tripura was down to 31.80% by 2011.
- **Ethnic conflict and insurgency**
  - The conflict between the tribals and the non-tribals escalated in 1980 and took the shape of armed insurgency.
    - The demand for autonomous regions or separate statehood during this time metamorphosed to **sovereignty and independence.**
    - However, after a political truce was reached between the State and the rebel groups, the demand for statehood was revived.
- **Rise of Ethnic-Politics**
  - There has been a revival of ethnic nationalism in Tripura by newly formed political party. It claims that a separate state could alone alleviate problems faced by Tripuri tribes.
- **Alleged discrimination faced by Tripura Tribal Areas Autonomous District Council (TTAADC)**
  - TTAADC receives 2% of the State budget while it has 40% of the State's population.
    - TTAADC was formed under the sixth schedule of the Constitution in 1985.

- Its aim is to ensure development and secure the rights and cultural heritage of the tribal communities.
- It has legislative and executive powers and covers nearly two-third of the state's geographical area.
- It also highlights the unfulfilled demands of revising National Register of Citizens (NRC) in Tripura.

### Protocols To Tackle Threat Of Spy Balloons

- The Indian military has drafted a set of basic protocols to tackle newer threats like surveillance balloons or other unidentified objects in the sky.
- This was after a similar entity was spotted a year ago over the strategic Andaman and Nicobar Islands.

### Key Highlights Of Draft Protocols To Tackle Newer Threats Like Surveillance Balloons

- **Detail the sequence of action**
  - The protocols detail the sequence of action in case an unidentified slow-moving aerial object is spotted.
  - This includes detection, positive identification, verification and targeting using a suitable platform and weapon system.
- **Process to be photographed**
  - The entire operation from the launch of the weapon system to destroying the target will be photographed and recorded in detail.
- **A detailed report will be prepared**
  - It includes the sighting time, size of target, its description recorded on the radars on ground, analysis of remnants, if recovered and this will be intimated through the chain of command.

### Associated Challenges

- The primary challenge in such a sighting is the detection and identification of the object. The satellites or radars cannot detect balloons as they are slow-moving.
  - In India, several radars at key military sites are being upgraded to detect such aerial objects.
- Even the US, which possesses the most sophisticated military equipment, had earlier failed to detect the slow-moving Chinese balloons.

### Need For A Protocol To Tackle Threat Of Spy Balloons

- **Increasing cases of spy balloons**
  - In February 2023, the United States shot down a giant Chinese balloon, which it accused of spying on its crucial military sites.
  - Days later, the US shot down a cylindrical-shaped object over Canada and another unidentified aerial object in its own airspace.
- **Aerial object was spotted over the Andamans Last year**
  - Even though its origin could not be ascertained at that time, as per media reports, the object had drifted away over the ocean before military authorities could take a decision on action to be taken.

### What Is The Significance Of Andaman & Nicobar For India?

- The Andaman and Nicobar Islands house the tri-service Andaman and Nicobar military command.
- What makes these islands strategically important is their proximity to the Indo-Pacific as well as to major choke-points or sea lines of communication (SLOC) in the Bay of Bengal — the Malacca Strait, Sunda Strait, Lombok Strait and the Ombai-Wetar straits.
  - Most of the world's shipping trade passes through these choke-points.

- And, the islands offer India the potential to play a critical role towards enhancing its influence in the Indian Ocean region and support its military operations in the area.

## Security Challenges & Their Management in Border Areas

### Big Infrastructure Push For Villages On Border

- Union Cabinet approved the allocation of Rs 4,800 crore for the Centre's **Vibrant Villages Programme (VVP)** for the Financial Years 2022-23 to 2025-26. VVP will be integrated with the Prime Minister's Gati Shakti mega project.
- It also approved the induction of over 9,000 troops in the Indo-Tibetan Border Police (ITBP), raising of seven new ITBP battalions.

### Vibrant Villages Programme (VVP)

- **Background:**
  - The programme envisages coverage of **border villages on Northern border** having sparse population, limited connectivity and infrastructure, which often get left out from the development gains.
  - The Centrally sponsored village scheme will cover the border areas of Himachal Pradesh, Uttarakhand, Arunachal Pradesh, Sikkim and Ladakh.
- **Aims**
  - To ensure **comprehensive development** of these villages, thereby improving the quality of life of people living in identified border villages.
  - To encourage people to stay in their native locations in border areas, reversing outmigration from these regions and contributing to improved border security.
- **Implementation**
  - The programme will provide funding for the development of vital infrastructure and creation of livelihood opportunities in 19 districts, 46 border blocks, four states, and one UT along the country's northern land border.
  - It will cover 2,963 villages with 663 villages included in the first phase.
  - The programme assists in identifying and developing the economic drivers based on local human and natural resources of these border villages
  - Key outcomes that have been attempted are: all-weather road, drinking water, 24x7 electricity – solar and wind energy, along with mobile and internet connectivity.
  - With respect to tourism, regular field trips will be held for students as part of a **Seema Darshan programme**
- **Institutions Involved**
  - Gram Panchayats will assist the district administration in developing vibrant village action plans.
  - Through this 100 % saturation of Central and state schemes will be ensured.
- **No overlap with Border Area Development Program**
  - The government has stated that VVP will not have an overlap with Border Area Development Program (BADP).

- The Department of Border Management, MHA has been implementing the BADP through the State Governments as part of a comprehensive approach to Border Management.
- The programme aims to meet the special development needs of the people living in remote and inaccessible areas (within 0-10 km) situated near the international border.
- It covers 460 border blocks of 117 border districts in 16 States and 2 UTs
- It also aims to saturate the border areas with the essential infrastructure.

### **Border Management**

#### **Why Border Management Is Needed For India?**

- India's internal security challenges are invariably linked with the security of the country's borders.
- This is due to the hostile attitude of some of India's neighbours and their tendency to exploit India's persistent national challenges.
- The challenge of *long-standing boundary and territorial disputes, coupled with steep terrain, extreme climatic conditions and porosity of borders*, has rendered India's Borders vulnerable.
- This has made efficient and effective border management a foremost priority for the Indian Government.

#### **What Are The Strategies For Border Management In India?**

- Approach and practices of border management vary from one border to another, based on the security perceptions and relationship with the neighbouring country.
- **Ministry of Home Affairs (MHA) is responsible for border management.**
- The strategy to deal with border security challenges involves:
  - The management of international land & coastal borders
  - Strengthening of border policing & guarding
  - Creation of border infrastructure such as roads, fencing & floodlighting of the borders as well as the strengthening of coastal security infrastructure
  - Development of Integrated Check Posts (ICPs) on the land borders of the country
  - Implementation of the Border Area Development Programme (BADP)

#### **What Are The Various Schemes For Border Management?**

- **Border Infrastructure and Management (BIM) Scheme:**
  - It is a Central Sector Scheme comprising of projects aimed at infrastructure development of India's international borders.
    - It is being implemented by Border Management-I Division under MHA.
  - The scheme aims to *enhance the security along the borders* of the country and involve implementing a number of projects for the development of border infrastructure.
    - E.g., Border Fence, Border Roads, Border Floodlights, Border Out Posts (BOPs), Helipads and foot tracks along the international borders of the country.
  - It also involves deployment of **technological solutions** in such patches of the borders, which are not feasible for physical fencing.
- **Comprehensive Integrated Border Management System (CIBMS):**
  - CIBMS has been conceptualized to integrate manpower, sensors, networks, intelligence and command control solutions.

- It aims to improve situational awareness at different levels of hierarchy to facilitate prompt and quick response to emerging situations along the India-Pakistan Border (IPB) and India-Bangladesh Border (IBB).

### Insurgency In Assam

- Recently, the Dimasas National Liberation Army (DNLA), an insurgent group operating mostly in Assam's DimaHasao district, signed a peace agreement with the government.
- Both Union Home Minister and Assam Chief Minister declared that this peace settlement marked the end of the tribal insurgency in Assam.

### Reasons Behind The Insurgency In Assam

- **Ethnic minefield**
  - The Assam region has a long history of tensions between the indigenous ethnic groups.
  - There are 15 recognised tribes in the autonomous districts of KarbiAnglong and North Cachar Hills and 14 recognised tribes in the rest of the state.
  - Of these, the major tribes are **Bodo** (35% of the state's tribal population), **Mishing** (17.52%), Karbi (11.1%), **Rabha** (7.6%), **SonowalKachari** (6.5%), **Lalung** (5.2%), **Garo** (4.2%), and **Dimasa** (3.2%).
    - The most sustained and violent movement for autonomy has been carried out by **Bodogroups**.
    - However, there have also been **Karbi and Dimasa groups** that waged militant operations over the decades.
- **Immigration**
  - The large-scale immigration of Bengali-speaking Muslims from Bangladesh is seen by Assamese people as a threat to their identity, culture, and economic well-being.
- **Political factors**
  - This region saw movements which ask for recognition of sub-regional aspirations.
  - These movements often came in direct conflict with the State Governments or even the Autonomous Councils.
    - E.g., All Bodo Students' Union (ABSU) stepped up the movement in 1987 for a separate state of Bodoland on the North Bank of the Brahmaputra.
- **Economic factors**
  - The isolation of the region after partition was a big blow to the economy of the region.
  - The perception of exploitation of NE resources by the government in Delhi boosted insurgency.

### Insurgent Groups in Assam

- **United Liberation Front of Asom (ULFA)**
  - It pledged to liberate Assam and establish a SwadinAsom (Independent Assam) comprising the ethnic Assamese speaking people.
- **Bodo Movement in Assam**
  - The demand for the creation of a homeland for the Assam plains tribal communities in the shape of Udyachal was a significant plank of the Bodo political movement in the 1960s.
  - The **All-Bodo Students Union (ABSU)** was formed in 1967 to represent the Bodo cause.
    - The movement for separate Bodoland was revived through the ABSU after the signing of the Assam Accord in 1985.

- It soon came to be backed by Bodo armed groups with the formation of **National Democratic Front of Bodoland (NDFB)**. This led to the emergence of an insurgency situation in the region.
- **Karbi:** There were five major militant groups of KarbiAnglong:
  - The insurgency by these groups revolved around the demand for an autonomous state and had taken off in the 1980s. In 2021, a settlement was arrived at with the five militant groups of KarbiAnglong.
- **Dimasa**
  - The DNLA, with which a tripartite agreement was reached recently, was the newest group to take up arms in DimaHasao district.
  - The settlement signed with the DNLA now has similar provisions along the lines of the settlement arrived at with the five KarbiAnglong groups two years ago.

### Way forward

- **Caution is the key**
  - While settlements with all active tribal militant groups have been arrived at in recent years, history has seen breakaway factions.
  - Hence, caution should be exercised as the possibility of other groups coming to the fore remains open
- **Establish North East Security Council**
  - New Delhi must set up a North East Security Council to both comprehend and administer the region holistically.
- **Challenge in the form of PareshBaruah-led ULFA (I)**
  - While talks with these tribal militant groups have been carried out, the biggest challenge for the government remains the PareshBaruah-led ULFA (I), which continues to hold fast to the demand for sovereignty.

### Mizoram, Assam New Active Sectors For Infiltration: BSF

As per the recent data released by the BSF, **Mizoram and Assam have emerged as the new active sectors in 2022 for infiltration** along international border with Bangladesh.

### Key Highlights

- **Four-fold rise in intruder apprehension**
  - Mizoram and Assam, that share the international border with Bangladesh, has seen a four-fold rise in intruder apprehension — from 41 in 2018 to 721 in 2022 — by the Border Security Force.
- **Increased apprehension due to better vigilance and better fencing.**
  - To prevent intruder, BSF personnel have dug up several ditches at vulnerable points along the border.
  - They also installed intruder alarm systems in 2020 along the border.
  - As part of a strategy to secure the India-Bangladesh border, several initiatives have been taken. This includes:
    - Construction of fence, floodlighting, Border Out Posts/ Company Operating Bases, building roads and development of Integrated Check Posts.

### What Are The Security Challenges Along India-Bangladesh Border (IBB)?

- **Illegal Immigration**
  - Illegal migration from Bangladesh is a contentious issue in Indian polity today because of the socio-political conflicts it has brought in its wake.



- **Terrorism and Insurgency**
  - The problematic terrain and *porous borders* with Bangladesh have provided a congenial environment for insurgency in the North-Eastern states.
  - The insurgents maintain cross-border links, procure arms, recruit and train their cadres, and indulge in unlawful activities in India.
  - Terrorist groups United Liberation Front of Asom (ULFA), People's Liberation Army (PLA) etc. have bases in Bangladesh.
  - The border areas of West Bengal are also becoming the hub of terrorist groups looking to strike hinterland including Indian Mujahideen (IM) and Lashkar-e-Taiba (LeT).
- **Cattle Smuggling**
  - The Home Ministry has no authoritative figures available about the number of cattle being smuggled out of India, but an average of 1-1.5 lakh cattle are seized by the BSF every year.
- **Other activities**
  - Activities including smuggling of arms, human and narcotics trafficking, counterfeiting Indian currency etc. are also quite rampant along the India–Bangladesh border.

#### **Steps Taken By The Indian Government To Manage IBB**

- **Border Fencing**
  - The Indian government has constructed a fence along the India-Bangladesh border (IBB) to prevent illegal crossings and trafficking of goods and people.
  - As of 2021, around 3,000 km of the 4,096 km long border has been fenced.
- **Constructed Border Roads**
  - To facilitate the movement of security forces along the border and to enable better surveillance and monitoring of the border.
- **Border Outposts**
  - Border Security Force (BSF) has operational responsibility of maintaining security along IBB
  - BSF has established several border outposts along the IBB to keep a watch on any illegal activity.
- **Joint Border Management**
  - India and Bangladesh have established Joint Border Working Groups (JBWGs) and Border Coordination Conferences (BCCs) to enhance cooperation and coordination in border management.
- **Improved Connectivity** along the border
  - Including the construction of new bridges, roads, and railway lines.
- **E-Visa and Visa-on-Arrival**
  - The Indian government has introduced e-Visa and visa-on-arrival facilities for Bangladesh citizens to facilitate travel and trade between the two countries.

Various Security forces and Agencies and their mandates

**Task Force Report on CAPF**

A task force which was formed in 2021 to look into suicide and fratricide (killing of one's own forces) cases in the **Central Armed Police Forces (CAPFs)**, has submitted its draft report to the Ministry of Home Affairs. It was headed by V S K Kaumudi, the Special Secretary (internal security) in the Home ministry.

**Key Highlights of the Report**

- **Following Three major factors that led to incidents of suicides and fratricides**

Service Conditions	Working Conditions	Personal Issues
1) lack of job satisfaction as compared with their counterparts of other sectors, 2) Bullying at workplace, 3) Fear of initiation of disciplinary or legal action, 4) Lack of communication between company commander and jawans 5) Frequent transfers.	1) extended working hours, 2) inadequate time to rest and recreation, 3) sense of isolation and lack of social as well as familial support, and 4) lack of robust grievance redressal mechanism.	1) stigma of certain diseases, mental/psychiatric disorders 2) feeling of hopelessness or depression, 3) groupism/casteism/instigation by others on petty issues 4) drug/alcohol abuse, etc.

- Under the service conditions, the task force found leaves the main trigger in CRPF, ITBP, BSF, SSB, Assam Rifles.
- The task force also flagged slow promotions, continuous posting in conflict theatres, dissatisfaction from the New Pension Scheme (NPS), little opportunity for growth and development, absence of trained professionals to deal with the trauma of personnel in the CAPFs.

**Suicides and Fratricides in CAPFs: Statistics**

- Data, shows that in total, 642 personnel, including 10 women personnel, had committed suicide and 51 fratricide incidents took place in the CAPFs between 2017 and 2021.
- The maximum suicide incidents for the said period were reported in the CRPF (227), while 175 suicides, including 4 women personnel, were from the BSF.

**Central Armed Police Forces (CAPFs)**

- Central Armed Police Forces (CAPF) is the collective name of Armed Police Organisations in India. These armed police organisations are:
  - Assam Rifles (AR) – Administrative control - MHA, Operation control – MoD (Ministry of Defense)
  - Border Security Force (BSF)
  - Central Industrial Security Force (CISF)
  - Central Reserve Police Force (CRPF)
  - Indo Tibetan Border Police (ITBP)
  - National Security Guard (NSG)
  - Sashastra Seema Bal (SSB)
- Technically known as Para-Military Forces, it works under the administrative control of the Ministry of Home Affairs (MHA).

**Roles of CAPFs**

- **Border Guarding Forces**
  - Out of the forces mentioned above, **AR, BSF, ITBP** and **SSB** are primarily the ‘Border Guarding Forces’.
- **Assisting Civil Administration**
  - **CRPF** is deployed to assist the Civil Administration under the State Governments / UT Administrations in matters relating to maintenance of Public Order, internal security and counter insurgency.
  - CRPF has two specialized wings:
    - The **Rapid Action Force (RAF)** to deal with the riots
    - **Commando Battalion for Resolute Action (CoBRA)** also known as ‘jungle warriors to deal with Left Wing Extremism / insurgency.
- **Protection to vital installations**
  - **CISF** provides security and protection to vital installations of national / strategic importance including PSUs, airports, atomic power plants, space organizations, industrial units, important national museums, Government buildings in Delhi and other important sensitive organizations.
- **Counter terrorism and anti-hijacking operations**
  - In addition, NSG is a specialized strike Force trained in the Counter terrorism and anti-hijacking operations.
  - It is also entrusted with the task of securing the high-risk VIPs and acts as sky marshal for securing the domestic and international flights.

**Women in Armed Forces**

- The Indian **Army** is conducting women officers **Special Selection Board** for promotion from the rank of **Lieutenant Colonel to Colonel**.
- As many as 244 women officers are being considered for promotion against 108 vacancies in various arms and services.
- Once promoted to the rank of Colonel, **these women will be eligible to command units in their respective arms and services for the first time**.

**Participation of Women in Defence Sector (Given beside)**

The Indian armed forces began inducting women in the **non-medical branches** in the year 1992, as short service commission (SSC) officers. The scheme initially allowed for a five-year service period, which was revised to 14 years. Over 10,400 women officers are serving in the three services as of March 2022

Army (as on 1 <sup>st</sup> July, 2022)	Officers (Excluding AMC/ADC)	3.97%
	Officers (AMC/ADC)	21.25 %
	MNS Officers	100%
	JCO/OR	0.01%
Navy	Officers	About 6%
Air Force (as on 1 <sup>st</sup> Dec, 2022)	Officers (excluding Medical & Dental Branch)	13.69%

- **Navy**
  - The induction of women as officers in the Indian Navy commenced in the year **1991**.
  - Since then, the Indian Navy has gradually opened **all branches** to women officers including induction through NDA.
    - In Navy, women are engaged in activities such as firing torpedoes and missiles at enemy warships.

- Women officers also serve on board naval warships in combat, even though discharging non-combat roles.
- In 2020, the Indian Navy started deploying its first batch of **women pilots** on the Dornier maritime aircraft.
- Further, for the first time, women are also being recruited for sailors' entries under the Agnipath Scheme w.e.f. 2022.
  - 20% vacancies are reserved for women.
- **Air Force**
  - Officers' recruitment in the IAF is gender neutral. Women officers are inducted in all the branches and streams of IAF.
  - In 2015, Indian Air Force had opened new combat roles for women as fighter pilots.
  - This experimental scheme to induct women officers in all combat roles has now been regularised into a permanent scheme.
- **Army**
  - Initially, woman officers were permitted **Permanent commission (PC)** in only two services
 

Judge Advocate General's Branch	Army Education Corps
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  - In February 2020, the Defence ministry permitted short-service commission (SSC) women officers in **another** eight arms/services (non-combat support units) to be granted PC.
    - This happened after the Supreme Court, in February 2020, granted **women the right to permanent commission (PC), and the right to command** non-combat support units.
  - Hence, at present, the women are being commissioned in Indian Army in 10 Streams.
  - Now the prestigious National Defence Academy (NDA) has started accepting women cadets.
    - In 2021, the Supreme Court (SC) allowed women to appear for the upcoming entrance exam of the National Defence Academy (NDA).
  - So far, **no combat role has been given to women in Army**.
    - The 'no women in combat' rule was not challenged in the SC and the apex court did not rule on this.

**Recent Developments in Army**

- For the first time, five women officers have cleared the prestigious Defence Services Staff Course (DSSC) and Defence Services Technical Staff Course (DSTSC) Exam.
- Recently, a women officer has been deployed, for the first time, to a post in the Saichen Glacier.
- The Army has so far recruited six meritorious sportswomen into the Corps of Military Police under its **Mission Olympic Programme**.
  - The Indian Army was the first among the three Services to open its soldier ranks to women in the Corps of Military Police.
- In January 2023, Indian Army deployed its largest-ever contingent of women soldiers for UN peacekeeping operations in the volatile oil-rich Abyei region of Africa.
  - This is **India's largest single unit of women peacekeepers** in a UN Mission.

**Women In Combat Role: A Debate****Arguments Opposing The Combat Role**

- **Physical Ability** - The standards of physical fitness have been set to suit men, and women attempting to

reach them will over-stretch themselves and will suffer high injury rates.

- **Additional Burden** - integration of women through regulatory and disciplinary costs associated may not make it a worthwhile move.
- **Military readiness** - Pregnancy can affect the deployability of a unit when the unit has a disproportionate number of women or is understaffed.
- **Abuse by Enemy** - Both male and female prisoners are at risk of torture and rape, but misogynistic societies may be more willing to abuse woman prisoners.
- **Possible insubordination** – In India, most of the jawans are from rural origin. They may not be ready to accept a woman as their officer.

#### Arguments In Support

- **Ability vs Gender** - As long as an applicant is qualified for a position, one's gender is arbitrary.
- **Military Readiness** - Women, who choose to become active combat soldiers, are unlikely to evade their duty by becoming pregnant after a call-up.
- **Changing Traditions** - Cultures change over time and the masculine subculture can evolve too. Many previously masculine professions have been successfully opened to women over the past century.
- **Wider base** - Having a wider personnel base allows militaries to have the best and most diplomatic soldiers working to end conflict quickly.

#### Conclusion

- Tanks and combat positions in Army are still no-go zones for women in India.
- Many countries including Germany, Australia, Canada, US, Britain, Denmark, Finland, France, Norway, Sweden and Israel have allowed women in combat roles.
- India can certainly gain from their experience although there is a variance in the cultural milieu.

### India's New Weapon Systems Branch of IAF

The Government has approved the creation of a **Weapon System branch** for officers in the Indian Air Force (IAF). This step will bring all weapon systems operators of the force under one roof. This is the first time since Independence that a new operational branch of IAF is being created.

#### Key Highlights

##### A separate specialised cadre of officers will be raised by IAF

- With rapid technological advances in stand-off weapons and armed drones changing the very nature of warfare, the IAF will now raise a separate specialised cadre of officers.
- These officers will handle advance missiles, space-based systems, surveillance and combat unmanned aerial vehicles (UAVs).

##### New cadre will be inducted by the end of 2023

- The first lot of new officers for this new Weapon Systems Branch (WSB) in the IAF will be inducted by end-2023.
- The branch will be headed by an Air Marshal rank (equivalent to Lt-General) Director General of weapon systems.

**Four sub-branches:** The WSB will have the four sub-branches:

- flying (weapon systems operators in twin-seat fighters like Sukhoi-30MKI fighters),
- remote (operational crews for **Remotely piloted aircraft system (RPAS)** and drones),
- intelligence (information warfare, image and signals intelligence specialists)
- surface (mission commanders and operators for missiles, guided and close-in weapons).

At present, units of different kinds of air defense and precision-strike missiles as well as UAVs in the IAF are largely commanded and staffed by officers (pilots and navigators) from the flying branch.

### **Significance**

#### **Savings to the exchequer**

- It is estimated that the creation of this branch would result in savings of over Rs 3400 Crores due to reduced expenditure on flying training.
- It will be a fully operational and gender-neutral branch of officers who will not undergo the expensive and time-consuming flying training, especially for fighter pilots.
- Active pilots will also not have to be diverted to missile and other units

#### **Unification of all weapon system operators**

- It will unify all weapon systems operators of the IAF under a single entity.
- The existing branches in the air force include the flying branch, engineers, administration, accounts, logistics, meteorology and education.
- With the creation of the weapon systems branch, operators of ground-based and specialist airborne weapon systems will come under one umbrella.

#### **Creation Of Specialist Branch Is The Need Of Hour**

- Weapon systems have become very sophisticated, requiring personnel with deep specialist knowledge to operate them.
- Ever since the Sukhoi-30s with the rear Weapon Systems Operator position and UAVs entered the IAF inventory, the demand for a specialist branch was felt.