**TOPICAL
ANALYSIS**

India-Myanmar Relations

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- ▶ Why Skill India Mission has Failed?
- ▶ RTI Act Needs to be Protected
- ▶ Public Accountability Concept

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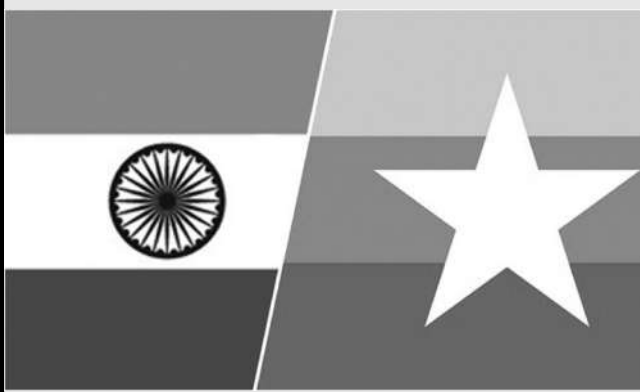
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En Route

Japan's proposed high-speed train uses magnetic levitation.

1 COILS
Coils are installed on either side of the guideway.

2 LEVITATION SYSTEM
On-board magnets create an electric current in the coils, causing them to become electromagnets. This generates pushing and pulling forces that lift the train and levitate it at a constant height.

3 PROPULSION SYSTEM
The train is propelled by the pulling and pushing forces created when the polarity of magnets all along the guideway is rapidly reversed, alternately attracting and repelling the magnets in the train.

TOP VIEW
MAGNETIC FORCES

Selected intercity high-speed rail lines in miles per hour

0	60	120	180	240	300
Chuo Shinkansen maglev (Japan) proposed					
Tohoku Shinkansen (Japan)					
TGV Est (France)					
AVE (Spain)					
KTX (South Korea)					
High-speed rail (China)					
ICE (Germany)					
High-speed rail (Taiwan)					
Trenitalia, NTV (Italy)					
Acela Express (U.S.)					

Source: Northeast Maglev
Graphic by Alberto Cervantes/The Wall Street Journal

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COVER STORY

India-Myanmar Relations

Context

Myanmar is India's gateway to the East and it's the only Southeast Asian country with which India shares land boundary. Recently, PM Narendra Modi visited Myanmar on a two-day trip which is his first bilateral visit. The bilateral visit held importance as it comes at a time when Myanmar is facing intense scrutiny over latest round of violence against roughly 1.1 million Rohingya Muslims.

The current article analyzes why Indian PM's visit to Myanmar is important and how India could execute Act East Policy in the face of worst humanitarian crisis in Rakhine state of Myanmar.

Introduction

Since its independence in 1947, India had been using the Gandhian-Nehruvian philosophy of non-violence and peace in its relations with Myanmar and other Asian countries. India's engagement with Myanmar was based on its idealistic self-conception as a major and civilised power from geographical and cultural perspectives, promoting peace, non-alignment, and democracy. India tried to promote democracy in Myanmar by becoming a staunch supporter of pro-democratic movements in Myanmar, financially and logistically after 1988. However, India's democratic stance in Myanmar is seemed to have shifted, as since 1993 onwards India established a close relationship with the military government of Myanmar because of India's own economic and geo-strategic interests. Theoretically, this foreign policy phenomenon in India-Myanmar relations is looked upon from a "modified structuralism" perspective. This theory argues that foreign policy decision makers of a state or government operate in a 'world of sovereign states seeking to maximize their interest and power' but under some conditions choose to transcend 'individualistic calculations of interest.'

Reasons for change in trajectory

This change can be attributed due to the realisation that India's national interest can be best served by a strong and stable Myanmar that observes strict neutrality between India and China and also cooperates with India in the common fight against insurgencies raging in the border areas of both the countries.

The reasons can be discussed as follows:

- ▶ **Growing Presence of China in Myanmar:** There was growing Presence of China in Myanmar. China is said to have invested more than \$1 billion in Myanmar, primarily in the mining sector, and is the Myanmar's fourth largest foreign investor. Chinese firms are heavily involved in logging in Myanmar. Myanmar gives China access to the Indian Ocean, not only for imports of oil and gas and exports from landlocked south-western Chinese provinces, but also potentially for military bases or listening posts. Additionally, Myanmar has been a major recipient of Chinese economic assistance over the past decade, generally provided in the form of grants, interest-free loans, concessional loans or debt relief.

China also provides the Myanmar Army with training in the technical use of weapons and weapon systems.

- ▶ **Quest for Energy:** Apart from the above stated reason, quest for energy was also one of the main reasons. India is a net energy importer, mostly due to the large imbalance between oil production and consumption. Myanmar's oil and gas reserves are of critical interest to India's future energy requirement.
- ▶ **Development of North East Region:** For decades, majority of the seven states in India's north-eastern region have witnessed emergence and growth of insurgency movements with demands ranging from independence, autonomy, tribal rights etc. Thus for the stability of the North Eastern India, cooperation with Myanmar is needed for anti-terrorism operations.
- ▶ **Look East Policy:** India's ambition in Southeast Asia aims to foster a closer relationship with Southeast Asian countries through its 'Look East Policy.' In relation to this, India sees Myanmar as a "land bridge" connecting Southeast Asia. Myanmar is also a member of the Association of Southeast Asia Nations (ASEAN). India's main objective is to get closer to Southeast Asia is none other than to gain benefits from Southeast Asia's booming economies.

Thus the above stated factors changes the policy from idealism to pragmatism.

Recent Visit of PM to Myanmar

Recently, Indian PM Modi visited Myanmar on a two day trip at a time when the Myanmar government is facing global condemnation for their handling of the Rohingya crisis. Current humanitarian crisis is a repeat of what had happened five years ago during a military campaign that displaced more than 100,000 Rohingya from Myanmar. This time the scale of the crisis is huge as the United Nations has warned that up to 300,000 Rohingya could stream into neighboring Bangladesh and India as they flee "clearance operations" by Myanmar's armed forces.

In this situation the visit of Indian Prime Minister can play a very crucial role to secure stronger ties with our neighbour.

Why this Visit was Important?

- ▶ **To improve relation**
 - India has struggled to read the domestic issues in Myanmar in last few years. In the first decade of this century, Indian Government was close to the generals running the country, leaving Nobel peace prize winner Aung San Suu Kyi, who came to symbolize the country's struggle against the oppressive military rulers.
 - India failed to build relationship when her party came to power in 2016 and allowed China to make inroads into Myanmar.
- ▶ **Economic Trade Volume needs to pick Up**
 - The bilateral trade is valued at just \$2 billion. India is seventh biggest importer to Myanmar and its third biggest export destination but trade and economic ties haven't picked up in recent times.
- ▶ **China factor**
 - Ties between China and Myanmar have strengthened after Suu Kyi's Party swept to power in 2016. Apart from robust economic and business ties, China continues to provide diplomatic support to Myanmar at a time when most Western nations are piling pressure on the government, Suu Kyi and military over the violence and exodus of Rohingya Muslims.

- Moreover, China is vital to the peace negotiations as it mediates between armed ethnic groups and the government.
- India has a lot to do to catch up with the country that could prove strategically important as China steps up activity in the Indian Ocean.
- ▶ **Rakhine & Kaladan Project**
 - The Rakhine state in Myanmar's northwest is politically sensitive and is also important to both India and China. It is the starting point of the much-delayed \$484-million Kaladan multi-modal transport projects that aims to connect Myanmar to India.
 - India has already completed work on Sittwe port, at the estuary of Kaladan river, in Rakhine.
 - Similarly, the troubled state is also the spot from where the Myanmar end of the oil and gas pipeline with China will open.
 - Indian and China have their own reasons for the state to be peaceful. A road and rail network across northern Myanmar to the Bay of Bengal will allow China to increase trade with West Asia without taking the contentious South China Sea route.
- ▶ **Rohingya Muslim Exodus**
 - Exodus of Rohingya Muslims – about 90,000 of them have fled in the september alone – poses a problem to both Bangladesh and India.
- ▶ **Border Security Cooperation**
 - Along with a maritime border, Myanmar shares 1,643-km land boundary with India's four northeastern states. Several insurgent groups have set up bases and training camps in Myanmar, a constant headache for India. The two countries have been increasingly working together but more needs to be done to address India's security concerns.
- ▶ **Act East Policy**
 - In geographical terms, Myanmar is the first stop for India's Act East policy.
 - The two countries are also members of various regional groupings such as the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) and ASEAN (Association of Southeast Asian Nations).
 - At the 2016 summit in Goa, BIMSTEC stressed the need for strengthening transit agreements and early conclusion of a free trade agreement. Myanmar also remains an important country for various regional connectivity plans.

India Myanmar relation in detail

▶ Myanmar as Bridge to ASEAN

India's 'Act East' policy, upgraded from the 'Look East' policy in 2014, serves as a platform for deepening and strengthening its relationship with ASEAN and the East Asian economies. The least-developed nations of Cambodia, Lao PDR, Myanmar and Vietnam (CLMV) have been a special focus area for India. The four, together, account for over a quarter of ASEAN's population and 12 per cent of its GDP. Over the last three years, the average growth rate of the region was 7.2 per cent, well over the ASEAN average of less than 5 per cent.

The Objective of "Act East Policy" is to promote economic cooperation, cultural ties and develop strategic relationship with countries in the Asia-Pacific region, continuous

engagement at bilateral, regional and multilateral levels thereby providing enhanced connectivity to the States of North Eastern Region

Myanmar is India's land bridge to Southeast Asia and its ties with India have been strengthening over past decade. With Myanmar's government trying to encourage foreign investment, and with the recent removal of U.S. sanctions, it is likely to emerge as an important investment destination. With geographical proximity to India, strong political links between both countries, and the growing angst against Chinese businesses, Indian investors have a chance to take the lead in Myanmar.

► **Trade relations**

Bilateral trade is still quite small and not so diversified in both directions. On investments, both in manufacturing and in areas like energy, transport and infrastructure as also services, the scope is enormous.

Presently, Indian investment falls way behind that of China. While Indian investments for 2015-2016 were estimated at \$224 million, Chinese investment over the same period totaled over \$3 billion. However, Myanmar itself is keen to reduce its dependence upon China and looking for alternatives. Unlike Chinese investors, there is not much resentment against Indian investors either in Southeast Asia or Africa, since they generate local employment.

On the Private Investment Front, recently, Indian multinational conglomerate the Tata Group inaugurated a new office in Myanmar, and is likely to expand its operations in Southeast Asian countries. Some Tata companies already present in Myanmar include Tata International (which trades in agricultural commodities such as pulses and beans and other commodities including fertilizers), Tata Consultancy Service, Tata Motors, and Tata Power, which is actively exploring opportunities in the renewable energy space.

The two countries' economic relationship, especially border trade, has suffered from the lack of clear and consistent policy on both sides of the border. High tariffs from the Indian side also make the country an unattractive market for Myanmar exporters. Logistical challenges are daunting due to lack of physical linkages and poor infrastructure between the two countries. Both countries score poorly on the ease of trading across border index by the World Bank. Air and sea linkages between the two countries are limited. Only two cities in India are connected by air to Myanmar, and the number of Indians visiting Myanmar (and vice versa) remains a fraction of those who travel to China and Thailand.

To overcome these challenges, two policies are apparent. Myanmar and India should put an emphasis on developing the port of Sittwe, on the Bay of Bengal. India has recently announced a multi-billion-dollar plan to develop Chabahar Port and Trade Zone in Iran, to compete with a nearby China-backed port in Pakistan.

Trade relations with Myanmar also have some strategic implications for India because Myanmar is the only member of ASEAN that shares a border with India and a greater connectivity with Myanmar would provide India the gateway to ASEAN.

Trade relations with Myanmar can also accelerate the development process in Northeast India and thus India is interested to invest in various infrastructure projects in Myanmar.

► **Connectivity**

There is a need for better connectivity among the nations. The implementation of various development projects, the Asian Highway, etc would enable the North-East region to become a business hub of South Asia.

The projects such as Trilateral Highway, Kaladan Multi-Modal Transit Transport Project, etc can improve connectivity.

The Trilateral Highway aims at connecting India's North-East with Thailand via Myanmar. It could mitigate the disadvantages of landlocked North-East India. There has been an agreement between India and Myanmar on the construction and upgradation of the Kalewa-Yargyi stretch of the Trilateral Highway during recent meetings. In its larger and more ambitious frame, the Trilateral Highway project is an example of triangular road diplomacy between India, Myanmar and Thailand, with a vision of inter-linking the Indian Ocean with the South China Sea.

The Kaladan Multi-Modal Transit Transport Project is a project that will connect the eastern Indian seaport of Kolkata with Sittwe seaport in Myanmar by sea; it will then link Sittwe seaport to Paletwa in Myanmar via Kaladan river boat route and then from Paletwa on to Mizoram in by road transport.

Ongoing connectivity projects such as Kaladan multimodal transit transport project, Trilateral Highway, etc. must be completed by 2020. Extension of railway line from India's Northeast to Myanmar shall be taken up by Indian government. Bilateral agreement shall be signed to promote coastal shipping with allowing each other's vessels to ply in coastal areas. More air links between the two countries should be established. Delhi and Yangon should have direct flight. India's Northeastern states should be connected with Myanmar's Mandalay, Yangon or Bagan.

► **Significance of Myanmar in Security of North East**

Myanmar shares a boundary with most of the northeastern part of India. This part of India has been facing insurgency-related problems since the independence of India from the British. Due to their ethnic connections, insurgent groups from the northeast of India not only receive shelter in Myanmar but also operate bases from there.

An enhanced political and security engagement is felt to be necessary given that Naga insurgents, along with ULFA leader Paresh Barua are apparently using Myanmar territory to target India. It is also important for India, because a rift between India and Myanmar would only benefit China.

Thus India and Myanmar agreed to fight "terrorism and insurgent activity in all its forms and manifestations".

Further together with Thailand and Laos, Myanmar is also part of the notorious 'Golden Triangle' region of the narcotics trade, and is a source of drug trafficking and HIV AIDS in Manipur, Mizoram and Nagaland. To counter these non-traditional security threats, better management of the Indo-Myanmar border is required.

Rohingyas Crisis and India's Role

Myanmar is at a critical stage in its reforms process that began in 2011. Impressive progress has been made in bringing about change in political and economic sectors. However, there are, several challenges that confront the country. Whether in dealing with religious radicalism or military offensives in the ethnic minority areas of Myanmar, the role of the government has come under both domestic and international scrutiny.

Thousands of Rohingya have been fleeing Myanmar, especially after the August 25 violence in Western Myanmar Rakhine State. The United Nations Refugee Agency (UNHCR), which places Rohingyas among the most vulnerable groups of the forcibly displaced has said that a total of 87,000 Rohingyas have arrived in Bangladesh.

Who are Rohingya?

Rohingya are an ethnic group, largely comprising Muslims, who predominantly live in the Western Myanmar province of Rakhine. They speak a dialect of Bengali, as opposed to the commonly spoken Burmese language.

They have been living in the South East Asian country for generations but Myanmar considers them as persons who migrated to their land during the Colonial rule. So, it has not granted Rohingyas full citizenship.

According to the 1982 Burmese citizenship law, a Rohingya (or any ethnic minority) is eligible for citizenship only if he/she provides proof that his/her ancestors have lived in the country prior to 1823. Otherwise they are classified as “resident foreigners” or as “associate citizens” even if one of the parent is a Myanmar citizen. Since they are not citizens, they are not entitled to be part of civil service. Their movements are also restricted within the Rakhine state.

2012 Violence

According to the United Nations, Myanmar state, which was ruled by the military junta until 2011, has been accused of ethnic cleansing in Rakhine. It deported thousands of Rohingya to Bangladesh in the seventies and the citizenship law was also enacted by the junta. Things changed little for the Rohingya even after the political reforms in 2011 that eventually led to the first general elections in 2015, as the democratically-elected government-headed by President Htin Kyaw has been unwilling to grant citizenship.

Sectarian violence between Rohingyas and Rakhine’s Buddhist natives began flaring up in June 2012, following the rape and murder of a Rakhine woman in a Rohingya-dominated locality. The riots, which were triggered as a result, went on for almost a month with casualties on both the sides.

This ethnic conflict flared up as religious violence spreading to the other provinces of Myanmar. It was finally contained in 2013 after military intervention.

August 25, 2017 Violence

Muslim militants in Myanmar staged a coordinated attack on 30 police posts and an army base in Rakhine state on August 25. The Arakan Rohingya Salvation Army (ARSA), a group previously known as Harakah al-Yaqin, claimed responsibility for the attacks. Later the counter attacks were launched by Army. The ARSA is an armed guerilla outfit, which is active since 2016, claiming to fight for a “ democratic Muslim state for the Rohingya. The group has been targeting Myanmar armed forces.

The “clearance operations” to root out ARSA launched by the Myanmar military has once again affected the lives of Rohingya, many of whom have been living in relief camps since 2012.

Rohingya in India

According to the Ministry of Home Affairs there are approximately 40,000 Rohingyas living in India. They have reportedly reached India from Bangladesh through the land route over the years.

Current government stance is that all the Rohingyas in India are “illegal immigrants” and they will be deported soon. This decision has surprised many given the record of India accepting refugees.

Government is of the view that infiltration from Rakhine State of Myanmar into Indian territory besides being burdened on the limited resources of the country also aggravates the security challenges posed to the country.

The National Human Rights Commission issued a notice to the Union Ministry of Home Affairs over the planned deportation of about 40,000 Rohingya immigrants from Myanmar, asking for a detailed report within four weeks.

The NHRC observed that the refugees are no doubt foreign nationals but they are human beings. Before taking a big step, the Government of India has to look into every aspect of the situation, keeping in focus the fact that the members of the Rohingya community, who have crossed into India and are residing here for long, have a fear of persecution once they are pushed back to their native country.

The continued violence in Rakhine state is affecting India's Kaladan Multi-modal Transit Transport project, aimed at developing transport infrastructure in south-west Myanmar and India's Northeast.

Apart from impinging upon Myanmar's internal security, the Rohingya crisis is also posing a security challenge to the South and Southeast Asia.

Thus Regional countries need to take into account the fact that the Rohingya crisis is not just Myanmar's internal problem; rather, its spillover effect into their own territories is already evident. The Rohingya crisis is a regional issue and it needs to be tackled at the regional level in a more comprehensive way.

Conclusion

Myanmar is strategically important to India as it is the only ASEAN country that shares a border with India.

If India is to become an assertive regional player in Asia, it has to work toward developing policies that would improve and strengthen it domestically, which will encourage more confidence in its ability to lead the region and be an important global player. Competition with China should also be considered and taken seriously.

There are several advantages that India has over China with regard to Myanmar. One is the democratic process, which results in different governments at the center and states through free and fair elections. There is also the respect for institutions that are strong enough to hold the country together. Finally, cooperation in different multilateral forums such as ASEAN and BIMSTEC strengthen the relationship between the two countries. Apart from these reasons, India has sent a clear signal that while economic ties are important, it is keen to build a holistic relationship and is prepared to assist in institution building in Myanmar.

While the basic foundation for the relationship between India and Myanmar has been laid by previous governments, the onus is on the present Indian administration to demonstrate that it can take the relationship to a higher level. It can also become a strong regional player through a more proactive approach, cement India's place in the region and grow into a powerful, global country.

GOVERNANCE ISSUE

Why Skill India Mission has Failed?


Context

With the recent reshuffle in Ministry of Skills, the discernible sign of Skill ministry showing laggardness and the slow moving National Skill Mission is under the spotlight. With India requiring nearly 120 million more workers by 2022 and equipping them with the skills required by various industries would be crucial for reaping the economic benefits of India's young demography, however, a government-appointed panel has found that the Pradhan Mantri Kaushal Vikas Yojana (PMKVY) - spent over Rs 1,500 crore in skilling over 18 lakh people but failed to achieve key objectives. This puts in context the various facets of this flagship mission and the various issues concerned with it along with way forward.

Why India needs Skill Development?

In the words of the Mahatma, “The brain must be educated through the hand. The teacher must learn the craft and correlate his knowledge to the craft. The craft cannot be separated from education.”

► Demographic Dividend:

- Demographic dividend does not mean just people; it means skilled, educated or employed people.
- The ‘demographic window’ is only a span of few decades. The skilled youth is required to save demographic dividend from becoming demographic disaster.
- It is worth mentioning here that India has 54 per cent of its total population below 25 years of age. Over the next 20 years, the labour force in the industrialised world is expected to decline by 4 per cent, while in India it will increase by 32 per cent who are not sufficiently skilled and employable.
- A conservative estimated figure shows that 104.62 million fresh entrants to the workforce need to be skilled by 2022 in addition to the 298.25 million working persons needing skill training.

► Sectoral mobilization:

- Less number of people will be required to work in farming activities as productivity improves. This would result in sectoral mobilization of workforce from agriculture to secondary and tertiary activities.
- Skills are the bridge between good jobs and the workforce. Setting standards and quality of training is a pre requisite for skilling and its utilization.

- ▶ **New schemes:**
 - Only a skilled workforce would lead to the success of initiatives like Make in India and Digital India and Smart Cities.
- ▶ **Skill Capital of World:**
 - To convert this vision into reality, India needs to create a skilled and productive workforce matching international standards of quality and productivity through integration of skills and training along with education.
- ▶ **Better Employment:**
 - Skills are needed to those currently in colleges for them to be better employed.
- ▶ Skill availability and accessibility to avenues for successful ventures can enhance the livelihoods of many.

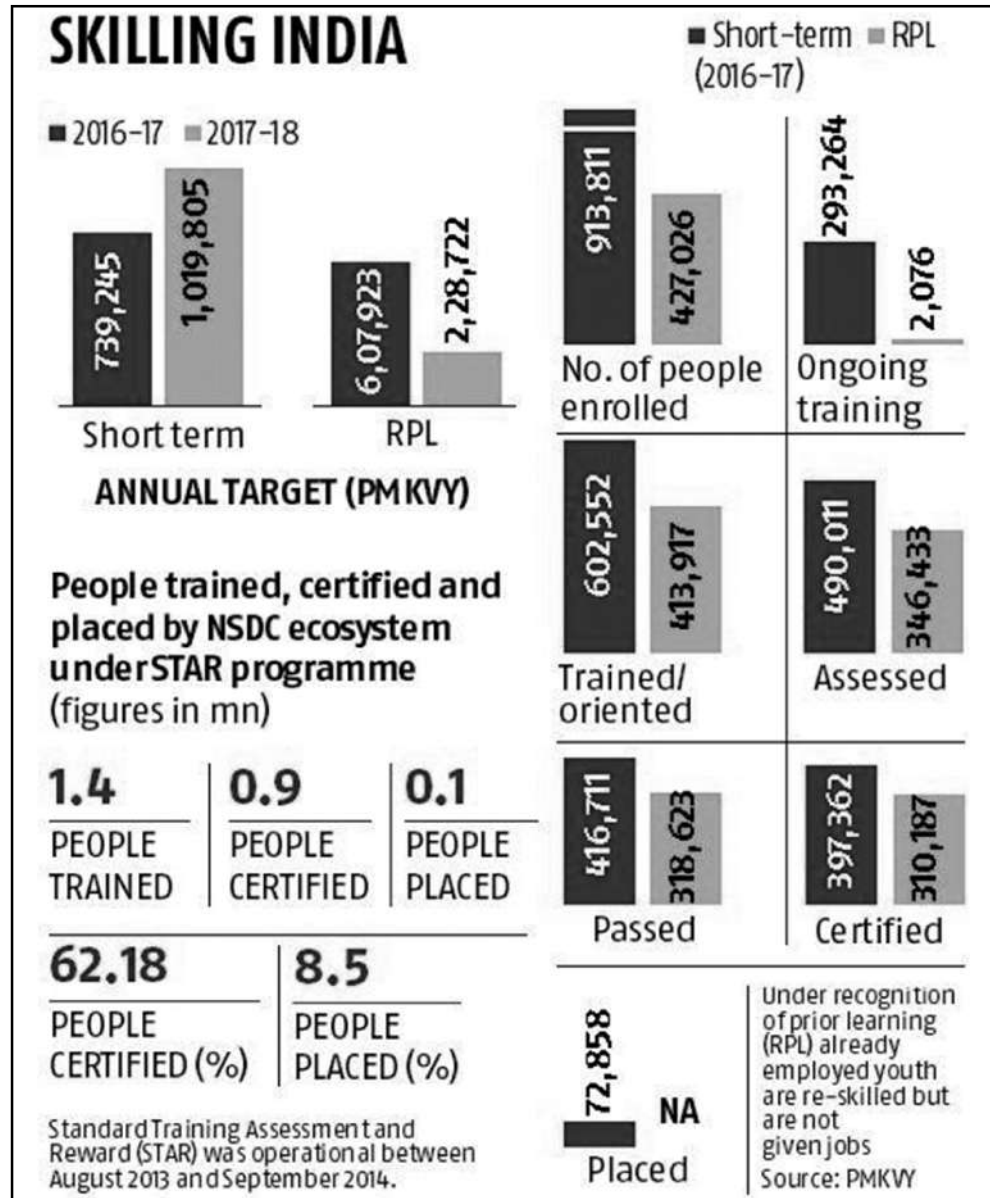
Facts:

- ▶ The NSDC, through its partners, only managed to skill around 600,000 youth till September 1, 2017, and could place only 72,858 trained youth, exhibiting a placement rate of around 12 per cent. Under PMKVY, the placement rate stood at 18 per cent.
- ▶ The share of skilled workforce in developed countries ranges between 60 and 90 per cent of the total workforce. In India, this share is only five per cent.

Issues in implementation of Skill India Mission:

- ▶ The targets allocated to them were very high and without regard to any sectoral requirement. Everybody was chasing numbers without providing employment to the youth or meeting sectoral industry needs.
- ▶ No evaluation was conducted of PMKVY 2015 (the first version of the scheme) to find out the outcomes of the scheme and whether it was serving the twin purpose of providing employment to youth and meeting the skill needs of the industry before launching such an ambitious scheme.
- ▶ The focus of PMKVY has been largely on the short-term skill courses, resulting in low placements. There has been an over emphasis on this scheme and hence it is seen as the answer to all skill-related issues.
- ▶ The Comptroller and Auditor General (CAG) have pointed out flaws in the design and operations of the NSDC and National Skill Development Fund which has resulted in falling short of skill development goals. Majority of them also could not achieve the placement targets for the trained persons.
- ▶ The Sharada Prasad Committee, held the NSDC responsible for poor implementation of the Standard Training Assessment and Reward (STAR) programme. It highlighted that only 8.5 per cent of the persons trained were able to get employment. That is what has been claimed by NSDC.
- ▶ The government report has found fault with the STAR scheme on several counts. STAR offered school dropouts financial incentives to acquire new skills, but the report said that “of those who got their results, only 24% have received certificates and less than 18% have received monetary rewards. This is despite the fact that 80% candidates reported having bank accounts, and 91.3% stated they had Aadhaar numbers”.
- ▶ The Report also cites “serious conflict of interests” in the functioning of the National Skill Development Corporation.
- ▶ NSDC has not been able to discharge its responsibilities for setting up sector skill councils (SSCs) owing to lots of instances of serious conflict of interest and unethical practices.

- ▶ As per its original mandate, the NSDC should be mobilizing resources for skill development from the industry, financial institutions, multilateral and bilateral external aid agencies, private equity providers and ministries and departments of the central government and states. But a committee found that the NSDC did not follow any standard criteria for creation of SSCs which not only increased their number but created overlapping jurisdictions.
- ▶ Another concern that arose was that the targets allocated to them were very high and without regard to any sectoral requirement. Everybody was chasing numbers without providing employment to the youth or meeting sectoral industry needs.
- ▶ There have been apprehensions on how many of the 11.7 million trained in the past two years are really in jobs.



Solutions

It is a path that needs to be treaded carefully as it involves the future of our youth. Steps needed are:

- ▶ We need to have a holistic approach to vocational education and skill development by having a defined approach for both short-term and long-term training courses to meet the objectives of the Skill India programme.

- ▶ In respect of NSRD's activities, i.e. core research, evaluation, data analytics and international partnerships need efficient handling, as a mere collection of raw data on various repositories may not portray the proper insights or serve any purpose.
- ▶ Merely sharing with the international expert or just importing overseas concepts followed in developed nation may not fetch us with any desired goal, but a clear understanding of trends in national economy, demographic parameters, heritage, culture and tradition (region-wise) and aspiration of people and other relevant indicators are essential before correlating the same for formulating new skilling strategies.
- ▶ More and more Indian Skill Development Services officers are to be recruited to work in the frontline administration, instead of engaging other services officers who do not possess the technical expertise vis-à-vis industry experience to supervise the skill development process in the country. ISDS service needs to be extended to the State's training directorates also.
- ▶ In NSDA for core research and data analytics job, a collaboration of core experts (from relevant occupations) with statistician and data analysts would probably fetch desirable outcome based on an in-depth understanding of futuristic direction.
- ▶ Establishing a *Skill Development University* to offer specialized degree programs which will provide advance skills.
- ▶ Online learning system could be utilized to impart skill/craft along with using fixed infrastructure. An open platform for e-content on skill development should be created where content can be crowd source.
- ▶ It is important to vocationalize the current education system by developing curriculum in the lines with industry needs, creating infrastructure for skill training, involving the industry in all aspects of curriculum development, training delivery, student assessments and creating a model where students can obtain skills and at the same time get a degree.
- ▶ *Skills on Wheel type initiatives* could be used to address infrastructure and transport constraints. There are shining examples of Skill Trucks operated in Brazil that take skills training to the rural, remote parts of the country.
- ▶ There should be increasing role of industry in all aspects of vocational training – providing latest machinery for training, governance, providing trainers from industry and doing assessment to ensure quality at each stage. Industry should emphasize on formal vocational training and certification at the time of hiring and for career advancement.
- ▶ Creating standard curriculum and assessment across various agencies offering vocational courses. Formal training programs for vocational faculty and trainers so that they understand this pedagogy.

Skill development alone is not sufficient to address the unemployment problem; there is need for availability of job opportunities for those skills. It is not the time to produce people with skill training certificates; rather we need to produce people who are actually employable. For the people with skill certificates the industry must give a premium and preference to that certificate while hiring. If industry does not show traction towards this the entire ecosystem won't be complete. We need to **bring industries to the forefront of skill development** rather than creating centres of skill development across India.

For any skill development effort to succeed, markets and industry need to play a large role in determining courses, curriculum and relevance. For this, employers need to be put in the driving seat, with the government acting as a regulator and not the implementer.

The government has its task cut out. What is needed is a willingness to act, and to take the difficult decisions that can help realise the 'Skill India' dream.

Conclusion

It is the time we need to start looking at the requirement of international organizations where India can become the source for hiring people. During 1950s the mechanical revolution changed the European economy. During 1970s it was the oil economy for the Middle East. Can not 2020 be a man power revolution which changes Indian economy, the country's population pyramid is expected to bulge across the 15–59 age groups over the next decade. The Prime Minister is looking for making India the skill capital of the world. India may have not become the super power but it has the potential to achieve the human resource super power.

INTERNAL SECURITY

Strategy for Managing Internal Security



From combating the threat of radicalisation among youth, trying to restore normalcy in Kashmir, to dealing with local communal flare-ups and fighting Maoists, the Home Ministry is facing a number of challenges. To deal with this threat, a change of strategy was introduced with the focus being on counter-radicalization and a more proactive cyber monitoring mechanism.

Hereby, discussing the strategy and steps taken by the government.

What is meant by Internal Security?

In the Arthashastra, Kautilya wrote that a state could be at risk from four types of threats - internal, external, externally-aided internal, and internally-aided external. He advised that of these four types, internal threats should be taken care of immediately, for internal troubles, like the fear of the lurking snake, are far more serious than external threats. The most dangerous enemy is the enemy within.

Kautilya's teachings on internal security and his skillful expression of the warp and weft of internal and external security has great relevance in the globalised 21st century.

As per the latest Home Ministry Annual Report, internal security situation in the country can broadly be categorized as under:-

- ▶ Terrorism in the hinterland of the country.
- ▶ Cross-Border terrorism in Jammu & Kashmir.
- ▶ Insurgency in the North Eastern States.
- ▶ Left Wing Extremism in certain areas.

What is the recent change in Strategy for managing Internal Security?

- ▶ **Bringing militants into the mainstream:** The home ministry has adopted counter-radicalisation approach which started two years back. According to that Officially after intercepting suspects, the suspects have not been taken into custody. Instead, with the help of family members and local community leaders, many have been “de-radicalised” and brought back into the mainstream. This has created confidence of the local people in the administrative system. Also helped them in coming to the mainstream.

Also to counter IS threat government is conducting counselling of “vulnerable and radicalized” youths as well as their families and propagating “moderate” interpretations of Islam to counter the IS ideology of violent extremism.

The government clearly views its de-radicalisation strategy as a success. Presenting a report card in June over what his ministry had achieved over the last three years, Union Home Minister Rajnath Singh said the fact that terror groups like ISIS had failed to establish themselves in India - despite the country's large Muslim population - is a sign that the government's policies are working.

Figures show that till now over 90 ISIS aspirants have been arrested from across the country with Kerala, Telangana and Tamil Nadu being the hot-bed of activity for attracting young Muslims to jihad.

Experts say that to deal with such security challenges, the sharing of intelligence needs to be improved and cyber security must play a larger role in combating terrorism.

- ▶ **Normalizing the situation in J&K:** Despite condemnation from certain sections over the government allowing the Army and security forces to use excessive force to curb stone pelters in the Valley last year, the ministry claims that the situation has vastly improved today thanks to its policies.

According to data from the home ministry, 583 cases have been registered this year against 2,897 cases last year. The data also states that the 2,808 incidents of stone pelting that rocked the Valley last year have come down to 664 in 2017.

Ministry data shows that over 135 terrorists have so far been killed this year, as compared to last year's tally of 150, and it is expected that this year's tally will overtake 2016 by the year end.

Officials believe that this "firm hand" against militancy has led to the drop in terror attacks this year. On July 9, 2017 the ministry informed Parliament that there were 172 recorded incidents of "violence by militants" in the state this year as compared to 322 in 2016. They concluded that by end of 2017, the number of terror attacks would be far less than 2016.

- ▶ **Fighting the Maoist threat:** Apart from J&K, one of the biggest internal security challenges for the country has been the Maoist insurgency. Though it has shown signs of a decline in recent times, the Maoist threat is far from over. The challenges have certainly taken a toll on security personnel who are taking on rebels indulging in guerrilla warfare. Using their knowledge of the local terrain, guerrillas have planted Improvised Explosive Devices (IEDs) and ambushed security forces which has often resulted in mass killings.

In the last three years between July 2014 and June 2017 there has been a 22 percent dip in Maoist violence.

Decline in Maoist attacks is due to the dual policy – first of development in the interior areas controlled by Maoists, and second, going after the top leadership. This policy with its focus on road projects, installation of mobile towers for better communication and more recruitment of locals in the Forces has shown some positive signs.

However, challenges remain. Ministry officials admit that the government's bid to expedite road projects in highly troubled areas has not been that encouraging. For instance, the under construction road where 25 CRPF personnel were killed by Maoists in Sukma, Chhattisgarh, has still not been completed for the last three years. The failure to complete the road has continued to risk the lives of the Forces there.

On the positive side, the government points to the fact that more and more Maoists are being persuaded to give up the gun. Last year, a record breaking 1,442 surrenders by the red rebels was cited as a high point of success for security forces, the various state governments and the Centre.

- ▶ **Modernising the Forces:** Ensuring internal security and safeguarding the border areas cannot be done without modernising and keeping up the Forces' morale. In this regard, the ministry is facing some challenges. Shortage of arms and ammunition, lack of promotional opportunities, inadequate medical facilities, and allegations of corruption against senior officers by their juniors, are huge challenges for the ministry to overcome.

While the ministry has to deal with these challenges quickly, the Forces also need to keep pace with changing technologies, not only to be more effective but also safeguard themselves against new techniques being adopted by the enemy.

Steps taken by government to deal with the situation in North East

Keeping in view the multiplicity of diverse ethnic groups, and the resultant complex situation in the region, the Central Government has been pursuing a policy for talks / negotiation with such groups which categorically abjure violence, lay down arms and seek solutions for their problems peacefully within the framework of the Constitution of India. As a result, a number of outfits have come forward for talks with Government and have entered into Suspension of Operations (SoO) agreements and some of them have signed Memorandum of Settlements (MoS) and some groups have dissolved themselves. Those who are not in talks are being dealt with by the Central Armed Police Forces, Armed Forces and the State Police through Counter-Insurgency Operations.

The implementation of the agreed Ground Rules of insurgent outfits is periodically reviewed by Joint Monitoring Groups comprising representatives of the Government of India, State Governments, Security Forces and the outfits concerned.

To curb the illegal and unlawful activities of abductions, extortions, killings, recruitment and training of armed cadres, explosions and attack on infrastructural installations by insurgent groups of North Eastern States, 16 insurgent organizations have been declared "unlawful associations" and/or "terrorist organizations" under Unlawful Activities (Prevention) Act, 1967.

Conclusion

India's internal security is vulnerable to threats, tensions and conflicts originating both from indigenous and exogenous sources.

The domestic dynamics of India's internal security are reflected in its socio-political milieu, the main feature of which is its diversity. It is reflected in the variety of its communities and castes, races and ethnic groups, languages and dialects, religious beliefs and customs and traditions, with different manifestations of culture, all operating in a dynamic environment.

Therefore, our internal security scenario will continue to be complex and varied. While problems intrinsically rest on domestic roots, but external factors also play a major role in aggravating these. Thus, maintenance of internal security becomes one of the biggest challenges facing the country.

GOVERNANCE ISSUE

RTI Act Needs to be Protected



RTI Act has democratized the information and decentralized the power. With RTI power no more remained confined to select few, rather it was made available equally to all the citizens.

However, government is trying to dilute the provisions under RTI and the most controversial amendment pertained to Rule 12. It would allow the withdrawal of an application in case of the applicant's death, making the job of those who file RTIs more risky.

Introduction

In participatory democracy, people elect their leaders to govern them. But governance is not the monopoly of elected leaders. When governance becomes the privilege of select few or when the people who are governed are kept out of the affairs of governance, it degenerates into mis-governance and becomes a travesty of democracy.

Good Governance is characterized by transparency and accountability and the best way to ensure transparency and accountability in governance is through increased and informed participation of people. People are biggest stakeholder in governance, they have a critical and crucial role to play. So, it is imperative that people must have the right to know about the activities of the government.

The RTI Act has a stated objective to “empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense”.

The RTI Act, 2005, was a huge improvement in transparency of governance. But instead of following through to strengthen the RTI Act and protect applicants, the government is trying to dilute its provisions.

Controversy and Amendment to Rule 12

- ▶ The Centre is attempting to dilute information that can be obtained under the Whistleblower Protection Act and to restrict the type of situations in which whistleblowers receive protection.
- ▶ It is removing limits and disclosure requirements on how much companies can contribute towards political donations.
- ▶ The proposed amendment would allow the **withdrawal of an application** in case of the applicant’s death, making the job of those who file RTIs more risky.
- ▶ The RTI activists are already exposed to violence, all the more so as the Whistle Blowers Protection Act (2011) is not implemented.
- ▶ In every sense, instead of making power transparent and bringing in light, the government is drawing curtains and darkening the room.

Importance of RTI Activists

- ▶ RTI applications cover a wide range of issues and even if no action is taken, the media often publicize the cases and give bad publicity to the offending bureaucrats, industrialists or politicians.
- ▶ The RTI activists not only expose corrupt practices and crimes, but also provide *alternative leadership* at the local level.
- ▶ Some of them have become community mobilizers and have been elected *sarpanch*.
- ▶ The nature of the RTI activist's work is revealing of the character of corruption.
- ▶ The role of "*RTI clinics*", often in the form of itinerant vans and helplines, has been key.
- ▶ The RTI Act has offered space to young Dalits, Adivasis and members of the minorities who would have been (more) helpless otherwise. In this process, they've been helped by NGOs whose leaders — not only from the intelligentsia, but also from the SMEs world — have toured villages to initiate them into the art of filling an RTI form.

Challenges faced by RTI Activists

- ▶ Information Officers do not necessarily get the right training, at least the updated information which would make their action more appropriate.
- ▶ The attitude of the government of India is another big challenge. Some of its agencies refuse to disclose the required information.
- ▶ In PMO, the rejection rate is very high. The Commission does not have enough power for getting responses to its questions.
- ▶ It does not have the mechanisms for following up on whether its orders have been complied with.
- ▶ In some states, *Information Commissions* are burdened with huge pendencies. In UP, they have crossed the 48,000 mark.
- ▶ The number of applications filed could easily decrease: If the frequently asked questions were identified, it would not be difficult to proactively disclose information for those questions (which is in tune with Section 4(1)(b) of the RTI Act, 2005). But delays and backlogs are also due to the fact that the job of Information Commissioner has become a post-retirement sinecure for former bureaucrats who do not necessarily feel the urge of idealism.
- ▶ Many face assaults on a regular basis. People seeking information from their gram panchayat and the local administration also face social ostracism.
- ▶ The Information Commissions were not imposing penalties of up to Rs 25,000 on the erring PIOs for violations of the RTI Act. This provision is meant to ensure proper conduct from the PIOs so that the cases are not delayed unnecessarily and relevant information is also not withheld.
- ▶ Public authorities have been lax in providing information *su moto* as mandated by section 4 of RTI. This is certainly increasingly RTI queries.
- ▶ Poor record-keeping practices within the bureaucracy results in missing files.
- ▶ Dilution of supplementary laws such as the one for whistleblower protection.

Violence against RTI Activists

- ▶ The states which have largest number of casualties are rich states such as **Maharashtra, Gujarat and Karnataka**.
- ▶ Rich states are the most dangerous ones for RTI activists because they fight against the appropriation of public goods by predatory and vested interests, which are comparatively stronger in affluent provinces.
- ▶ Problems pertaining to land, illegal construction and property disputes, illegal mining, including the sand mafia's activities are the root cause of most of the cases.
- ▶ Conflicts due to government schemes (including MGNREGA), either because those who should have benefitted from them have not, or because of embezzlement at the local level.
- ▶ The RTI activists fight for their rights and/or those of others, but they are hardly protected by the police and judiciary.
- ▶ Despite multiple attempts at diluting one of the strongest public interest legislations, the Act has survived – but the same cannot be said of many of its users:
 - Lawyer Ram Kumar Thakur from Bihar exposed the MNREGS corruption of around 40 lakh by the corrupt village sarpanchs, and was killed in 2013, shot at point blank range.
 - Rinku Singh Sahi, a civil servant who exposed a 40 crore fraud in Uttar Pradesh was assaulted, detained, and admitted in a psychiatric ward in 2012.
- ▶ 289 attacks on RTI activists have occurred since the passing of the Act in 2005, including instances of murder, assault, kidnapping and threat calls.
- ▶ Some of the most dedicated RTI activists are journalists and the reasons why small-town journalists are murdered, assaulted and harassed are similar to those affecting the RTI activists.
- ▶ Cases have been filed for only 137 murders, assaults and harassment (out of 369).
 - No action has taken place in 141 cases. (No information is available on the status of 91 cases).
 - Where action has taken place, it has resulted in conviction and sending to jail of only six people so far (justice is delayed in many pending cases).
 - This impunity creates the conditions of more violence against the RTI activists and has made the revision of Rule 12 even more disturbing.
- ▶ It would send disturbing signals to the defenders of human rights.

Facts:

- ▶ Sixty-nine activists have been killed, according to the *National Campaign for People's Right to Information*.
- ▶ The NCPRI presents on its website the case of 130 RTI activists who have been victims of assault and 170 others who are victims of harassment.
- ▶ Of the 268 cases whose location is known, 100 belong to rural India, a clear sign that the RTI has also been owned in the village.
- ▶ The states where one finds the largest number of casualties are not those of the BIMARU belt known for law and order problems, but rich states.
- ▶ Maharashtra, Gujarat and Karnataka with, respectively, 13, 13 and 7 murders, 31, 14 and 11 cases of assault and 36, 14 and 12 cases of harassment.

Solutions

- ▶ We know, prevention is better than cure, we should make changes in the present RTI Act which should ensure the anonymity of the Applicant, this can be achieved by removing the compulsion of mentions of name and address of applicant. And the Information should be posted on the Official Website.
- ▶ Mandatory, immediate registration of complaints of threats or attacks against RTI activists on **the First Information Report** and placing such FIRs before the magistrate or judge of the area within 24 hours for issuance of directions for protection of those under threats and their family members, and periodic review of such protection measures.
- ▶ Conducting inquiry into threats or attacks by a police officer not below the rank of Deputy Superintendent of Police/Assistant Commissioner of Police, to be concluded within 90 days.
- ▶ Concerned Public Information Officers, First Appellate Authorities and those directly related with the information sought under the RTI Act should be presumed to have abetted the offenses against the RTI activists unless evidence proves otherwise.

Way forward

- ▶ RTI should not be allowed to be misused or abused, to become a tool to obstruct national development and integration, or to destroy peace, tranquility and harmony among citizens.
- ▶ The frivolous attitude towards the Act has built the impression that the RTI needs to be curbed and activists can be targeted. This must stop.
- ▶ Like Right to Education, RTI should also be made constitutional right rather than statutory one for better implementation.
- ▶ Withdrawal of appeal by appellant and end of proceedings after death of appellant could damage the real motto of Act and can be exploited by corrupt public authorities as cases of attacks on activities anyway increasing.
- ▶ Security must be provided to all the appellants so that criminal practices like compelling them to withdraw applications can stop.

SOCIAL ISSUE

Computer Game and Issues



The Blue Whale game or Blue Whale Challenge is believed to be a suicide game wherein a group of administrators or a certain curator gives a participant a task to complete daily - for a period of 50 days - the final of which is the participant committing suicide. Participants are expected to share photos of the challenges/tasks completed by them. This shows one negative impact of computer games.

Various studies show that playing too much computer games causes physical damages and increases anxiety and depression in players. Considering associations between playing computer games and physical and mental disorders, hereby analyzing the impact of it on children.

Introduction

Computer games are played by manipulating a mouse, joystick, or the keys on the keyboard of a computer in response to the graphics on the screen.

Advancement in technology has led to the development of computer games to keep us entertained. **Artificial intelligence** is used to generate responsive or intelligent behaviors primarily in non-player characters (NPCs), similar to human-like intelligence.

There are thousands of computer games available today for anyone to download and play. A major concern associated with this innovation however is addiction. Many children become addicted to playing these games, and they tend to concentrate more on them than their studies or other aspects of their life such as socializing or playing sports.

Signs of computer game addiction

Definitions of video game addiction include the following symptoms:

- ▶ Spending most of one's free time playing video games.
- ▶ Frequently playing video games for six to eight hours non-stop.
- ▶ Loss of interest in social activities.
- ▶ Avoidance of personal responsibilities or commitments so that gaming can continue - Often staying up very late to play video games which regularly leads to feeling very fatigued the next day.

Negative effects

Internet addiction is nowadays not considered as a bad habit, but a disease.

- ▶ **Social consequences**
 - It leads to lack of physical interaction with the outside world.
 - He/she may lack face-to-face human contact, experience isolation & loneliness, and the loss of friends or relationships.

- Since computer games are played indoors, children tend to seclude and isolate themselves from their family members and community.
- Their interaction and experience with computer games takes center stage and they disregard all other forms of social interaction. Those who are hooked to the games often disregard school which in turn taints their future.
- ▶ **Physical consequences:**
 - Many children sacrifice precious time that should have been used to do school work or take part in physical exercises instead of playing computer games.
 - They develop a habit of sacrificing sleep in order to play as well. This in turn results in sleep deprivation that can compromise their performance at school as well as with their health.
 - Sleep deprivation can develop into insomnia which can have a devastating effect on a growing child's mind, behaviour and lifestyle.
 - This issue can accelerate when coupled with a poor diet, lack of Vitamin D and limited social interaction.
- ▶ **Depression:**
 - Depression is a form of mental illnesses. Many video game addicts do not realize that they are victims of depression. They only realize when they stop and think critically about the effects of playing computer games is having on their lives, are they able to realize the state of their existence.
 - Children often find comfort in playing computer games, and this creates a vicious cycle that can have a problematic effect on their mental health.
- ▶ **Stress:**
 - Most computer games have internal feature that enables players to set targets and monitor their progress. For a child who is obsessed with computer games, failures, and pressures to achieve the set goals leads to stress.
 - They are of the idea that the only way to relieve stress is by playing more computer games, which is the primary cause of the problem they are trying to solve.
- ▶ **Financial Problems:**
 - This is not typically an issue for children, but adults and adolescents may find themselves spending large sums of money on new computer equipment, consoles, subscription fees, and of course, new video games.
 - Financial difficulties can occur when the person loses the motivation to work (a frequent occurrence), has his or her hours reduced due to poor job performance, or is fired.
- ▶ **Vision Problems:**
 - Extensive viewing of the screen can cause eye strain, as the cornea, pupil, and iris are not intended for mass viewing sessions of electronic devices.
 - Using video games for too long may also cause headaches, dizziness, and chances of vomiting from focusing on a screen.
- ▶ **Family Problems:**
 - Although poor family relationships may increase the likelihood of video game addiction, video game addiction often leads to family conflict.

- Someone addicted to video games may accuse concerned family members of trying to interfere in his or her life, may be verbally or physically aggressive when others attempt to limit game play, and may try to hide just how much he/she plays.

The Blue Whale game or Blue Whale Challenge is believed to be a suicide game wherein a group of administrators or a certain curator gives a participant a task to complete daily — for a period of 50 days — the final of which is the participant committing suicide. Participants are expected to share photos of the challenges/tasks completed by them.

These daily tasks start off easy — such as listening to certain genres of music, waking up at odd hours, watching a horror movie, among others, and then slowly escalate to carving out shapes on one's skin, self-mutilation and eventually suicide.

The challenge is understood as- to find victims, create an emotional bond with them through arbitrary set of steps demanding completion in order to move forward in the game and then hope they follow through to step 50. 'Jump off a high building. Take your life.' It's simply a control and manipulation scheme directed toward vulnerable people who are predisposed to have serious thoughts of suicide, loneliness, and death. When a person is suicidal, they feel, most of all, alone and worthless. The game creator understands these feelings and is taking advantage of them. Some experts believe these tasks may convince an impressionable young person to hurt themselves because of the "whale's" influence.

Government initiative

Concerned over the issue of Blue Whale challenge, the Ministry of Electronics and Information Technology (MeitY) has written to major technology firms, including Facebook India, Google India, Instagram, Microsoft India, WhatsApp and Yahoo! India, to remove links of such games from their platforms.

Further IT platforms to abide by directions given by IT ministry and "any violation will be taken very seriously".

Solutions for computer game addiction

▶ ***Role of Parents:***

- Parents can consider app locks or Internet locks on their children's devices. There are dedicated apps like '***Family Time***', which will allow parents to keep track of their children's gaming and browsing habits, especially if they are addicted to their phones and tablets and laptops.
- Family therapy involves modifying the family systems, interactions, and family dynamics that may contribute to excessive gaming habits.

▶ ***One-to-One counseling with a psychologist or therapist:***

- This may be the best option if one is able to find an affordable and qualified therapist in his or her area, but unfortunately video game addiction specialists remain quite rare (although this is changing as the problem becomes more prevalent).

▶ ***Video game addiction treatment centers:***

- It offer intensive in-patient recovery programs administered by a variety of mental health professionals. These facilities are far more common in countries like South Korea than in the United States.

▶ ***Wilderness therapy:***

- It involves the complete removal of the individual from environments where video games are accessible.
- Wilderness therapy has been used as an intervention for a variety of child and adolescent behavioral problems and has been started to be offered for video game addiction as well.

Vulnerable children who do not have a pleasant family atmosphere, children of separated parents and those living in contexts of family conflicts should always be monitored.

It is important to point out that not all computer games are harmful to the growth and development of children. There are education games that children can play during their free time.

Conclusion

Addiction to cyber-games has a serious impact on the future of children since it will have an effect on their brain. Consequently, it affects their thoughts and actions. E-sports might have a huge potential at the international level, but it is better not to invest time and money in online e-sports sacrificing all other possibilities. It's not worth playing ambitiously. It should rather be seen as a pastime that can make you a better solver of problem.

ECONOMIC ISSUE

Panel Report on MGNREGA Wages



The revised MGNREGA wages for the current fiscal announced recently have left various state governments in a fix as they apprehend the new rates would not be able to attract laborers because they are still below the existing minimum wages fixed by the states. The committee for revision of wages paid under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) has found that minimum agricultural wages are higher than MGNREGA wages in 15 states.

Introduction

- ▶ MGNREGA guarantee “Right to Work” for atleast one member of family for 100 days annually, 150 days for SC/STs during non-agricultural seasons.
- ▶ It aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work.

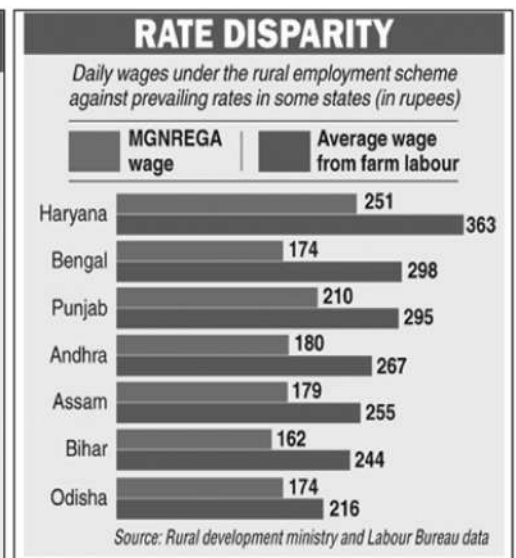
Chronology of MGNREGA Wage Rates

- ▶ MGNREGA wage rates vary from state to state and are revised by indexing them to the consumer price index for agricultural labourers (CPI-AL) for a particular state.
- ▶ In the first two years of the job scheme, the wage rates had been the same as the minimum agricultural wage rates of the states concerned.
- ▶ But in 2008, the Centre detached the scheme’s wages from the states’ minimum wages and linked them instead to the states’ Consumer Price Index for Agricultural Laborer (CPI-AL) for the state concerned.
- ▶ This measure tracks the yearly inflation in the retail prices of goods and services consumed by agricultural labourers in that state.
- ▶ However, states at times revise the rates more than once a year, leading to the difference between the MGNREGA rate and the minimum wage fixed by the states. Some states have since then raised their minimum wages far beyond their CPI-AL.
- ▶ In 2013, the UPA government had set up a committee headed by economist Mahendra Dev on the revision of rural job scheme wage rates.
- ▶ A seven-member committee headed by **Mahendra Dev**, had in a 2014 report said that MGNREGA workers needed to be paid at least the minimum agricultural wages, if not more, to be able to meet their basic needs.

- ▶ Despite official claims of this year's MGNREGA budget of Rs. 48,000 crore being the highest ever, the wage revision, at 2.7 per cent, was the lowest ever. It meant a per day, per person wage hike of merely Rs. 1 in some states like Assam, Bihar, Jharkhand, Uttar Pradesh and Uttarakhand, and Rs. 2-3 in several others.
- ▶ This was because the finance ministry, on account of financial implications, rejected the recommendations of the S Mahendra Dev committee, which had proposed to bring MGNREGA wages on par with minimum wages paid to unskilled agricultural workers in the states.
- ▶ The expert panel had said that the Consumer Price Index for Rural (CPI-R), which reflects the current consumption pattern of rural households, should be the basis for revising MGNREGA wage rates, and not CPI for Agricultural Labourers (CPI-AL), which is based on the consumption pattern of 1983.
- ▶ The basket of goods for calculating CPI-AL comprises mainly food items. With the implementation of the National Food Security Act, rice and wheat are available for as cheap as Rs. 2-3 per kg. CPI (Rural) gives lower weightage to food items, and hence, is found to be a better indicator of wage increase.

TOKEN RAISE			
How the Centre has revised the daily wage rates under the rural job guarantee scheme			
State	2016 rate	2017 rate	Minimum wage*
Assam	182	183	240
Bihar	167	168	181
Jharkhand	167	168	210
Odisha	174	176	200
Uttarakhand	174	175	200
Bengal	176	180	211

*The minimum wage is set by each state government



Pertaining Issues:

- ▶ As per data being examined by the committee, the minimum wages paid to agricultural workers are significantly higher than MGNREGA wages in Karnataka, Punjab, Jharkhand, Uttarakhand, West Bengal, Mizoram, and Andaman and the Nicobar Islands.
- ▶ While southern states has seen hikes in remuneration under MGNREGA to Rs. 240 in Kerala from Rs. 229 last year, Rs. 224 in Karnataka from Rs. 204, Rs. 203 in Tamil Nadu from Rs. 183 last, and Rs. 194 in Andhra Pradesh from Rs. 180, the eastern and northern states have seen only marginal increases.
- ▶ Similarly, while Karnataka and Tamil Nadu have got a hike of Rs. 20, the wages in West Bengal and Assam have been raised by just Rs. 2 and Rs. 3 respectively. Odisha did not get any hike with the wage remaining stagnant at Rs 174 even while it is battling a drought.
- ▶ The growing divergence in the pattern of wage revisions is also a concern as the state's minimum wage, which is currently Rs. 224 per day, and MGNREGA wages of just Rs. 168 per day after the wage hike.

- ▶ In some states like Punjab, the scheme with its existing wage of Rs. 210 was not being able to draw workers. The daily wage for unskilled workers in the state is around Rs. 300.
- ▶ The other states where MGNREGA wages fail to match up are Sikkim, Andhra Pradesh, Telangana, Haryana, Madhya Pradesh and Bihar. In Rajasthan and Himachal Pradesh, the minimum wages are marginally higher than MGNREGA wages.
- ▶ Another view is that an upward revision in MGNREGA wages is estimated to require Rs. 4,500 crore further raise in its budget.
- ▶ With such low wages and delays in payments, MGNREGA will most likely fail in providing the livelihood security for which it was enacted.
- ▶ Many subject experts emphasize that not giving the workers even the minimum wage in a number of states is 'immoral, illegal and unconstitutional' at a time when the salaries of MLAs have increased up to even four times and those of central government employees have gone up substantially.
- ▶ The Nagesh Singh panel has found that based on the second recommendation of the Mahendra Dev committee, if the existing MGNREGA wages are revised as per CPI (Rural), it would mean another Rs. 600 crore increase in the budget.

Reasons for the divergence in the wages

- ▶ The present divergence between MGNREGA wages and minimum wages for agricultural labour is on account of the fact that the States do not follow a scientific and uniform system of indexation of wage rates while MGNREGA wages are increased based on changes in *Consumer Price Index for Agricultural Labours*.
- ▶ At the moment, there is no mandatory minimum wage that should be given. Some of the states have fixed minimum wages that are less than what have advised.
- ▶ Centre can only have a advisory floor level minimum wage fixation but some of the states are even giving less than that.



- ▶ There are several states that have not even constituted their respective state advisory boards to fix minimum wages.
- ▶ The *trade unions* are saying that the three-unit system is not sufficient to decide minimum wages because the children continue to stay with the family for longer periods. The trade unions are saying that the two children and wife should be accorded one single unit.
- ▶ From the employer's point of view, it should not be abnormally high for them because it needs to be at a level which sustains the establishment.

The three-unit based formula:

- ▶ The three-unit based formula to fix minimum wages presently counts only four members of a family — husband, wife and two children. It has no provision to count dependent parents, if any, or even if there are more than two children.
- ▶ The three-unit formula gives the husband a full unit, wife 0.8 unit, and 0.6 units for each of the two children.
- ▶ Based on the three-unit formula, the minimum wage is worked out taking into consideration the calorific value requirements of 2,700 each, certain length of cloth requirement, housing rental value, education and medical expenses etc.

Impacts of the minimum wages:

- ▶ Minimum wages is one of reason for the dismal performance of the workers. Instances of unproductive assets being created and withering away of resources that could be used in other growth-propelling projects.
- ▶ **Outflow of labour:** One of the significant objectives of the MGNREGA was to arrest out-migration of unskilled landless labour force from the rural areas to urban areas by ensuring upto 100 days of wage employment within their native jurisdiction. But because of the minimum wages workers are forced to migrate to other palces.
- ▶ The families owning small agricultural land depend upon the MGNREGA wages during lean season. But due to reduced wages they are searching for the alternative source of income.
- ▶ Reduced wages will increase more pressure on agriculture.
- ▶ Reduced wages are limiting *economic growth* of the households. Families spend less on health and education thus reducing their standard of living.
- ▶ Wages have not been indexed with *rural inflation* rates, thus the wage growth is lower as compared to the inflation growth.

Way forward

- ▶ The recommendations of the S Mahendra Dev committee, which had proposed to bring MGNREGA wages on par with minimum wages paid to unskilled agricultural workers in the states has to be considered.
- ▶ The expert panel had said that the Consumer Price Index for Rural (CPI-R), which reflects the current consumption pattern of rural households, should be the basis for revising MGNREGA wage rates, and not CPI for Agricultural Labourers (CPI-AL), which is based on the consumption pattern of 1983. CPI(R) should be used to revise the wages every year instead of CPI (AL), as the former is more representative of the current rural consumption basket.

Conclusion

MGNREGA workers needed to be paid at least the minimum agricultural wages, if not more, to be able to meet their basic needs. The need to align the MGNREGA wages to the minimum wages has become necessary considering the growing failure of crops, recurring droughts and inflation indexed consumption leading to farmer distress. At a time when all alternatives fail, MGNREGA continues to be that supporting income pillar for the poor. In this light, wage revision should take place every six months, in keeping with the practice for other trades and occupation.

POLITICAL ISSUE

Special Provisions for Other States

**Context**

Part XXI of the Indian Constitution, 'Temporary, Transitional and Special Provisions', includes, apart from Article 370 - Temporary Provisions with respect to the State of Jammu and Kashmir - special provisions for 11 other states, listed under Articles 371, 371A-H, and 371J.

Hereby discussing the provisions related to it and their implications.

Introduction

For the whole of the country, our Indian Constitution provides uniform rule. But there are certain regions of our country that are governed by special provisions. These provisions are laid down by the Constitution to ensure special protection of the cultural identity and customs, the original inhabitants and the economic and political interests of these areas.

Objective of Special Provisions

The object behind special provisions was to provide “special” and “temporary” provision to the certain State so as to protect these State’s autonomy in some areas.

Present debate

There are debates which argue that the special status accorded to Jammu & Kashmir in the Constitution has prevented its “full integration” into the Indian Union. Prominent among the “special privileges” available to J&K, the only Muslim-majority state in the country, are the ban on non-residents from acquiring property in the state and voting in the legislative Assembly elections, both of which are under challenge in the Supreme Court in a case against the constitutional validity of Article 35A.

The Article 35A was inserted in the Constitution by the Presidential Order of 1954. The Article 35A yields special rights and immunities to the permanent residents of the Jammu and Kashmir from the rest of Indian citizen. In the light of this article, a non-permanent resident of Jammu and Kashmir cannot enjoy any Government facilities. There are two reasons behind the contesting of Article 35A, first, the constitutionality of insertion of Article 35A, and second the conception of equality among the Indian citizens.

The Presidential Order made under the Article of 370 (1) (d) empower the President of India to make exception and modifications regarding the State subject with the concurrence of the State Government.

Special provisions related to Jammu and Kashmir

- ▶ Jammu and Kashmir is the only state in India that has a separate Constitution which was adopted in the year 1956 on November 17th. But it came into force on 26th January 1957.
- ▶ The legislative authority which relates to the dealing of the Union Parliament in respect of this State is limited to those matters in the Union List and Concurrent List which are declared by the President, in consultation with the government of the State to conform the term of Instrument of Accession.
- ▶ In these States, the power to grant emergency does not vest with the Union. Emergency cannot be proclaimed on the grounds of internal disturbance or imminent danger unless following situations come into:
 - When it is made at the request of the government of the state.
 - Where it has not been made but has been applied by the President in concurrence of the government of that state.
- ▶ Fundamental Rights and Duties, Directive Principles of State Policy - Directive Principles of State Policy and the fundamental rights and duties are still not applicable in Jammu and Kashmir.
- ▶ High Court of Jammu and Kashmir - The High Court of Jammu and Kashmir has very limited and restricted powers as compared to the high courts of other states. That is, it cannot state any law unconstitutional unlike other high courts of India under article 226 of the Constitution, writs except for the enforcement of the Fundamental rights cannot be issued.
- ▶ Urdu is the official language of Jammu and Kashmir but use of English language is permitted to official purposes as the state legislature provides.

Special Provisions of other States

However, Jammu & Kashmir is not the only state for which special provisions have been laid down in the Indian Constitution — a wide range of safeguards are available to as many as 11 other states, listed in Articles 371, 371A to 371H, and 371J. Art 371I deals with Goa, but does not include any provision that can be termed ‘special’.

- ▶ **MAHARASHTRA & GUJARAT (Art 371):** “Special responsibility” to Governor to establish “separate development boards” for “Vidarbha, Marathwada, and the rest of Maharashtra”, and Saurashtra and Kutch in Gujarat; “equitable allocation of funds for developmental expenditure over the said areas”; “equitable arrangement providing adequate facilities for technical education and vocational training, and adequate opportunities for employment” under the state government.
- ▶ **SIKKIM (Art 371F, 36th Amendment Act, 1975):** The members of the legislative Assembly of Sikkim shall elect the representative of Sikkim in the House of the People. To protect the rights and interests of various sections of the population of Sikkim, Parliament may provide for the number of seats in the Assembly, which may be filled only by candidates from those sections. Governor shall have “special responsibility for peace and for an equitable arrangement for ensuring the social and economic advancement of different sections of the population”. All earlier laws in territories that formed Sikkim shall continue, and any adaptation or modification shall not be questioned in any court.
- ▶ **ASSAM (Art 371B, 22nd Amendment Act, 1969):** President may provide for the constitution and functions of a committee of the Assembly consisting of members elected from the tribal areas of the state.

- ▶ **ARUNACHAL PRADESH (Art 371H, 55th Amendment Act, 1986):** The Governor has a special responsibility with regard to law and order, and “he shall, after consulting the Council of Ministers, exercise his individual judgment as to the action to be taken”. Should a question arise over whether a particular matter is one in which the Governor is “required to act in the exercise of his individual judgment, the decision of the Governor in his discretion shall be final”, and “shall not be called in question...”.
- ▶ **NAGALAND (Art 371A, 13th Amendment Act, 1962):** Parliament can’t legislate in matters of Naga religion or social practices, the Naga customary law and procedure, administration of civil and criminal justice involving decisions according to Naga customary law, and ownership and transfer of land and its resources, without concurrence of the legislative Assembly. This provision was inserted in the Constitution after a 16-point agreement between the Centre and the Naga People’s Convention in 1960, which led to the creation of Nagaland in 1963. Also, there is a provision for a 35-member regional council for Tuensang district, which elects the Tuensang members in the Assembly. A member from the Tuensang district is Minister for Tuensang Affairs; Governor has the final say on Tuensang-related matters.
- ▶ **MIZORAM (Art 371G, 53rd Amendment Act, 1986):** Parliament cannot make laws on “religious or social practices of the Mizos, Mizo customary law and procedure, administration of civil and criminal justice involving decisions according to Mizo customary law, ownership and transfer of land... unless the Legislative Assembly... by a resolution so decides.”
- ▶ **MANIPUR (Art 371C, 27th Amendment Act, 1971):** President may provide for the constitution and functions of a committee of elected members from the Hill areas in the Assembly; entrust “special responsibility” to the Governor to ensure its proper functioning. The Governor has to file a report every year on this to the President.
- ▶ **ANDHRA PRADESH & TELANGANA (Art 371D, 32nd Amendment Act, 1973; substituted by the Andhra Pradesh Reorganisation Act, 2014):** President must ensure “equitable opportunities and facilities” in “public employment and education to people from different parts of the state”; he may require the state government to organise “any class or classes of posts in a civil service of, or any class or classes of civil posts under, the State into different local cadres for different parts of the State”, and allot them. The President has similar powers vis-à-vis admissions in any university or state government-run educational institution. Also, he may provide for setting up of an administrative tribunal outside the jurisdiction of the High Court to deal with issues of appointment, allotment or promotion in state civil services. [Art 371E allows for the establishment of a university in Andhra Pradesh by a law of Parliament. But this is not really a ‘special provision’.]
- ▶ **KARNATAKA (Art 371J, 98th Amendment Act, 2012):** There is a provision for the establishment of a separate development board for the Hyderabad-Karnataka region, the working of which will be reported annually to the Assembly; there shall be “equitable allocation of funds for developmental expenditure over the said region”; and “equitable opportunities and facilities” for people of this region in government jobs and education. An order can be made to provide for reservation “of a proportion” of seats and jobs in educational and vocational training institutions and state government organisations respectively in the Hyderabad-Karnataka region for individuals who belong to that region by birth or domicile.

Why special provisions made for North East India?

The North-east region has the highest number of indigenous peoples (in the sub-continent). A British colonial legacy of post-independent India is that the territories of these nationalities and communities, besides having been broken and fragmented by the division of the region by India, China, Burma and Bangladesh, are further divided into seven states viz., Arunachal Pradesh, Assam, Manipur, Mizoram, Nagaland and Tripura, in addition to the more recent Sikkim, in the name of reorganization. This subdivision has divided the territories of numerous nationalities and communities, as for example, the Naga areas form part of Arunachal Pradesh, Assam and Manipur, besides Nagaland; the Garo and Khasi areas have been divided amongst Assam, Meghalaya and Tripura; the Mizos in Manipur, Mizoram and Tripura, and the Misings and Dueris in Arunachal Pradesh and Assam.

The creation of various states has been done to accommodate and assimilate the frontiers' peoples into the nation-building project. Thus to maintain their culture, identity and security special provisions were given.

Why Special Provision given to Andhra Pradesh?

Article 371 (D) is a special provision for the State of AP, and its primary purpose was to promote speedy development of backward areas, balanced development and to provide equitable opportunities and facilities to people of all regions in the fields of education and public employment.

Subsequently, the Union government had issued the Andhra Pradesh Public Employment (Organisation of local cadres and regulation of direct recruitment) Order, 1975, popularly known as the Presidential Order. It divided the State into six zones, ensuring that the residents of each zone got certain benefits, privileges and safeguards.

Why Special Provision given to Karnataka?

Article 371J in the Constitution empower the Governor of Karnataka to take steps to develop the Hyderabad-Karnataka Region. The President may allow the Governor to take the following steps for development of the region:

- ▶ Setting up a development board for the Region;
- ▶ Ensure equitable allocation of funds for development of the Region; and
- ▶ Provide for reservation in educational and vocational training institutions, and state government positions in the Region for persons from the Region.

Difference between Article 370 and other provisions

While the special provisions laid down in Art 371, 371A-H, and 371J are not as far reaching as Art 370, the existence of these provisions shows that other princely states, too, negotiated the terms and conditions of their entry into the Union, or sought special constitutional protections in view of their unique needs and conditions. Each of these constitutional provisions is, in fact, rooted in historical reasons.

One important difference between Articles 370 and 371, and Articles 371A-H and 371J, is that while the latter set of provisions were incorporated into the Constitution by Parliament through amendments under Art 368 (which lays down the "power of Parliament to amend the Constitution and procedure therefore"), Articles 370 and 371 have been part of the Constitution from the time of its commencement on January 26, 1950.

ENVIRONMENTAL ISSUE

Marine Diversity in Antarctica under Threat

**Context**

Researchers from the British Antarctic Survey and the Smithsonian Environmental Research Centre placed heating panels at the bottom of the seabed in order to measure what effect it would have on local marine species.

An increase of just 1-2 degrees Celsius in shallow waters on the West Antarctic Peninsula has radically reduced marine diversity. Thus with respect to climate change in Antarctica, analyzing its impact on the marine diversity.

Introduction

Antarctica is Earth's southernmost continent. It contains the geographic South Pole and is situated in the Antarctic region of the Southern Hemisphere, almost entirely south of the Antarctic Circle, and is surrounded by the Southern Ocean. At 14,000,000 square kilometres (5,400,000 square miles), it is the fifth-largest continent. About 98% of Antarctica is covered by ice that averages 1.9 km in thickness, which extends to all but the northernmost reaches of the Antarctic Peninsula.

Antarctica is important for science because of its profound effect on the Earth's climate and ocean systems. The roles are described as follows:

► **Role in influencing weather patterns:**

- The Antarctic environment provides valuable information about climate change. Antarctic continental ice contains climate records extending back more than 800,000 years, which have been obtained from ice cores.
- Although isolated from other continents, Antarctica is connected to the rest of the world through oceanic and atmospheric circulations.
- The Southern Ocean has a critical role to play in the circulation of water throughout the global ocean, and is an important regulator of climate and atmospheric carbon dioxide.
- The vast ice capped Antarctica help stabilise the climate of earth.
- Higher albedo effect of the snow which reflects the short wave radiation of the solar light turning it into long wave, and prevents excessive heating in the extreme southern hemisphere.
- Antarctica is a unique part of the Earth's Climate Machine. It stores large amount of sea ice and transports heat from the tropics toward the poles by polar-circling currents of air and increases the ability of the oceans to absorb carbon dioxide from the atmosphere.

► **Scientific significance:**

- Antarctica is a valuable place for scientists because hardly any humans live there and it has a clean environment. Due to the frozen conditions, much of the area has been preserved.
- Scientists are able to discover what the Earth used to be like, by drilling holes through the layers of snow and ice that have built up. Scientists then examine these ice cores to find out what the climate, vegetation, animals and air were like thousands of years ago.
- Scientists use the clean air and land of Antarctica to compare with other parts of the world to measure the impact that humans have had on the planet.

The *Antarctic environment and biosphere* are highly sensitive indicators of present-day environmental change. Predictions made in the 1980s and 1990s about climate change and its effects on the Polar Regions in the 21st century have largely been confirmed.

Threats:

Although Antarctica is still the most pristine environment on Earth, its marine ecosystems are being degraded through the introduction of alien species, pollution, overfishing, and a mix of other human activities. Although the temperature only warmed the water a few millimetres above the panels, the increase was enough to have “massive impacts on a marine assemblage”.

Although the Antarctic Treaty and other conventions have measures aimed at reducing the local- and regional-scale impacts of human activity on Antarctica and the Southern Ocean, they cannot address global-scale threats.

Global climate change caused by human emissions of carbon dioxide and other greenhouse gases has the potential to affect the entire Antarctic region for decades to come.

Human activities have damaged or restructured food webs in the Southern Ocean over recent decades. At the local to regional scale, these include:

- The hunting of top predators such as whales and seals.
- Overexploitation of some fish species, leading to stock collapses.
- Air and water pollution from shipping traffic, wrecks, and the transport of invasive alien species on hulls and in ballast tanks.
- Tourism, including potential disturbance to breeding bird and seal colonies, as well as being responsible for chemical and noise pollution, and littering.
- Chemical and sewage pollution from research stations and ships, the *legacy of historical waste dumping*, and pollution from scientific experiments, including lost or unrecovered equipments.

Impacts:

- **Depletion of atmospheric ozone (O_3):** The ‘ozone hole’ was discovered by BAS scientists in 1985 and is caused by the accumulation of atmospheric chlorofluorocarbons (CFCs) used as refrigerants and spray propellants.
- **Ocean acidification:** The researchers note that organisms living in Polar regions are uniquely vulnerable to the effects of ocean acidification because of low concentrations of dissolved calcium carbonate in the water column.
- **Melting of iceshelves:** With increase of the sea water temperature iceshelves are melting and global sea level is increasing.

- ▶ **Impact on marine life:**
 - Complex marine food web will be affected which leads to extinction of some species as natural cycle is disturbed.
 - The vulnerability of cold-adapted species to observed rising sea temperatures caused by global warming.
 - The extinction of some species is likely, and that changes in the geographical distribution of others are to be expected.
 - Further spread and establishment of predatory king crabs on the continental slope of the western Antarctic Peninsula could create havoc among its unique seafloor animal communities.
 - The possible invasion by bottom-feeding fishes, rays and sharks with crushing jaws could be equally damaging.
 - Increasing dominance of salps (tunicates) over Antarctic krill, with consequences for animals such as whales, penguins and seals that depend either directly or indirectly on krill.
- ▶ The **retreat of Antarctic Ocean** has major repercussion on global precipitation and wind pattern. It will also affect the oceanic currents in southern hemisphere.
- ▶ **Threat to krill: Ocean Currents:** Melting of ice will lead to change in characteristics of ocean currents, which will affect the climate of the world.
- ▶ **Global warming:** Release of CO₂ trapped in the Antarctica which can further enhance global warming.
- ▶ **Sea water level:** It is home to world's largest glaciers. The melting of these glaciers can significantly raise the sea water level, submerging many islands and coasts around the world, thereby affecting local climates. It may cause environmental migration from low lying countries.
- ▶ **Introduced species:** The warming conditions in Antarctica could facilitate colonisation of species previously unreported from the region, with consequences for the structure of its marine food webs. Alien species accidentally introduced by humans are also a major concern.

Solutions:

- ▶ Preventing the introduction of non-native species to Antarctica.
- ▶ Protecting krill, the base of the Antarctic ecosystem and the primary food for many species of penguins, whales and seals.
- ▶ Managing the environmental implications of climate change.
- ▶ Creating a network of **marine reserves** or marine protected areas (MPAs) in the Southern Ocean, including the Ross Sea, that will set aside areas representative of most of the major Antarctic marine habitats.
- ▶ Improving understanding of how Antarctic tourism interacts with the environment.
- ▶ Ensuring a precautionary approach to the management of Southern Ocean fisheries.
- ▶ Preserving the integrity of the Southern Ocean Whale Sanctuary.
- ▶ Conserving albatross and petrel species that are threatened by illegal and legal long line fishing.

International efforts:

- ▶ International society has established guidelines such as the Antarctic Treaty for protecting the environment of Antarctica. Parties that adopted the Protocol on Environmental Protection to the Antarctic Treaty publish annual reports on their activities in Antarctica.
- ▶ **Antarctic Treaty:**
 - Under international cooperation, 12 countries such as Japan, United States, United Kingdom, France and the former Soviet Union concluded the Antarctic Treaty at the end of the International Geophysical Year (IGY; 1957-58) and it entered into force in 1961.
 - The Treaty applies to the area south of 60 degrees South Latitude.
 - **Principles** stated in the Treaty are:
 - To utilize the area for peaceful purposes only and prohibit to establish military bases and to carry out of the maneuvers.
 - To promote the freedom of scientific investigation and cooperation in the area.
 - Not to assert, support or deny a claim to sovereignty or create any rights of sovereignty.
 - To prohibit any nuclear explosion and the disposing of radioactive materials.
- ▶ **Convention for the Conservation of Antarctic Seals:**
 - Adopted in 1972, entered into force in 1978.
 - Convention for the Conservation of the Antarctic Seals aims to regulate sealing in Antarctica and protect 6 species of the Antarctic seals.
- ▶ **Convention for the Conservation of Antarctic Marine Living Resources:**
 - Adopted in 1980, entered into force in 1982.
 - It regulates fishing amount, areas and methods based on resource amount of fishes, mollusks and krill south of the Antarctic **Convergence**.

Role played by India in Conservation efforts

- ▶ India is drafting a dedicated Antarctica policy and a law to have a clear policy on the consequences of its activities in the region.
- ▶ The **Indian Antarctic Programme** is a multi-disciplinary, multi-institutional programme under the control of the National Centre for Antarctic and Ocean Research, Ministry of Earth Sciences, Government of India.
- ▶ Under the programme, atmospheric, biological, earth, chemical, and medical sciences are studied by India, and it has carried out 35 scientific expeditions to the Antarctic till now.
- ▶ India played a major role in banning of mining, waste dumping, military activities in the Antarctic region by signing the Antarctic-Environmental Protocol.

Conclusion

Biodiversity can be conceptualised in terms of its information content: the greater the diversity of species and interactions between them, the more 'information' the ecosystem has. "By damaging the ecological fabric of Antarctica, we are effectively dumbing it down — decreasing its information content — and endangering its uniqueness and resilience.

It is clear that multiple causal factors are damaging the health of marine systems in Antarctica; we need to understand the relative importance of these factors and how they interact. We should raise efforts to conserve the precious marine species of the region.

India in Antarctica:

- ▶ **Dakshin Gangotri:** Dakshin Gangotri was the first Indian scientific research base station established in Antarctica, as a part of the Indian Antarctic Program. Located at a distance of 2,500 kilometres from the South Pole; it was established during the third Indian expedition to Antarctica in 1983/84. This was the first time an Indian team spent a winter in Antarctica to carry out scientific work.
- ▶ **Maitri:** Maitri is India's second permanent research station in Antarctica. It was built and finished in 1989. Maitri is situated on the rocky mountainous region called Schirmacher Oasis. India also built a freshwater lake around Maitri known as Lake Priyadarshini.
- ▶ **Bharti:** Bharti, India's latest research station operation since 2012. It has been constructed to help researchers work in safety despite the harsh weather. It is India's first committed research facility and is located about 3000 km east of Maitri. Bharti made India an elite member of the club of nine nations that have multiple stations in the region.
- ▶ **Sagar Nidhi:** In 2008, India commissioned the Sagar Nidhi, the pride of the National Institute of Ocean Technology (NIOT), for research. An ice class vessel, it can cut through thin ice of 40 cm depth and is the first Indian vessel to navigate Antarctic waters.

ECONOMIC ISSUE

Financial Resolution and Deposit Insurance Bill 2017


Context

The Union Cabinet, chaired by Prime Minister Narendra Modi, has approved the Financial Resolution and Deposit Insurance (FRDI) Bill, 2017 to be introduced in the Parliament.

The FRDI Bill seeks to decrease the time and costs involved in resolving distressed financial entities.

Bank unions have requested Finance Minister Arun Jaitley to withdraw the FRDI Bill as it proposes to empower authorities with sweeping powers to wind up public sector banks and insurance companies.

The Financial Resolution and Deposit Insurance Bill, 2017 has been referred to a Joint Parliamentary Committee of both the Houses, under the chairpersonship of Shri Bhupender Yadav, M.P., for examination and presenting a Report to the Parliament.

Hereby, discussing the salient features of the Bill and debates related to it.

Introduction

The FRDI Bill is a separate bankruptcy law to deal with insolvency and bankruptcy in financial sector companies covering all financial service providers including banks, NBFCs, microfinance institutions and insurance companies.

This Bill is similar to the Insolvency and Bankruptcy Code, 2016, which was enacted last year in May. Both of these are about issues that can arise when companies go bankrupt or insolvent, except that this Bill deals only with the companies that are in the financial sector. The insolvency code Act deals with companies in all other sectors.

Purpose of the Bill is to create a resolution regime for financial institutions when they face crisis without creating financial burden for the tax payers. Therefore, in order to deal with the situation of insolvency and bankruptcy in financial sectors entities such as banks and insurance companies, the FRDI Bill has been introduced.

Background

- ▶ The global financial crisis of 2008 prompted many countries and regulators to review their financial architecture and come up with a new set of arrangements. Indian policy makers had to counter liquidity pressures but not tackle the kind of bank failures in the West — especially in the US and UK.

- ▶ In India, there was never a comprehensive framework to deal with bankruptcy. In this context, Government has come with a solution for bankruptcy cases for both financial entities (Financial Resolution and Deposit Insurance Bill 2017) and non-financial entities (Bankruptcy Code 2016).
- ▶ In his 2016-17 budget speech, Union finance minister Arun Jaitley said, “A systemic vacuum exists with regard to bankruptcy situations in financial firms. A comprehensive Code on Resolution of Financial Firms will be introduced as a Bill in the Parliament during 2016-17.”
- ▶ Following the announcement, on 15 March 2016, a committee was set up under the chairmanship of Ajay Tyagi, additional secretary, Department of Economic Affairs, Ministry of Finance, to draft and submit the Bill.
- ▶ The committee also had representatives of the financial sector regulatory authorities and the Deposit Insurance and Credit Guarantee Corporation.
- ▶ The committee submitted its report and on the basis of it the draft FRDI Bill was drawn up.
- ▶ The finance ministry sought comments on the Bill till 31 October 2016 and after consideration of the suggestions, the Union Cabinet approved it to introduce it in the Parliament.

Objective of the Bill

- ▶ To heavily empower the new authority with sweeping powers to dismantle and erase public sector financial institutions like banks and insurance companies.
- ▶ To ensure an early recognition of a financial firm, regulated by RBI, SEBI, IRDA, PFRDA or any other authority as may be notified by the Central Government, which are in financial distress and thus to provide a *resolution mechanism* to minimize the impact of such financial trouble on the depositors and entire economy of the country.

Features of the Bill

- ▶ ***Establishment of Resolution Corporation:***
 - The Bill provides for establishment of a Resolution Corporation as principal agency with multiple roles of supervision and oversight from a viability perspective, receiver in case of entities for which resolution plan is to be prepared.
 - The Resolution Corporation will act liquidator or receiver in the case of liquidation of entities classified as having imminent risk entities to ensure quick payments to depositors and settle the claims of debtors and equity holders.
- ▶ ***Covered Service Provider:***
 - The Bill provides for the resolution of covered service provider as listed in the Schedule 2 of the FRDI Bill.
 - Under the FRDI Bill, the powers and functions of the Resolution Corporation are applicable to covered service providers. Such covered service providers, among others, include any banking institution, any insurance company, any other financial service provider excluding individuals and partnership firms, Indian branches of foreign banks etc.
- ▶ ***Systemically Important Financial Institutions (SIFIs):***
 - The Bill provides for designation of certain categories of financial institutions as SIFIs by the Central Government.

- Such designated financial institutions may or may not be a covered service provider and once designated all the provisions of the Act will be applicable to them. The Bill also provides some additional provisions in respect to such SIFIs.
- ▶ **Time limit on Resolution:**
 - The Bill provides that any process of resolution of a covered service provider shall be completed within a period of two years from the date on which such entity is classified to be at critical risk to viability. However, such period of two years may be extended for up to one year.
- ▶ **Consolidation of existing laws relating to resolution of certain categories of financial institutions:**
 - The Bill proposes to consolidate the existing laws relating to resolution of certain categories of financial institutions, including banks, insurance companies, financial market infrastructures, payment systems, and other financial service providers into a single legislation.
- ▶ **Repeal off Deposit Insurance and Credit Guarantee Corporation ('DICGC') Act, 1961:**
 - The Bill provides for repeal off DICGC Act, 1961 in the manner as provided in the Bill.
 - Post enactment of the Bill, the DICGC shall stand dissolved and all its functions will be carried out by the Resolution Corporation.
- ▶ **Cross Border Resolution:**
 - The Bill also provides for enforcement of resolution in a foreign country in case there is an agreement to this effect between the Indian government and such foreign country and its regulators.

Working mechanism

- ▶ The government will first form a **Resolution Corporation**, which is expected to cover all firms regulated by the RBI, Sebi, IRDA and PFRDA.
- ▶ This Corporation will take swift action for winding up or dissolving a firm. Once that happens, the Corporation will act like a receiver, ensure quick payments to depositors up to a certain limit to which their deposits have been insured and settle the claims of debtors and equity holders.
- ▶ It will have a corpus or fund built on premiums by firms which are covered under the new law, besides contributions from the government.

Benefits

- ▶ The Bill would help in maintaining financial stability in the economy by ensuring adequate preventive measures, while at the same time providing the necessary instruments for dealing with crisis events.
- ▶ The Bill aims to strengthen and streamline the current framework of deposit insurance for the benefit of retail depositors.
- ▶ It seeks to decrease the time and costs involved in resolving distressed financial entities.
- ▶ The bill seeks to protect customers of financial service providers in times of financial distress.
- ▶ It aims to inculcate **discipline** among financial service providers in the event of financial crises, by limiting the use of public money to bail out distressed entities.

- ▶ Once enacted, a resolution corporation will be setup to strengthen the stability *and resilience* of the entities in the financial sector.
- ▶ It promotes *ease of doing business* in the country.
- ▶ Improve *financial inclusion* and increase access to credit, which may lead to the reduction of the cost for obtaining credit.
- ▶ Increased access to finance enhances enterprise growth, which in turn leads to preserving employment, growth and the creation of new job opportunities.
- ▶ When a bank, an insurance company or a NBFC is in trouble, with little hope of being revived, the current framework makes it extremely difficult to close it down.
- ▶ For example in the case of a bank. Even when there is a substantial erosion of capital of a lender, more and more capital is infused into such an entity, rather than assessing whether it needs to be closed down. That's because of the worry of a systemic risk, the impact on other banks when reports emerge of a bank being shuttered.
- ▶ The proposed law aims to identify such financial firms early on and, through a Resolution Corporation, work on a quicker way of resolving it, either through a merger, sell off or winding it up.

Concerns

- ▶ Unlike in the west, there is no shuttering of banks in India. Rather the regulator and government work together to nudge or force a tottering bank to merge with another lender perhaps prompting some to question whether India needs a resolution corporation.
- ▶ There need to be changes incorporated in other laws as well to make it effective like Nationalisation Act, SBI Act, and LIC Act.
- ▶ Defining the type or size of entities to be covered pose a challenge too.
- ▶ How will government deal with a troubled state owned bank once resolution mechanism is in place is a concern too.

Conclusion

Financial institutions lie at the very core of a nation's economy and their failure (unlike the failure of non-financial institutions) has the possibility of bringing the entire financial system down on its knees. The previous financial crises have taught the financial world that a sound resolution mechanism is one that focuses on the consumers of the financial system and ensures that taxpayers' money is used to the least possible extent. The FRDI Bill is a positive affirmation of this modern philosophy and is geared towards designing a more resilient and efficient financial system.

Once the Bill is enacted, the effectiveness of the Bill depends on how early the RC can identify weak companies in the economy and what steps does it take to ensure minimal loss to exchequer. Overall, its success will protect the customer and improve the investor rating by strengthening the financial system.

INTERNAL SECURITY

Women into Military Police



In a big step towards addressing gender biases in the armed forces, the Army has decided to admit nearly 800 women into the Corps of Military Police in non-officer ranks over the next few years. Currently, women are recruited for selected roles in medical, education, legal, signals and engineering wings, and only as officers.

What is the History of induction of Women in Armed Services in India?

Women were first inducted into the Indian Armed Services way back in 1927 as nurses (military nursing service). Then they entered as doctors (medical officers). It was only in 1992 that the women entered other branches in the armed services, but mostly under Short Service Commissions (SSC), for 10 years, with a possible four-year extension if they so chose.

The Permanent Commissions (PC) for the women officers that exist at the moment include the armed forces medical services, legal and education corps in the three services, the accounts branch of the Air force, and the traffic controllers in the Navy.

The Indian Navy is looking over a policy to get women on board ships. The Navy, however, allows women in various other segments like legal, logistics, naval architecture and engineering departments.

The Indian Air Force made a historic announcement last year when it admitted three women as fighter pilots – Avani Chaturvedi, Bhawana Kanth and Mohana Singh. But this is currently on an experimental basis. The decision to have full-time women fighter pilots will be made after an evaluation of their performances.

The Indian Army is all set to open up combat positions for women, a gender barrier broken by only a few countries globally. However, initially women will be recruited for positions in military police.

What about roles of women in Combat vs. Military Police?

The Corps of Military Police is different from combat.

Combat forces refer to those troops within national armed forces which participate in direct tactical ground combat. The nature of job in the combat units is so different that other considerations come into play such as in case of a woman on frontline being captured, will she be dealt with dignity or not.

Whereas the role of the military police includes policing cantonments and army establishments, preventing breach of rules and regulations by soldiers, maintaining movement of soldiers as well as logistics during peace and war, handling prisoners of war and extending aid to civil police whenever required.

Like police, they help in maintaining law and order; they do not go to the border. The role of this Corps is primarily to assist Army formations in maintaining a high standard

of discipline of its troops, prevent breaches of various rules and regulations and to assist in the preservation of high morale of all ranks of the formation.

Why inducting women into military police is necessary?

The decision could be the first step before including women for combat duties. It will help in analyzing the implications of their induction on bigger frame.

There are allegations of gender specific crimes against army, this prompted the need for induction of women in the military police. During operations in Kashmir, the Army has often confronted women protesters and women soldiers can handle such situation effectively.

What about other countries regarding women in combat roles?

The Indian Army is yet to open doors for combat role for women. Very few countries have allowed women in combat roles. The exceptions include Germany, Australia, Canada, the US, Britain, Denmark, Finland, France, Norway, Sweden and Israel.

What are some of the arguments cited against offering women officers' combat roles?

First, it is said that because of physical or biological reasons, women officers cannot sustain the rigour or enduring powers required in the rough terrains of the battlefields. Being smaller and lighter than their male counterparts, these women officers have almost half the latter's upper body strength and 25-30 percent less aerobic capacity. Besides, the female skeletal system is more prone to fractures.

Psychologically more kind-hearted and compromising, the women fighters cannot take tough decisions easily, particularly while dealing with ground forces as fighter pilots (bombing them for instance). They also need more space and privacy (separate toilets and sleeping arrangements) which can be premium, particularly in platforms like submarines.

Secondly, it has been seen that most women officers like peace-time postings with their families. They need more leaves from duty to attend to the ailing family elders and children's education, let alone the normal maternity leaves from time to time (we do not have the system that prevails in some countries that prohibit their women officers to have babies while performing the combat-roles). That is why, so this line of argument goes, women officers in our armed services should be in roles that do not require physical hardships such as commanding troops, flying fighter jets and manning battle ships and submarines. Instead, they can do more meaningful roles as nurses, doctors, engineers, architects, intelligence officers, cyber experts and legal officers, roles that are as important as the combat ones for the armed forces.

Thirdly, there is possibility of their physical abuse or molestation by the enemy in case they are wounded or taken as prisoners. Even otherwise, as the American example proves (the women constitute more than 20 percent of the total strength of the American forces), those women in the combat roles often complain of sexual abuses by their male colleagues, evident from the rising cases of such complaints in military tribunals and courts.

What are some of the arguments cited in favour of offering women officers' combat roles?

During the World War II, the then Soviet Union employed thousands of women officers inside even the battle tanks. In any case, there are at least 25 countries, many of them advanced like the United States, Canada, Germany, Australia, South Africa, Israel and Russia, which formally permit women in combat positions. Even Pakistan allows women as fighter pilots.

Similarly, it is argued that the question of women being brutalised if captured cannot be overstretched (even though in many cases it is true) as today's women officers

opting for combat roles know what their challenges are and they are prepared for all eventualities as long as they do not affect their resolve or the primary objective of overpowering the enemies.

They are included in paramilitary forces (except Assam Rifles) which are also physically demanding in nature. Even BSF have an all women battalion to guard border.

Barring women from ground combat violates their constitutional right of “equal protection of the law.” Both men and women have a citizenship duty to defend their country

Conclusion

Women provide a vital contribution to critical and creative thinking and decision making in our national security apparatus. This capability is unnecessarily missing in many military units where currently there are no women. Thus, entry of women in military police may prove to be fruitful in maintenance of internal security.

ECONOMIC ISSUE

BIT Dispute Management Strategy

Context

Report of the High Level Committee to Review the Institutionalization of Arbitration Mechanism in India by Justice B. N. Srikrishna Committee has been recently published. The recent report of the Justice B.N. Srikrishna committee, constituted to prepare a road map to make India a hub of international arbitration, has recommended many changes in Indian arbitration law and institutional mechanisms to promote arbitration in India. Hereby, critically analyzing the BIT strategy of India, issues and B. N. Srikrishna committee recommendations for its improvement.

What is BIT?

Bilateral investment Treaties (BITs) or Bilateral Investment Protection Agreements (BIPAs) are agreements between two countries for the reciprocal promotion and protection of investments in each other's territories by individuals and companies situated in either State. They provide treaty based protection to foreign investment.

What is the need of BIT in India?

India's economic liberalisation brought with it a need to provide potential foreign investors with an enhanced form of investment protection that did not rely solely on municipal laws and the domestic judicial system. In order to make India an attractive destination for foreign investment, it was necessary for the Government to agree to the resolution of investment disputes by an independent and unbiased international arbitral panel. As a consequence, India initiated an extensive BIT programme to attract foreign investment.

From a State's perspective, defending investment arbitrations can be a very expensive process. Evidence seems to indicate that in more than half the cases, the arbitral tribunals in investment arbitrations ordered parties to bear their own costs. Further, the reputational damage resulting from investor-state proceedings can deter future foreign investments into the country.

Effective dispute management mechanisms are therefore essential, especially for developing countries that would have to safeguard themselves from arbitral awards that provide for payment of huge costs to the investors. The Government needs to address the issue of the management of disputes arising from BITs more comprehensively. It is critical that formal structures be established to deal with disputes as they arise. This is of extreme importance in light of the number of claims made against India.

According to data available on UNCTAD's Investment Policy Hub, India currently has 76 BITs and 13 other treaties with investment provisions. In the early years, India

saw few claims. The dispute regarding the Dabhol power project was the most prominent, but it was eventually settled by the Government. However, the adverse award in *White Industries v. The Republic of India* not only resulted in many fresh notices, but also caused much consternation as the primary ground for the award was based on delays of the Indian judiciary. The award in *White Industries* triggered a spate of investment treaty claims being raised against India — 17 notices of dispute were received following the award in *White Industries*.

The developments following the award in *White Industries* prompted India to consider redrafting its model BIT (published in 2003) in order to balance investor protection with the Government's regulatory powers and to renegotiate existing BITs on the basis of a revised model BIT. On the basis of this decision, India has written to terminate many of its existing BITs.

What is the five fold strategy suggested by the Committee ?

The following are the five pillars of a proper mechanism for dispute management — procedures, authority, coordination, counsel and funds.

Recommendations under these heads include:

- ▶ Designating a body that would be responsible for dispute management and claims of investors;
- ▶ Creation of a body that would be responsible for coordinating the state's defence at all stages of the arbitration;
- ▶ Creation of an inter-ministerial group to coordinate with the dispute management agency in order to ensure that the state's views are adequately represented before the tribunal;
- ▶ Close monitoring of disputes brought by Indian investors against other contracting states so as to ensure that treaty interpretations by Indian investors do not run contrary to the position adopted by the Indian Government;
- ▶ Appointing qualified and reputed counsel without any conflict of interest;
- ▶ Ensuring that the team of counsel consists of solicitor *and lead counsel* and lastly; and
- ▶ The creation of a fund for defence of investor state proceedings so as to ensure that unavailability of funds does not delay investor state arbitration proceedings.

Recommendations in details are:

- ▶ The **DEA** may be appointed as the **Designated Representative** of the Government in existing BITs by annexing an Additional Protocol to such BITs / issuing a unilateral interpretative statement which clearly mentions that the DEA is the authority for the receipt of notices and other documents under such BITs.
- ▶ The Government may **create the post of an International Law Adviser ("ILA")** who shall advise the Government and coordinate dispute resolution strategy for the Government in disputes arising out of its international law obligations, particularly disputes arising out of BITs. The ILA may be appointed/designated by the Government in consultation with the Attorney General for India. The ILA should have the rank of an Additional Solicitor General and should possess substantial knowledge and expertise in international law. The ILA may be assisted by a team of lawyers with knowledge and expertise in international law and investment law.
- ▶ The ILA may maintain a panel of Indian and overseas lawyers/law firms with experience in investment treaty arbitrations who may be engaged to represent

the Government in BIT arbitrations. Counsel may be engaged on the basis of their expertise and experience in handling investment treaty disputes and their reputation/standing, rather than on the basis of a low fee quote.

- ▶ The ILA may maintain a database of arbitrators with expertise in investment law and arbitration, from which arbitrators may be nominated by the Government once BIT arbitration proceedings are initiated.
- ▶ The ILA may be consulted by the DEA at the time of negotiating and entering into BITs.
- ▶ A **5-member permanent Inter-Ministerial Committee (IMC)** may be set up in order to ensure effective management of disputes arising out of BITs entered into by the Government. The IMC may consist of 1 member each from Ministries of Finance, External Affairs, and Law and Justice, not below the rank of Joint Secretary or equivalent. The ILA shall be the member-secretary of the IMC. A representative of the concerned ministry/department/state government ministry or department whose action/decision is challenged by the investor, not below the rank of Joint Secretary (in case of Central Government ministries / departments) or Principal Secretary (in case of state government ministries/departments) or their respective equivalent, may be the fifth member of the IMC.
- ▶ Once a notice of claim is received under a BIT, the DEA shall communicate the receipt of such notice to the ILA as well as the concerned ministry/department/state government ministry or department that has triggered the dispute.
- ▶ Upon receipt of the notice, the ILA shall promptly convene a meeting(s) of the IMC to formulate the strategy to be adopted in defending the Government, appoint its counsel and make preparations for the defence. The IMC may be responsible for ensuring that adequate funds are available to the ILA to coordinate the defence and appoint lawyers. The ILA shall be responsible for day-to-day management of the dispute and may coordinate with the IMC to take decisions.
- ▶ The Government should look at building in-house expertise in investment law and investment treaty arbitrations by **hiring consultants or lawyers** who have prior work experience and knowledge about the subject in an advisory role, without limiting it to bureaucrats who might not have the requisite capacity to handle such complex issues.
- ▶ The Government may consider **creating a separate fund** under the control of the Ministry of Finance **for defending investment treaty claims and making any payments** required under an investment treaty award made against the Union of India. Allocations may be made in the Union Budget to this fund. While the fund may initially bear the costs of arbitration proceedings and amounts awarded to the claimant, it may later be allocated to the ministry/department that has triggered the investment dispute.
- ▶ While negotiating future BITs, the Government may consider alternatives to investor state arbitration such as state-state arbitration, mediation as a precursor to BIT arbitration etc. The incorporation of appellate mechanisms for dispute resolution in BITs may also be considered.
- ▶ In order to prevent disputes under BITs from arising, the DEA may be made responsible for:
 - Liaising with foreign investors to identify areas where disputes may arise and attempt to resolve problems;
 - Engaging with state governments and various branches of the Government to examine the possible BIT implications of policy decisions; and

- Providing information and training to government officials to foster greater understanding of how policy decisions can affect India's investment treaty commitments.

Critical analysis

The recommendation for the creation of the post of an 'international law adviser' (ILA) will amount to duplicating the existing arrangement to offer advice on international law, including BITs, to the government. The Legal and Treaties (L&T) division of the External Affairs Ministry is mandated to offer legal advice to the government on all international law matters including BIT arbitrations. Instead of creating a new office — which will only intensify the turf wars between ministries, and deepen red tape — the L&T division should be strengthened. This division could be made the designated authority to deal with all BIT arbitrations and thus act as the coordinator of the proposed IMC.

The IMC should have a member from the Commerce Ministry as well. This ministry, while dealing with India's trade agreements — that also cover investment protection — works in tandem with the Finance Ministry. Thus, it is only prudent that both be a part of an IMC on BIT dispute management.

What steps are needed for making the recommendations effective?

The government must establish a clear channel of communication for investors with grievances by notifying a nodal agency and a single point of contact.

Further, once a notice of dispute is received, the government must ensure there is effective coordination between different ministries and agencies to avoid unnecessary delays, inconsistent positions and other prejudicial consequences.

The IMC, as proposed by the committee, should be able to do this task adequately as long as its powers are sufficient and clearly defined. The IMC must be suitably empowered to enable it to meet at short notice and take decisions swiftly.

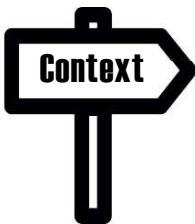
Given the short timelines in BIT arbitrations, it is also necessary to lay down standard procedures governing the conduct of India's defence, including time-bound appointment of counsel, nomination of shortlisted arbitrators, etc. For example, in the ongoing Vodafone BIT dispute, the arbitrator nominated by India recused himself after accepting appointment, and another arbitrator had to be nominated. This caused a lot of delay, and indicates the need for a comprehensive strategy, including in relation to appointment of counsel and nomination of arbitrators.

The government must also stipulate suitable procedures for effectively conducting settlement negotiations (wherever feasible) between aggrieved investors and the IMC.

Lastly, the importance of ongoing coordination with state or local government agencies cannot be overemphasized. Actions taken by state or local government agencies in respect of foreign investments without sufficient consideration of liability under BITs may put the Central government in the unenviable position of facing and defending large claims. There must be adequate dissemination of information regarding India's BIT commitments. A procedure could be established whereby state or local government agencies consult the nodal agency/the ILA prior to taking any action that may affect BIT commitments.

SOCIAL ISSUE

Dismal Picture of Higher Education



The Times Higher Education (THE) has released the latest World University Rankings 2018. The University of Oxford has topped the list, with California Institute of Technology and Stanford University grabbing the second and third rank respectively. This year too, no Indian university/institute made it to the top global list of 100.

Hereby, analyzing the dismal picture of the higher institutes in India.

Findings of the Survey

Overall, 1,000 universities from 77 countries were ranked by the Times Higher Education. Though IISc remained the top university in India, it was placed in the 251-300 groupings of the best universities, a fall from the 201-250 cohort of the previous edition of the ranking.

After first 200 ranks the UK-based university ranking agency Times Higher Education places universities in groups instead of assigning them individual ranks. IISc, IIT Bombay, IIT Delhi, IIT Kanpur and IIT Kharagpur were the top five Indian schools in the 2018 rankings.

IISc slid largely due to drops in its research influence score and research income. While the Indian Institute of Technology (IIT) Bombay continues to be in the 351-400 band, IIT Delhi and IIT Kanpur have dropped by one grouping—from 401-500 to 501-600. IISc Bangalore is the top-ranking Indian institute in THE World University Rankings 2018.

Globally, the University of Oxford retains first place in the rankings, followed by Cambridge, which overtook California Institute of Technology and Stanford University, who came in at a joint third. Massachusetts Institute of Technology (MIT) completes the top five chart.

Rankings of other Asian Universities

It is disappointing that India has declined in the Times Higher Education World University Rankings amid increasing global competition. As leading universities in other Asian territories such as China, Hong Kong and Singapore are consistently rising up the rankings, India's flagship the Indian Institute of Science moves further away from the elite top 200.

Though the US continues to be the top country in terms of the number of universities in the top 200, China this year continued to rise with two of its institutions finding a place in the top 30 for the first time.

China is the only BRICS nation that has advanced dramatically; it is now the fourth most-represented nation in the table, with 60 universities, including seven in the top 200, up from four last year.

Reasons for low ranking of Indian Universities

Indian universities performed poorly on internationalization, which measures how successful a school is in attracting foreign students and staff, a traditional shortcoming of the Indian institutions.

This is because Government policy strictly limits the number of students from abroad who can study in India and prevents international scholars from being hired into long-term faculty positions. This is because the government covers the vast majority of operational expenses – therefore higher education for Indian students is a priority.

While most of its universities have improved on the three international metrics – international students, international staff and publications – all but one have dropped places when ranked on this pillar because they have been surpassed by other universities rising at a faster rate.

Further programmes in universities are too ‘theoretical’, the implication being that they are devoid of ‘practical’ experiences.

There is a disjoint between teaching and research has led to a situation in which, on the one hand, most of the universities have been reduced to the status of centres that teach and examine masses and, on the other hand, more and more elite research bodies are being created where researchers have absolutely no occasion to engage with young minds.

At present, the design of curriculum and syllabi is reflective of the entrenched examination system under which the student is asked to face a question paper at the end of the year, or in some universities, at the end of the semester. This archaic examination system, ostensibly used as a means of certifying the ability of students, unfortunately does not really test the kind of skills they require to be successful in either the pursuit of pure theoretical knowledge or in practical real world situations.

There are many other basic problems facing higher education in India today. These include inadequate infrastructure and facilities, large vacancies in faculty positions and poor faculty thereof, low student enrolment rate, outmoded teaching methods, declining research standards, unmotivated students, overcrowded classrooms and widespread geographic, income, gender, and ethnic imbalances.

Due to above stated factors the ranking of higher education institutes decreases.

How to improve the Ranking of the Indian Universities

- ▶ Instead of multiplicity of regulatory institutions like AIU, AICTE, UGC, NBA, NAAC etc., create one central agency as National Commission for Higher Education & Research (NCHER) covering AICTE and UGC Act.
- ▶ Accreditation to be made mandatory for all universities and affiliated colleges.
- ▶ In order to make our universities world class and centres of excellence, three major success factors must be aligned viz concentration of talent, availability of resources in abundance and favorable governance.
- ▶ Governance Issues: Following are the key governance issues to be addressed by the stake holders:
 - The Governmental control in the Universities must be reduced, so that the University autonomy and accountability are strengthened and academic decisions are taken independently and expeditiously.

- New methods and procedures of financial regulations should be devised and direct interference of the finance department in the financial management of Universities, which is counter productive, should be stopped.
 - As the Colleges are the feeding sources of the Universities, a better coordination in their working and activities is very much required. The participation of the teaching faculty through a democratic process should be ensured.
 - Complete transparency should be maintained in the working of Executive/ Academic Bodies and other Governing Councils of the Universities. There is an urgency to review the University Acts in different States and revise the same in the light of the new requirements and the challenges being faced by the Universities. New technologies of information and communication should be utilized for obtaining administrative efficiency.
 - Higher Education should be developed as an infrastructure for social and economic growth of the Country.
 - Student's involvement in the area of University/College governance should be encouraged.
 - Political interference in the appointment of University teachers and administrators should be totally stopped.
- ▶ Identify few universities / institutes which have potential for excellence and classify them as Universities with Potential for Excellence (UPE). Such UPEs should be eligible for enhanced funding to augment their academic and research infrastructure and also to evolve innovative approaches towards the teaching learning process. Also in parallel, identify the various areas on which these UPEs must focus particularly R&D, consultancy, patenting and above all close coordination with industry. The annual performance of various colleges affiliated to such a universities must be monitored and reviewed for continual improvement. The parameters should be defined which are measurable.
 - ▶ The regulatory bodies should be well advised to emulate some of the best practices for assessment of the institutions and universities prevalent in advanced countries such as US, Europe and even in neighboring countries like Singapore, Korea and China.
 - ▶ Our education system is best suited for our country. If we really want to improve our rankings we need to invest heavily on research. If we look at the Nobel laureates they are innovators and researchers not academicians, we need to build a community, a generation of researchers and innovators to compete with best institutions around the world and this will improve our ranking.
 - ▶ Biometric system of attendance for faculty and staff including head of the university/institutes/college must be introduced as early as possible.
 - ▶ On the lines of US, 3 year contractual system of appointment for the faculty should be considered with a clear provision of removable in case of poor performance.
 - ▶ Running same module by different faculty members in the same semester be introduced giving a clear choice to the students to join any class of their choice.
 - ▶ Depending upon the aptitude of a student, modules on sports, music, art, culture, etc. be introduced in technical courses and given full weightage in the evaluation.

Conclusion: A balance needed

Education is one of the significant factors instrumental to the development of a country. It should be transformed to the needs of the time and changing scenario of the world.

But the question is: should we compete to get a ‘respectable’ place in the world rankings or should we have a ranking system suitable to our country? Any ranking system we adopt should enhance the credibility of universities in the eyes of the general public leading to increased public confidence and trust. The Indian universities, like the other 15,000 universities in the world, have national obligations to perform. One of the important commitments of a university is to provide equal access to higher education even if the university fails to get into the “global rankings”.

The advantage of the nation becoming a global hub for education is that this can yield so much income that the government can then take the responsibility of providing these other kinds of education to its own citizens. The government should take initiatives to ensure inclusive education rather than competing for ranking.

ENVIRONMENTAL ISSUE

India's Waste Management Crisis

Context

Urbanization is increasing all over the planet. Increasing along with it is one of the more unpleasant by-products of urban living: municipal solid waste.

The recent collapse of a great wall of garbage in east Delhi's Ghazipur area, sweeping people and vehicles into a nearby canal, is a stark reminder that India's neglected waste management crisis can have deadly consequences.

Hereby, discussing India's waste management crisis and role of government in handling it.

Introduction

Cities are centers of garbage production, and the amount of garbage they create is increasing even faster than their populations. And for cities in many developing countries, it is rapidly becoming an social, environmental and economic catastrophe.

The Bhalswa dumping site in Delhi can be seen from as far as 5 km. In the 22 years of its existence, the landfill, which is the size of four international sports stadiums, has become almost 15-storeys high. Government spend time controlling fire from the gas that this mountain of waste releases and when it rains, the mountain slides. Delhi generates close to 4,000 truckloads of waste every day. As a consequence, a multitude of "Mount of garbage" can be seen across the country.

Municipal corporation of Delhi (MCD) has gone to court demanding 250 ha from the Delhi Development Authority for new landfill sites. Almost every city in India is seeing rifts among land authorities, local bodies and communities over solid waste management. As the country's economy is growing, it is consuming more, thus, generating more waste. India produced 127 million kg of municipal solid waste per day in 2011-12, as per official estimate. This is 12 times of what Delhi generates. Actual amount could be much more. The World Bank estimates that solid waste generation in India will rise by 243 per cent from 2012 to 2025. After years of mismanagement, the government is now revising rules and manual to deal with the growing solid waste and incorporate the large army of rag pickers and waste dealers in the formal system.

Establishing and improving facilities for collection, recycling, treatment and disposal for MSW management can be very costly. For example, building and operating sanitary landfills and incineration plants require huge investments and incur substantial operation and maintenance costs. Furthermore, it is becoming increasingly difficult to find suitable locations for waste treatment facilities due to the prevalence of the

Not In My Backyard (NIMBY) attitude amongst communities. Meanwhile, if waste is growing at 3-5 per cent a year and rural-urban migration increases a city's population at a similar rate, then a city's waste generation will double every 10 years.

Therefore, efficient waste management is a matter of international concern and countries have to set up robust regulatory waste management regimes for balancing the objectives of development and environment sustainability.

Poorly managed waste has an enormous impact on health, local and global environment, and economy; improperly managed waste usually results in downstream costs higher than what it would have cost to manage the waste properly in the first place. The global nature of MSW includes its contribution to GHG emissions, e.g. the methane from the organic fraction of the waste stream, and the increasingly global linkages of products, urban practices, and the recycling industry.

Waste Management scenario in India

In most developed countries, landfills are regulated but it is not true in case of developing countries due to lack of resources and appropriate technology.

Ideally, garbage dumping regulations ensure that landfills do not contaminate soil and water or pollute the air with disease-causing pathogens, toxic chemicals, and greenhouse gasses, dangers that can affect people, animals and vegetation across multiple state boundaries.

In India, waste management is governed by various sub-ordinate legislations and the Ministry of Environment, Forest and Climate Change, Government of India (MoEF) in conjunct with State Pollution Control Boards of different states (SPCB) administer the gamut of waste management regulations.

The Ministry of Environment and Forests (MoEF) formulated the Municipal Solid Waste (Management & Handling) Rules in 2000. Simultaneously, the Ministry of Urban Development (MoUD) prepared a manual to facilitate the interpretation and implementation of the rules. But the rules barely got implemented. After 14 years, MoEF is now revising the MSW Rules, 2000. Some 250 professionals from the environment and urban development ministries, Central Pollution Control Board (CPCB), urban local bodies and private players from across India were present to deliberate on the draft. It provides detailed guidelines for formulating a waste management plan and defines institutional responsibilities and financial requirements. But fails to provide a practical approach to integrate rag pickers in the formal sector, allocate space for community bins and landfills and address waste management in rural India, among other lacunae.

The reforms in governance sector needed are:

- ▶ To better utilize the services of rag pickers and waste dealers, legal identity and protective gear like boots and gloves should be provided. The rag pickers can be seen in action on top of the landfill. As soon as a truck unloads garbage, they jump into the heap and start segregating. Within minutes, all that is left is unsaleable waste. They bleed every day and catch infection. It is time the government provided some space to the ragpickers for the job they do. They cannot operate in somebody's backyard or adjacent to a drain forever.
- ▶ Waste management in developing countries must emphasize and be linked to the creation of jobs, poverty alleviation and community participation.
- ▶ National policies should promote efficiency in the use of resources, emphasizing waste prevention and the productive use of wastes.

- ▶ Soil degradation and decline in soil organic carbon and soil fertility are widespread. The use of recycled organic products can help to counter this and at the same time reduce accumulation of organics in the city. The rural-urban alliance should be promoted.
- ▶ Other alternatives to landfills:
 - Onsite treatment and utilisation will reduce need for transport.
 - Waste minimization is a socially desirable goal.
 - Subsidy on products generated from recycled materials will encourage socio-economic changes.
 - Centers with technologies that use collected waste materials are needed.
 - Wastes that have severe risks and excessive problems in disposal should be identified and those which cannot be neutralized may need to be restricted at the point of creation or entry.
 - A database on wastes that are available can provide information to possible users of wastes.
- ▶ According to CPCB, 70 per cent of the total solid waste in the country is collected and only 12 per cent is treated. Segregation at source, collection, storage, treatment and scientific disposal of waste are insufficient. Considering the problem of waste storage, there should be replacement of neighbourhood storage depots with metal containers to maintain hygiene.
- ▶ To improve technical expertise stage-wise responsibilities for urban local bodies should be placed, such as preparing detailed project reports and using advanced information technology tools like geographic and management information systems. These would be irrelevant if the technical expertise of the urban local bodies is not enhanced.
- ▶ There can also be public-private partnership (PPP) for waste management projects.

Conclusion

Although waste management responsibilities primarily lie with cities and municipalities, many of the successful cases in waste management involve a wide range of stakeholders in their implementation, the key to success is to do what they are good at, and collaborate with other sectors in the society, such as private sector, communities and in some cases with the informal sector, in the interest of expanding waste management services and improving efficiency and effectiveness.

Urban managers are therefore encouraged to pursue the paths of Integrated Solid Waste Management (ISWM) and Reduce, Reuse and Recycle (3Rs) that place highest priority on waste prevention, waste reduction, and waste recycling instead of just trying to cope with ever-increasing amounts of waste through treatment and disposal. Such efforts will help cities to reduce the financial burden on city authorities for waste management, as well as reduce the pressure on landfill requirements.

They noted that instead of suggesting new PPP projects, the draft should learn from the past. The manual makes no mention of waste management in either rural India or the 3,892 towns without urban local bodies, thus excluding about 70 per cent of the country. It is the definition of the municipal authority that determines the areas that will be covered by the manual.

Rural areas consume biodegradable waste more efficiently than urban areas but plastic and electronic waste have emerged as major problems in rural areas. It is not clear whether the government will draft a separate manual for rural waste. A few kinds of

special waste that find mention in the manual include plastic waste, biomedical waste and waste from slaughterhouses. They need special handling and disposal for the safety of human health and environment. However, in India, such waste usually gets mixed with municipal solid waste. The manual fails to recognise other kinds of special waste like “seasonal waste”. This gets generated during a particular season like Diwali, when the quantum of waste doubles, or during religious festivals like Kumbh Mela in Allahabad, when 30 million people arrive in the city and produce waste beyond the stipulated quantity. Others include hazardous waste such as mercury thermometers and compact fluorescent lamps, horticultural waste and pharmaceutical waste. These wastes finally find their way to the landfills. The manual does not recommend appropriate ways of disposal for all these wastes, nor does it suggest how to increase the awareness of the workers handling special wastes mixed with solid waste. Guidelines for using recyclable packaging material are also missing.

Packaging today is done by metallised layers of aluminium, tin and plastic, which are quite impossible to process. The state of waste management in India today can be best described as deplorable. The draft manual on municipal solid waste management prepared by the government overlooks the practical problems of the sector. In a book “What a Waste: A Global Review of Solid Waste Management,” authors examine how rising urban populations are creating larger and larger waste management problems for cities all over the world. Unsurprisingly, authors found that the world’s urban residents are producing significantly more waste than they were just 10 years ago. Over that time, the waste generated by urban residents has nearly doubled, from 680 million tons per year to more than 1.3 billion tons per year. By 2025, the report anticipates that the world’s urban population will be producing 2.2 billion tons per year. The urban population is expected to be 4.3 billion in 2025. Also increasing are the costs of dealing with all this waste, which poses especially significant problems for developing countries. Today it costs about \$205 billion to manage municipal waste worldwide. By 2025 that cost is expected to increase to more than \$375 billion. Low- and lower-middle-income countries will be hit the worst by these increases in waste and cost, mainly because they’re poor and also because they are rapidly urbanizing. While the urban populations of upper-middle and upper-income countries are expected to largely maintain their levels of waste production in 2025, the urban populations in lower- and lower-middle income countries like India, Nigeria and Kenya will more than double the amount of waste they produce. India needs a robust policy that can be implemented, not one that adds to the existing pile.

ECONOMIC ISSUE

Rationale Analysis of Demonetisation

**Context**

Economic growth slowed to 5.7 per cent in the first quarter of 2017-18 against 6.1 per cent in the preceding quarter. This was sharply below market expectations and came on the back of large-scale destocking undertaken by manufacturers ahead of the Goods and Services Tax rollout and the lingering impact of demonetization. Thus, analyzing the impact of demonetization on the economic growth.

What does the latest data by CSO reveals?

The GDP recorded a growth of 7.9 per cent in April-June quarter last year. The April-June growth estimate, the lowest in at least five quarters, trended down on account of a sharp deceleration in manufacturing growth.

Trade, hotel, transport, communication and services related to broadcasting witnessed a pickup by growing 11.1 per cent in April-June from 8.9 per cent last year, while growth in “public administration, defence and other services” (in Gross Value Added terms) was clocked at 9.5 per cent in April-June as against 8.6 per cent last year.

The Gross Value Added or GVA growth, which serves as a more closely watched estimate for quarterly growth, remained unchanged from the previous quarter at 5.6 per cent in April-June but fell sharply from the 7.6 per cent growth recorded in the April-June quarter last year.

Only three of eight sectors showed a pickup in GVA growth in April-June. Construction and financial services sectors recorded a slowdown with the GVA for “financial, insurance, real estate and professional services” sector growing at 6.4 per cent, down from 9.4 per cent last year.

GVA growth for the construction sector declined to 2.0 per cent in April-June from 3.1 per cent last year. GVA growth for “agricultural, forestry and fishing” declined marginally to 2.3 per cent from 2.5 per cent in the corresponding period last year, data showed.

Government view on demonetization

Finance Minister said that the demonetisation exercise had ended the “anonymity” around the money and identified it with its owner, enabling the government to bring it into the tax net.

The RBI Annual Report reveals that almost all demonetised notes have been returned to the central bank.

According to statement demonetisation has not completely eradicated black money but kept a check on a large part of it. The result of demonetisation has been that more

and more people will now be compelled to come into the tax net, a fact evident from both direct and indirect tax numbers.

What are some arguments which prove failure of demonitisation to remove Black Money?

Demonetisation carried out on the incorrect premise that black money means cash. It was thought that if cash was squeezed out, the black economy would be eliminated. But cash is only one component of black wealth: about 1% of it. It has now been confirmed that 98.8% of demonetised currency has come back to the Reserve Bank of India. Further, of the Rs.16,000 crore that is still out, most of it is accounted for. In brief, not even 0.01% of black money has been extinguished.

Black money is a result of black income generation. This is produced by various means which are not affected by the one-shot squeezing out of cash. Any black cash squeezed out by demonetisation would then quickly get regenerated. So, there is little impact of demonetisation on the black economy, on either wealth or incomes.

The government now argues that it is good that black money has been deposited in the banks because those depositing it can now be caught. But the government had tried to prevent people from depositing demonetized currency by changing rules during the 50-day period.

The government changed the goalpost earlier in November 2016 when it suggested that the real aim of demonetisation was a cashless society. Now it says that idle money has come into the system, the cash-to-GDP ratio will decline, the tax base will expand, and so on. But none of these required demonetisation and could and should have been implemented independently. Further, anticipating the failure of demonetisation in 2016 itself, the government started saying that demonetisation is only one of the many steps to tackle the black economy.

The government's argument that cash coming back to the banks will enable it to catch the generators of black income, and there will be formalisation of the economy, does not hold. Much of the cash in the system is held by the tens of millions of businesses as working capital and by the more than 25 crore households that need it for their day-to-day transactions.

The big failure of demonetisation is that it was carried out without preparation and caused big losses to the unorganised sector.

Why there was a need for a Cost Benefit Analysis of Demonetisation?

The RBI Annual Report reveals that almost all demonetised notes have been returned to the central bank. This number does not include the old notes with District Central Cooperative Banks for the short window when they were allowed to accept deposits after demonetisation. It also does not include the notes within Nepal. The shortfall of Rs 16,050 crore between the notes in circulation when the notes were demonetised and those that were returned, could therefore also be made up once these notes are returned to the RBI.

There is no doubt that those with holdings of unaccounted cash lost some of their wealth in the process of laundering it. To some extent, taxes were paid on it in the process of legitimising it. But in addition to that, illicit wealth was redistributed from black money holders to money launderers. Whether the money launderer was a company owner, a bank employee or a Jan Dhan account holder, there was now a new breed of criminals with wealth obtained from illegal means. The total reduction in black money was therefore much smaller than what might have been envisaged.

International evidence suggests that few countries address the problem of black money by demonetising their currencies. If the problem is large-scale crime, corruption, bribery, bureaucrat-politician nexus, rent seeking, tax evasion etc. the answer lies in

reforming the criminal justice system, law and order, administrative reforms, bringing transparency in the functioning of the state and rationalisation and simplification of the tax system. In this context, the GST will be a far more effective mechanism to bring down tax evasion in indirect taxes considering the greater incentive for compliance that its design holds.

Steps needed to curb black money and terror funding

- ▶ Two of the most vulnerable sectors that have traditionally been exploited for parking crime proceeds and black money is the property, and gems and jewellery market. These sectors have also been used for the temporary investment of terror funds. Unless transactions are made transparent and reflect real market value, black money and terror funds will continue to find their way into these businesses.
- ▶ FICN can potentially be reintroduced into India after a break by Pakistan. In order to sustain action, the following are suggested:
 - Enhance detection measures at public sector banks which have lagged behind some of the private banks over the years.
 - Establish a forensic cell which monitors each case of counterfeit currency to better understand the technology being applied to counterfeit notes. This must contribute to future measures to enhance security against counterfeiting.
- ▶ Demonetisation had provided an opportunity to encourage a shift to a digital economy. This will help bring transparency into the financial transactions of individuals and organisations thereby constraining corruption, criminal proceeds, money laundering and the finance of terrorism, which are all linked given the common channels employed for transferring funds. While demonetisation is likely to encourage it, incentives by the government for payment of bills can further encourage people to take up plastic and e-money options. This is also likely to be enhanced by the forces of market economy which are already offering money back options.
- ▶ A large percentage of funds have been routed through NGOs in West Asia, especially in case of Kashmir. Each institution receiving funds must:
 - Register itself and seek clearance for receiving funds from foreign sources.
 - The controlling group of the NGO or establishment receiving money should be clearly established.
 - A government panel of chartered accountants should audit the accounts of these NGOs.

INTERNATIONAL ISSUE

BRICS Summit

India attended the BRICS Summit in Xiamen China with the leaders of the grouping to support the agenda for a stronger partnership among the member countries. During the two day summit BRICS nations signed 4 pacts aiming at improving and broadening cooperation mechanism and promoting industrial and technical upgradation to enhance economic complementarities.

Hereby, discussing the outcome of the BRICS Summit.

Introduction

The role of Brazil, Russia, India, China and South Africa (BRICS) as emerging protagonists in international development cooperation is significantly and rapidly changing. Over the last decade, BRICS have increased their financial as well as technical assistance and established distinct ways and means of economic cooperation, especially through south south-cooperation with Low Income Countries (LIC). BRICS are striving for more political influence, thereby challenging traditional western donors.

Starting essentially with economic issues of mutual interest, the agenda of BRICS meetings has considerably widened over the years to encompass topical global issues. BRICS cooperation has two pillars – consultation on issues of mutual interest through meetings of Leaders as well as of Ministers of Finance, Trade, Health, S&T, Education, Agriculture, Communication, Labour, etc. and practical cooperation in a number of areas through meetings of Working Groups/Senior Officials. Regular annual Summits as well as meetings of Leaders on the margins of G20 Summits are held.

BRICS has important contributions to make in addressing global challenges and upholding world peace and security, therefore India attaches high importance to the role of BRICS.

BRICS Summit 2017

Given the emerging challenges of global peace and security and for sustainable development the BRICS nations has realized to further strengthen the BRICS solidarity and cooperation based on our common interests and strategic partnership in the spirit of openness, solidarity, equality, mutual understanding, inclusiveness and mutually beneficial cooperation.

Thus building upon the results and outcomes of the Goa BRICS Summit 2016, the current BRICS summit at Xianmen China was aimed at productive discussions and positive outcomes that will support the agenda of a stronger BRICS partnership under the chairmanship of China.

During the visit PM Modi held a series of bilateral meetings including with Russian President Vladimir Putin and other BRICS leaders. He also met the leaders of countries like Egypt who were invited by China as part of the outreach exercise. China invited Egypt, Kenya,

Tajikistan, Mexico and Thailand as guest countries for the Summit. Considering the bilateral relations with China heated up recently and both the nations managed to end the 73-day long Doklam standoff, the BRICS summit holds special importance.

BRICS nations signed 4 documents that aim at improving and broadening cooperation mechanism and promoting industrial and technical upgradation to enhance economic complementarities. The documents signed are:

- ▶ BRICS Action Agenda on Economic and Trade cooperation.
- ▶ BRICS Action Plan for Innovation Cooperation (2017 - 2020) – It aims to facilitate innovation driven development for sustainable development. Strategic framework of BRICS Custom Cooperation is meant for mutual sharing of information, recombination of customs control and mutual assistance in enforcement as guiding principles.
- ▶ Strategic Framework of BRICS Customs Cooperation
- ▶ Memorandum of Understanding between the BRICS Business Council and the New Development Bank of Strategic Cooperation – It's for Economic and Financial research activities in local markets, knowledge exchange financial institution cooperation and human resource development.

FIVE banks of BRICS also signed agreement to establish credit lines

Five banks of the BRICS Bank Cooperation Mechanism have agreed to establish credit lines in the national currencies and cooperate on credit ratings. The agreement was signed ahead of the BRICS (Brazil, Russia, India, China and South Africa) summit.

Brazilian Development Bank (BNDES), Vnesheconom bank, Export-Import Bank of India, China Development Bank and Development Bank of South Africa (DBSA) have signed an agreement to establish credit lines in the national currencies, as well as a memorandum of cooperation on credit ratings.

The decision was taken in order to bolster further cooperation. The Agreement of the credit rating enables the nations to share information about internal credit ratings and rating assessment.

Also, the NDB (New Development Bank) of the BRICS countries has approved USD 1.4 Billion loans for Sustainable development project in China, India and Russia. The Board of Directors of the bank has approved four infrastructure and sustainable development projects in the three countries.

For India, the Bank has approved USD 470 mn loan for Madhya Pradesh's Multi Village Rural Drinking Water Supply scheme project.

Declaring Pakistan based organisation as terror groups

BRICS nations named the Pakistan based outfits as Terror Groups like Lashkar e Taiba and Jaish e Mohammad. The BRICS leaders called for a comprehensive approach to combat terrorism which is a big achievement for India's campaign against terrorism emanating from Pakistan.

BRICS Achievements

After 10 years, BRICS has developed into a brand-new power promoting the constructive reform of global governance; and its main representatives have defended the interests of emerging market economies and developing countries, creating a golden decade.

Achievements:

- ▶ BRICS nations have achieved plentiful and substantial results in promoting global governance, pragmatic cooperation, people-to-people exchanges, as well as mechanism building.

- ▶ BRICS nations have constantly driven the reform and innovation of the global political and economic governance system, and helped steer it in a fairer, more rational and more efficient development direction.
- ▶ By means of mechanisms like meetings on security issues, counter-terrorism, and network security, BRICS nations regularly exchange views, coordinate positions and make joint statements on major international and regional issues of common concerns.
- ▶ BRICS firmly adheres to multilateralism, and have enhanced communication and coordination under the major international bodies and cooperation frameworks, and contributed to building an open world economy and perfecting global economic governance.
- ▶ Mapping out a new blueprint, BRICS countries have become a significant constructive force in instilling increased democracy in international relations, propelling international economic globalization and promoting cultural diversity.
- ▶ Pragmatic economic and trade cooperation has laid a foundation for BRICS cooperation. BRICS countries have formed an important guiding principle – the Strategy for BRICS Economic Partnerships with rich experience in economy and trade, finance, science and technology, traffic, energy and mining industry.
- ▶ BRICS's economic aggregate has increased from 12 percent to 23 percent of the world economy, and their aggregate trade volume has increased from 11 percent to 16 percent of the world total. Its voting share in the World Bank rose to 13.24 percent, and its share in the International Monetary Fund (IMF) climbed to 14.91 percent, and its contribution rate to world economic growth has now exceeded 50 percent.
- ▶ Financial cooperation has become a highlight of BRICS cooperation during its first decade. BRICS nations have successfully pushed for reforms to the Bretton Woods system, the World Bank and the IMF.
- ▶ More importantly, the New Development Bank is the first multilateral financing institution established by developing countries, supporting infrastructure construction and sustainable development in both BRICS nations and other emerging market economics and developing countries.
- ▶ People-to-people exchanges and education cooperation have consolidated friendship among peoples. An agreement on cultural cooperation was signed in 2015, spawning a host of colorful cooperative cultural activities in art, sports, media, think tanks and medicine. Moreover, BRICS nations held athletic meetings, film festivals, and cultural festivals.
- ▶ BRICS also gradually explored new ways to build extensive partnerships. South Africa's joining realized the first round of expansion, embodying the openness and inclusiveness of BRICS cooperation. Consistently committed to carrying out dialogues and cooperation with emerging markets and developing countries and expanding its circle of friends, BRICS works to solidify its friendships with these countries.

Conclusion

BRICS nations noted that the global character of current security challenges and threats confronting the international community requires a comprehensive, concerted and determined approach, based on spirit of solidarity, mutual trust and benefit, equity and cooperation, strong commitment to international law.

There is a need to facilitate closer co-operation and co-ordination of positions on various international issues, keeping broader interests in mind. BRICS needs to consolidate as a group and to find common positions on issues of international importance.

There is a need for target-driven and time-bound deliverables accompanied by appropriate measures and mechanisms for delivery and implementation that are tied to adequate monitoring systems. The implementation of commitments made is a definite way of cementing the institutionalisation of BRICS.

INTERNATIONAL ISSUE

Indo-Japan Ties

**Context**

India Japan Ties in the recent past has gone beyond bilateralism to a deeper diplomatic commitment to establish peace in the Asia-Pacific region. Recently, Japanese Premier Shinzo Abe has visited India and both the nations signed 15 MoUs along with the declaration of the Mega Bullet Train Project to be completed with the aid of Japanese agencies.

The present article looks into the recent developments in India Japan ties and analyzes the ambitious Bullet Train Project.

Introduction

Japanese Premier visited at the invitation of Indian PM for the 12th India-Japan Annual Summit during which a landmark nuclear treaty, the ambitious Shinkansen bullet train agreement and a defence agreement for the US-2 ShinMaywa amphibious aircraft have been signed.

During the meet both the Nations reviewed the progress of the multi-pronged cooperation between India and Japan within the framework of a 'Special Strategic and Global Partnership' and set its future course. Japanese firms are expected to invest Rs 5 lakh crore in India over the next few years. Besides, Japan is already India's highest overseas development assistance (ODA) partner and the country's third largest investor.

Both the nations also join hands like two natural allies in the Asia Pacific region, who are confronting a new reality, i.e. the emergence of China, which sends periodic threats into the South China Sea, East China Sea and the Indian Ocean region.

Abe's visit takes place under the shadow of two important developments in the region. For India, there has been the potentially dangerous confrontation between Indian and Chinese forces in Bhutan's Doklam plateau near the India-Bhutan-China trijunction. While this has been defused for the present it has served to underscore India's vulnerability to pressures from an ascendant China. Japan, too, has been facing such pressures and now has the added threat of a nuclear armed North Korea.

MOUs Signed

India Japan ties in the recent past have focused primarily on advancing the agenda pertaining to industrial clusters for investments and mega-infrastructure initiatives. It is a significant success for Japan's signature Expanded Partnership for Quality Infrastructure (EPQI) initiative. The EPQI, which is critical to achieving Japan's national growth strategy and facilitating expansion to emerging Asian markets, intersects with India's 'Make in India' initiative and 'Act East' policy.

India and Japan signed 15 memoranda of understanding (MoUs) on:

- ▶ **Bilateral relations:** Japan's Free and Open Indo-Pacific Strategy is aligned with India's Act East Policy through enhanced maritime security cooperation, improved

connectivity in the wider Indo-Pacific region, strengthening cooperation with ASEAN, and promoting discussions between strategists and experts of the two countries.

- ▶ **Defence and security cooperation:** India and Japan are determined to enhance defence and security cooperation and dialogues, including Malabar, a trilateral naval exercise involving the United States, Japan and India and other joint exercises. Cooperation has also been pledged in defence equipment and technology, in areas such as surveillance and unmanned system technologies and in defence production.
- ▶ **Infrastructure:** The two countries also committed to an India-Japan Investment Promotion Partnership and to advance cooperation in energy, smart cities, information and communication technology, space, science and technology, biotechnology, pharmaceuticals and health.
- ▶ **UNSC Seat:** On supporting each other for a permanent seat on the United Nations' expanded UNSC.

Ambitious Shinkansen Bullet Train

- ▶ PM Modi and Shinzo Abe laid the foundation stone of the Mumbai - Ahmedabad High Speed Rail (MAHSR) project. It is the Shinkansen model train which will shrink the 316 mile journey from Ahmedabad to Mumbai from 8 hours to around 3 hours.
- ▶ To deepen the economic relationship Japan has also agreed to fund more than four-fifths of the project's \$19 billion (around Rs 1.1 lakh crore) cost by a loan at an interest rate of 0.1 per cent. The loan will be repaid in 50 years by India.
- ▶ The bullet train project is expected to give boost to India's colonial-era railway system but at a price, because bullet trains had evoked debates about their high cost and feasibility in Japan too. But tracking the success story with an impeccable safety track record has positioned Japan as the leader in hi-tech innovation and brilliance of engineering and science.

Do we really need bullet trains?

Mega Infrastructure projects not only shape the economy but also shape environment around them. The proposed Ahmedabad-Mumbai bullet train project has been laid but it has already been criticized for its huge cost and environmental and resettlement concerns.

The project is alarmingly expensive and with a 0.1% interest on the loan from Japan. For the mammoth project like this to succeed both the fares and the number of passengers have to be unrealistically high. Also, with 12 stations on the route, to reach out and touch as many potential commuters as possible, it might not even be able to maintain bullet train-levels of average speeds, given the number of starts and stops.

The Civil Nuclear Deal

- ▶ The landmark Indo-Japanese civil nuclear deal signed in November 2016 came into effect on 14 September 2017. It will enable Japan to export nuclear power plant technology and provide funds for nuclear power plants in India.
- ▶ India is the only non-NPT signatory with which Japan has entered into a civil nuclear deal. This can be described as a recognition of India's impeccable non-proliferation record and this marks a clear strategic and security assistance to India by Japan.
- ▶ Japanese industrial conglomerate Toshiba, which owns the US nuclear major, Westinghouse, will have a major role in supplying technology for the six reactors in Andhra Pradesh.

The Asia-Africa Growth Corridor

- ▶ The AAGC is an attempt to create a free and open Indo-Pacific region by rediscovering ancient sea-routes and creating new corridors linking these regions with India.
- ▶ Trade facilitation will be a major component of the AAGC Framework as the European Commission study has showed that export and import processes were the slowest in Africa.
- ▶ The AAGC will lead to a free and open Indo-Pacific region, factoring in India's Act East Policy and Japan's Expanded Partnership for Quality Infrastructure.
- ▶ India will collaborate with Japan to develop the corridor and is expected to commit about \$40 billion for it, along with Japan.

Impact of the economic cooperation on India and Japan

India though the fastest growing large economy has a credit-to-GDP ratio of just about 60 per cent, compared to 193 per cent for China. Other major manufacturing countries in Asia swing in the 130 per cent to 140 per cent range. So, the Indian economy does need a push both in manufacturing and services. Therefore a stronger Indo-Japanese partnership will benefit India.

Besides it will benefit Japan too as Japan has a saturated market, a dwindling rate of growth and an ageing workforce. But in the recent past it has been able to shrug off a decade-old inertia under Prime Minister Shinzo Abe and the country's gross domestic product (GDP) has expanded by four per cent in the second quarter, fuelled by massive domestic consumption in the build-up to the 2022 Olympic.

So, collaborations between these two disparate economies could lead to new possibilities, while diplomatic ties can help in shaping up a new ambience of peace in the region.

Conclusion

India-Japan relations have not yet acquired the balance and density which a true partnership demands. There is more progress in their security relations, less in their economic and commercial relations. Their bilateral trade, at US\$15 billion, continues to languish and has even declined over the past couple of years. People-to-people relations remain thin and student exchanges have remained modest year after year. It is these areas which need serious reflection and remedy.

INTERNAL SECURITY

Police Surveillance in Age of Big Data



Big data refers to that data which is so huge in number that it cannot be processed using the traditional data extracting techniques. These kinds of data require innovative forms of information processing that enable enhanced insight, decision making and process information.

The advent of Big Data analytics in policing has meant that a much wider section of the public is now under surveillance than before.

Introduction

Police administrators are both politically and practically forced to identify new strategies that maximize emerging technology solutions such as gunshot sensors, surveillance video, social media, and the like. Utilizing such information can help agencies put officers in a position to more quickly and effectively prevent — or at least respond to — criminal activities.

The research paper, based on a close study of the Los Angeles Police Department by Sarah Brayne, assistant professor of sociology at University of Texas in Austin, shows that the use of Big Data analytics has helped the department to act proactively in countering crime threats rather than reactively to crimes.

However, the use of such analytics tools has also allowed discretionary assessments of risks to be supplemented and quantified by risk scores. Yet, the advent of Big Data analytics in policing has also meant that a much wider section of the public is now under surveillance than before. Hereby analysing the application of Big Data in Police Surveillance.

Big Data

- ▶ It means the ability to mine huge amounts of data from diverse sources, understand the accuracy and reliability of that data, and then make critical analyses — and sometimes difficult decisions.
- ▶ This capability is comprised of complex software solutions running on supercomputers coupled with a carbon-based treasure trove of information known as the crime analyst.

Applications

- ▶ **Predictive crime mapping:** This could be used to identify areas where crime is most likely to occur, allowing limited resources to be targeted most efficiently.
- ▶ **Predictive analytics:** This could be used to identify the risks associated with particular individuals. This includes identifying individuals who are at increased

risk of reoffending, as well as those at risk of going missing or becoming the victims of crime.

- ▶ **Advanced analytics:** This could enable the police to harness the full potential of data collected through visual surveillance, such as CCTV images and automatic number plate recognition (ANPR) data.
- ▶ **Big data technology:** This could be applied to open-source data, such as that collected from social media, to gain a richer understanding of specific crime problems, which would ultimately inform the development of preventive policing strategies.

Benefits of using analytics to fight crime

The emergence of Big Data has become the newest natural resource of law enforcement

- ▶ With technology advancements, policy officers can work more directly in their communities, and be empowered by data. They can gain more situational awareness, understand a crisis as it unfolds, and take preventive steps to counter crime, even before it happens.
- ▶ **Targeted Enforcement:**
 - With Big Data analytics, specific policing targets can be set to reduce specific types of crime with breakdowns of tactical responsibilities.
- ▶ **Intelligence Collection:**
 - Big Data technologies enable police officers to respond promptly and effectively to incident reports with the accurate collection and transmission of time and location data. When processed using Big Data pattern matching techniques, this dataset forms the basis for analysis, planning, and results assessment.
- ▶ **Solve old problems with new data:**
 - With the right data at the right time (and secured in the right way) police officers and citizens can be better protected, with officers benefiting for example, from real-time information via mobile devices or social media as they respond to incidents.
 - By partnering with private companies, police forces can overcome budgetary constraints by accessing secure cloud computing at highly competitive rates.
- ▶ Technology can improve accuracy and efficiency of incident response and reporting and allocation of investigative resources. Technology can enhance the efficiency of incident investigations and help increase clearance rates.
- ▶ **Effective Crime Strategies:**
 - Predictive policing is a strategic management system that integrates the factors required to make effective decisions by police officers at all different levels.
 - Predictive policing is not only goal-oriented but also adjustment-oriented. In other words, better decisions are possible when police departments have fast access to deep and timely insights about the quality of crime strategies and crime reduction measures, and accountability for the resulting decisions.
 - Management personnel are charged with the duty to modify or even abandon ineffective prevention crime strategies and adopt and promote effective ones.

- ▶ **Quick Resource Deployments:**
 - In predictive policing modes, tactical units at every level compete for limited resources. Big Data analytics can be used to support public safety strategies and deploy limited resources with maximum flexibility.

Challenges:

- ▶ Although technology presents tremendous opportunities, the challenge still remains to build infrastructures and systems to find the key data in the “haystack.” The problem is that the data haystacks agencies collect, store and manage, are growing exponentially bigger.
- ▶ Police forces do not have access to advanced analytical tools to trawl and analyse unstructured data, such as images and video, and for this reason are unable to take full advantage of the surveillance capabilities.
- ▶ Financial cuts also severely hinder technological development, as the majority of police IT budgets is spent supporting existing legacy systems, with little funding available to invest in new technology.
- ▶ There are significant legal and ethical constraints governing the police’s use of data. Ethics of Big Data analytics is an area of major debate. The issues range from Anonymization of data to what data should be collected and what use it should be put to.
- ▶ Recent ransomware attacks have uncovered the vulnerability of even the developed countries towards hacking.
- ▶ Validation and verification is yet another issue. False figures and facts and then formulating the policies would create more problems.
- ▶ Potential drain of economic wealth of a nation. Financial rewards of big data are enjoyed by the MNCs located in USA.

Solutions:

- ▶ **Infrastructure** for efficient data collection and management must be strengthened.
- ▶ Government can encourage establishment of data centres so that data remain within the country.
- ▶ Encouraging formation of **native internet giants** like how China has done. China has apparently understood this dynamic and taken measure to counter this threat. It has encouraged the formation of large Internet companies such as Baidu and Alibaba and deterred Google and others from having major market share in China by using informal trade restraints and anti-monopoly rules against them.
- ▶ We should also build **research and development** activities in Big Data Science and data centre technology at our academic and research institutions that allow for better understanding of the way in which BDT can be limited to reduce the risk of deductive disclosure at an individual level.
- ▶ **Training** for individuals on how to protect their privacy and for organisations and government officials to put in place strict firewalls, data backup and secure erasure procedures.
- ▶ **Start-ups** can develop technology that enables users to control who gets access to the data about their behaviour patterns in the digital world.
- ▶ Evolving appropriate policies to counter the side effects of the Digital Plan, and avoid unforeseen **eColonisation** of India.
- ▶ Actively engaging policy makers and researchers with the processed data is crucial to bring in cross sectoral transformation.

- ▶ Increased **transparency** will answer concerns and questions about the lack of demographic diversity among police officers.
- ▶ Improving the *recruiting and demographic diversity*. This means systematically analyzing data at every stage of the hiring process. For instance, police agencies can analyze applicant data to improve hiring by strategically targeting particular neighbourhoods and schools for outreach and recruiting.
- ▶ Police agencies should routinely release data about their hiring practices and share informative results that show how they're striving to improve the diversity of their workforce. This type of transparency can foster trust and cooperation between police agencies and the communities they serve.

Conclusion

By taking a strategies approach to technology advancements, police officers are able to capitalize on the data they store, manage and collected. Armed with new data-driven insights, they can now get the right information, at the right time, to keep communities secure and reduce crime.

Big Data can help in improving the police surveillance positively.

GOVERNANCE ISSUE

Public Accountability Concept



The concept of public accountability implies that administrators are obliged to give a satisfactory account of what they do and in what manner they exercise the powers conferred on them. Its main aim is to check arbitrariness in administrative actions and improve administrative efficiency and effectiveness.

However, the standards related to public accountability need to be realistic for example the language in the Prevention of Corruption Act, legislated in 1988, is such that corruption includes even honest decisions by public servants, which many years later may have resulted in a loss to the government. This depletes the urge for innovative initiatives by the civil servants.

Concept of Accountability

Accountability means being answerable for the performance of tasks assigned to a person; if task assigned is selection of beneficiaries for a scheme, then accountability will imply whether the selection has been carried out by applying the criteria, and following the procedures laid down, in the timely manner within the budgets specified. Therefore, accountability requires the clear specification of tasks to be performed, the time frame and budget available for performing those tasks.

Accountability is one of the three important pillars of a trust society, the other two being participation and transparency. Each of these three pillars is the reason of other and also follows each other.

The foundation of this concept however is the democracy Vs bureaucracy debate. This debate unfolds the argument that in a democracy citizens are at the central point of governance- which exists to safeguard the rights and liberties of the citizens however governance operates through bureaucracy which is a institution built on the premise that efficient and effective bureaucracy mandatorily needs some operational autonomy which creates a differential power structure and in turn erodes citizens' freedom up to a certain extent within a society.

This debate further extends to the secrecy Vs openness argument. The openness argument believes that transparency in administration is the key to good governance while the secrecy argument believes that excessive transparency makes the system so much prone to scrutiny that effectiveness and working itself becomes difficult and in some cases even impossible. Thus if we are for democracy and openness our truly democratic society should have no place for an institution like bureaucracy-which creates power differences and defeats the very reason for which it exists in a democracy.

But bureaucracy is the instrument of governance which if jettisoned would turn the modern society into a State less society, which could give birth to problems of even greater magnitude and character in the absence of any regulation enforcing structure, especially at the current levels of human evolution. Thus bureaucracy should necessarily exist and is hence accepted by the modern societies as necessary evil.

But this evil cannot be let loose to exercise arbitrary discretion, it has to be put under checks and balances so that its negative tendencies are curtailed and beneficence is unleashed. Thus is born the concept of accountability and control along with its core challenge of balancing bureaucratic autonomy with citizens' rights and liberties.

It is widely recognized that governance in India today faces a serious crisis of accountability. The very fact that despite significant economic growth, and substantial increases in social sector expenditures, India continues to perform far worse than countries much poorer than her on key development parameters is an indicator of just how deep the problem of accountability is. Accountability failures have meant that absenteeism, incompetence, inefficiency and corruption characterize every core service that the state is obliged to deliver to its citizens.

To maintain accountability and transparency in the system many internal and external methodologies have been adopted. This includes, RTI, e-governance projects, Prevention of corruption act, CVC, Lokpal, etc.

However, these methods too have negative impact on the working of the civil servants. This depletes the urge for innovative initiatives by the civil servants. Accountability standards for public servants have to be kept at a realistic level so that officers do not hesitate in taking honest decisions

Hereby to explain the point, we are discussing the Prevention of Corruption Act.

How the Prevention of Corruption Act harasses honest civil servants?

The **Prevention of Corruption Act, 1988** was enacted to combat corruption in government agencies and public sector businesses in India. This law defines who a public servant is and punishes public servants involved in corruption or bribery. It also punishes anyone who helps him or her commit the crime corruption or bribery.

There is a strong belief amongst civil servants that if you are honest, then no one can harm you. Unfortunately, this case has demolished this belief. Many civil servants, when they join the service, have a strong value system. The national academy teaches that if you are honest, you can take on any challenge. During the course of training in the districts, these values are further strengthened. Peers and colleagues strongly disapprove of any deviant behaviour. Since there are many decisions which civil servants takes during their long careers (of nearly four decades), there is this basic principle which guides all situations: be upright and honest and make the best decision in the interest of the people. In many cases there may be a bonafide mistake. But as long there is no illegal benefit received from them, the officers are not guilty.

However, the Section 13 of the act may act against the honest civil servants.

Section 13 of the Prevention of Corruption Act, 1988

Criminal misconduct by a public servant.—

- ▶ A public servant is said to commit the offence of criminal misconduct,—
 - if he habitually accepts or obtains or agrees to accept or attempts to obtain from any person for himself or for any other person any gratification other than legal remuneration as a motive or reward such as is mentioned in section 7; or
 - if he habitually accepts or obtains or agrees to accept or attempts to obtain for himself or for any other person, any valuable thing without consideration or for a consideration which he knows to be inadequate from any person whom he knows to have been, or to be, or to be likely to be concerned in any proceeding or business transacted or about to be transacted by him, or having any connection with the official functions of himself or of any public servant to whom he is subordinate, or from any person whom he knows to be interested in or related to the person so concerned; or

- if he dishonestly or fraudulently misappropriates or otherwise converts for his own use any property entrusted to him or under his control as a public servant or allows any other person so to do; or
- if he,—
 - by corrupt or illegal means, obtains for himself or for any other person any valuable thing or pecuniary advantage; or
 - by abusing his position as a public servant, obtains for himself or for any other person any valuable thing or pecuniary advantage; or
 - while holding office as a public servant, obtains for any person any valuable thing or pecuniary advantage without any public interest; or
 - if he or any person on his behalf, is in possession or has, at any time during the period of his office, been in possession for which the public servant cannot satisfactorily account, of pecuniary resources or property disproportionate to his known sources of income. Explanation.—For the purposes of this section, “known sources of income” means income received from any lawful source and such receipt has been intimated in accordance with the provisions of any law, rules or orders for the time being applicable to a public servant.
- ▶ Any public servant who commits criminal misconduct shall be punishable with imprisonment for a term which shall be not less than one year but which may extend to seven years and shall also be liable to fine.

Section 13 makes any civil servant criminally liable if his act leads to pecuniary benefit to anyone and which is deemed to be not in ‘public interest’.

There is no need at all to prove whether any financial gain accrued to the civil servant himself. Now a public servant takes – indeed is constrained to take as otherwise everything would come to a standstill – a number of decisions that would naturally benefit someone: be it allotting a plot of industrial land, granting a loan, awarding a contract or doing a purchase agreement. Whether all these decisions are in public interest is a very subjective question at the best of times.

After the reforms of 1990s, private investment has picked up and many licences and natural resource allocation have been made to private players to expand economic growth. So, some private player is being benefitted all the time. What one committee may decide was done in public interest, another may question. These decisions are made under different laws and often in consultation with the state government. It is hardly possible to argue that in all such cases no mistake will be made, or that the concept of public interest won’t differ. This could also be due wrongly furnished facts, or simply bad decisions. Unless there is clear proof of malafide decisions made by the officers and clear benefit received by them, criminality cannot be assigned.

The crux of the matter is the ability to identify persons who acted in a malafide manner and prosecute them. If the current practice is followed, the officers will hesitate to make any decisions at all.

The legislature should, first and foremost, amend the PCA so as to make it mandatory to prove pecuniary benefit to a civil servant before he can be implicated in criminal liability. This one step would go a long way in stopping harassment of well meaning, honest civil servants. They would then be more likely to take decisions without fear and governments would be able to work and deliver faster.

Conclusion

Public Accountability is the obligation resting on each public functionary to act in the public interest and according to his or her conscience, with solutions for every

matter based on professionalism and participation, and divulgment as a safety measure. It is a natural consequence and an essential safeguard against power.

Thus, the essence of the public answering obligation is the requirement that authorities, when what they propose would affect citizens in important ways, will disclose their intentions and their reasoning, their performance standards, and their actual performance and learning. And they are to meet reasonable standards of timeliness, fairness and completeness in their answering.

However the standards defined should be realistic.

TRANSPORT SECTOR

Bullet Train



The Mumbai-Ahmedabad high-speed rail corridor is an under-construction high-speed rail line connecting the cities of Ahmedabad, Gujarat, and India's economic hub Mumbai, Maharashtra. It will be India's first high-speed rail line.

Hereby, discussing the scientific principle behind the bullet train, benefits of it and challenges in its implementation.

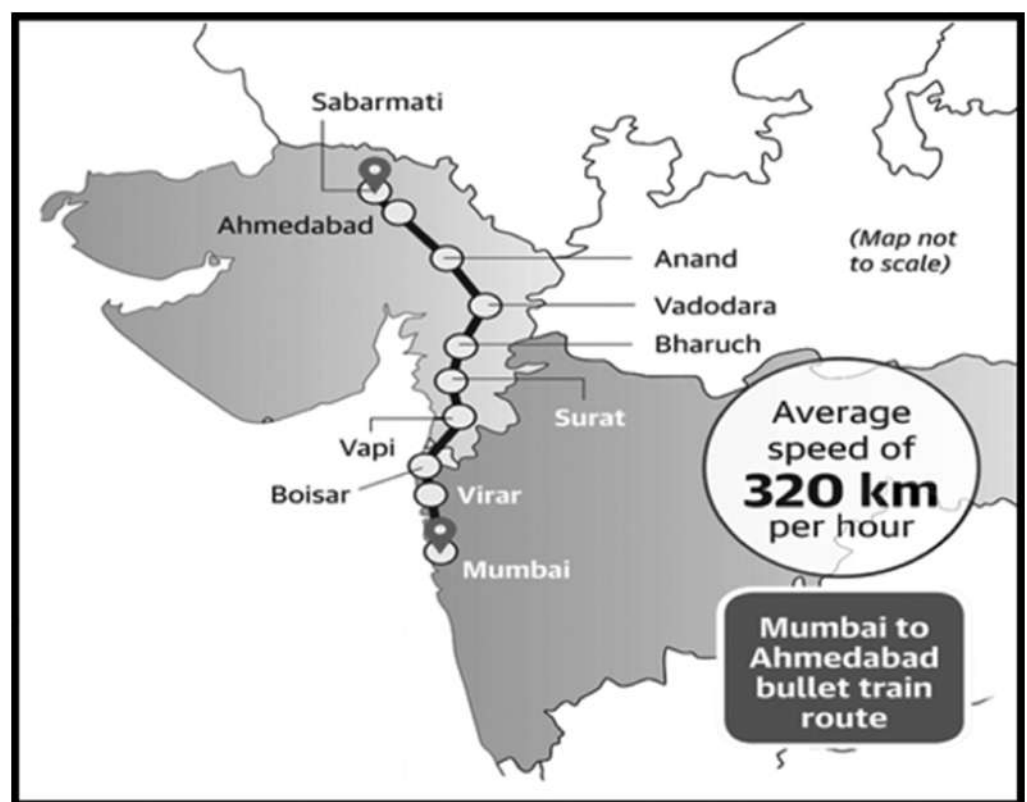
Introduction

- ▶ Prime Minister Narendra Modi and his Japanese counterpart Shinzo Abe on 14 Sept 2017 laid the foundation stone in Ahmedabad for the country's first Rs. 1,10,000 crore, 508 km high-speed rail project between Mumbai and Ahmedabad.
- ▶ The ambitious project is being implemented with nearly 90% financial support and technology from Japan.
- ▶ To be built on elevated corridor with a seven-km undersea tunnel in Mumbai, the project will be based on the famed Japanese *Shinkansen high-speed railway system* with a record of zero casualties in its 50 years of operation.
- ▶ The Narendra Modi government has set an ambitious deadline to complete the project on August 15, 2022 when India marks 75 years of Independence. The project will be executed through a special purpose vehicle, the *National High Speed Rail Corporation Ltd.*
- ▶ The bullet train project will be "humanity friendly" and "eco-friendly" and will usher in the next generation economic growth along the corridor between the two cities.

Key Project features:

- ▶ **Length 508 kms double line.** Mumbai Ahmedabad High Speed Rail will be passing through two states, Maharashtra 155.642 KMs and Gujarat 350.530 KMs and one Union Territory of Dadra and Nagar Haveli 2 KMs.
- ▶ **12 stations:** Mumbai, Thane, Virar, Boisar, Vapi, Bilimora, Surat, Bharuch, Vadodara, Anand, Ahmedabad, Sabarmati. Except Mumbai, all other stations will be elevated.
- ▶ **Maximum Design Speed:** 350 kmph while Maximum Operating speed of 320 kmph.
- ▶ **Journey time:** - 2.07 hrs (limited stops), 2.58 hrs (stopping at all stations).
- ▶ **Maintenance of Trains** – Sabarmati (Depot & Workshop) and Thane Depot.
- ▶ **Operations Control Centre (OCC)** at Sabarmati. High Speed Railway training Centre which was earlier planned at Gandhinagar will now be located at Vadodara.

- ▶ A 21-km-long tunnel will be built between Boisar and BKC in Mumbai, of which 7km will be underwater.
- ▶ The Railways will only require around 825 hectares of land for the project as 92 per cent of the route will be elevated, six per cent will go through tunnels and only the remaining two per cent will be on ground.
- ▶ The train will have two categories of seats - executive and economy — with prices comparable with the base AC 2-tier fare of the Rajdhani Express.
- ▶ **Cost of the Project:** The project is estimated to cost Rs. 1.1 lakh crore (US\$17 billion). The cost includes interest during construction and import duties. Japanese International Cooperation Agency (JICA) agreed to fund 81% of the total project cost Rs. 88,087 crore (US\$14 billion), through a 50-year loan at an interest rate of 0.1% with a moratorium on repayments up to 15 years and the remaining cost will be borne by the state governments of Maharashtra and Gujarat.



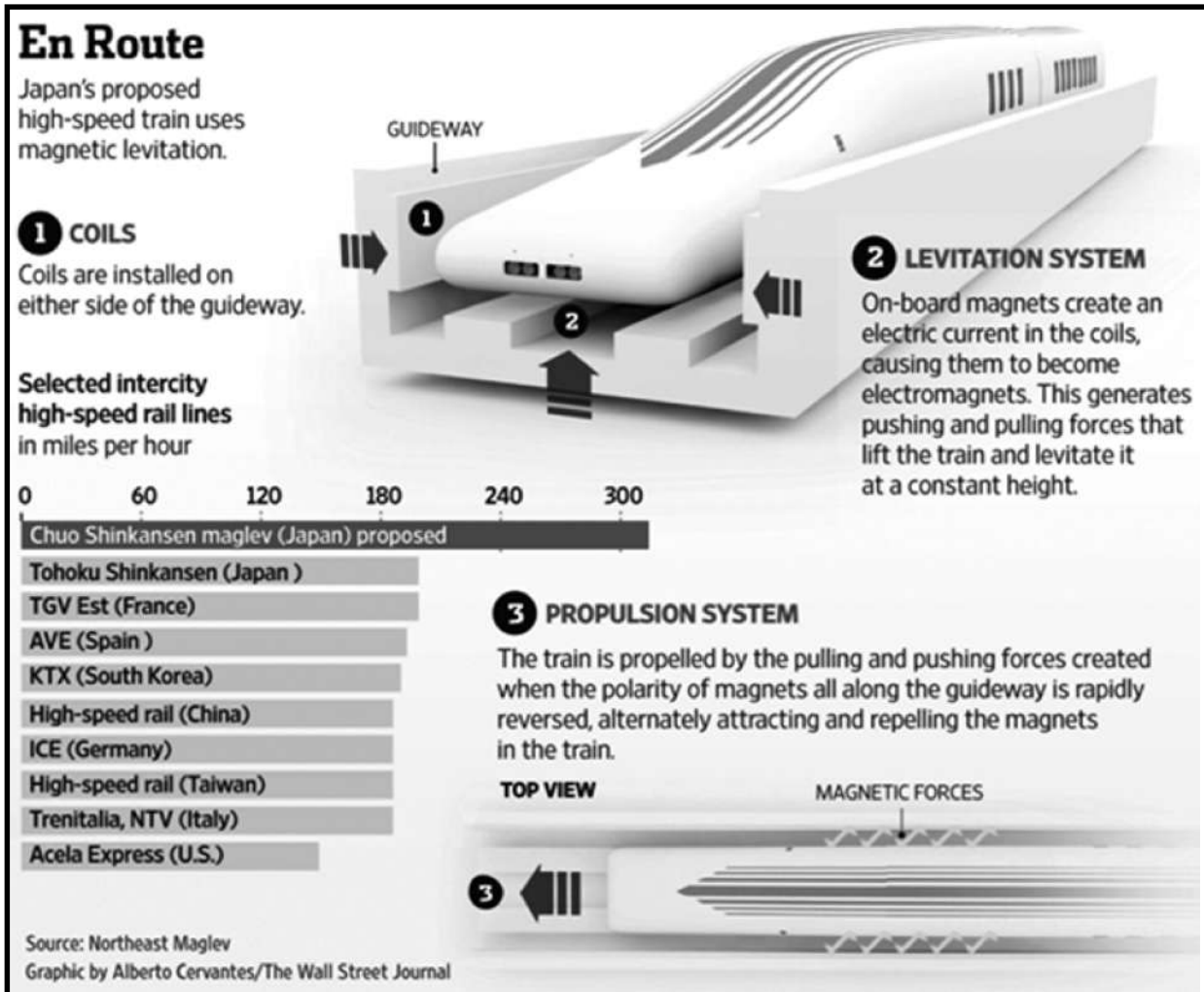
Scientific principle

Bullet trains are outfitted with electromagnets along their undercarriages. The track, meanwhile, is equipped with coils. An electrical current supplied to the electromagnets and monitored by computers constantly changes the polarity of the coils, which allows the magnetic fields system to push and pull the train along the track.

Electrodynamic suspension operates with repulsion magnets. Through this method, the magnetic levitation force keeps the train in a stable position by balancing its weight. This method works with electromagnetic coils on the track and super-cooled superconducting magnets on the train cars. When the trains approach the coils, a current is generated. This current allows the train to levitate roughly 1 inch above the track and center itself.

Bullet trains are capable of speeds of 300 miles per hour or more. Each train carries a battery power supply that operators can engage in the event of a power outage to prevent a sudden stop in levitation that results in a crash.

Big benefit of Maglev train is safety. Maglev trains are “driven” by the powered guideway. Any two trains traveling the same route cannot catch up and crash into one another because they’re all being powered to move at the same speed. Similarly, traditional train derailments that occur because of cornering too quickly can’t happen with Maglev. The further a Maglev train gets from its normal position between the guideway walls, the stronger the magnetic force pushing it back into place becomes.



Advantages of the bullet train project:

- ▶ **Economic benefits:**
 - Investment in infrastructure development has always acted as a catalyst in the economic growth of India. This project could provide an important boost to public investment.
- ▶ **Technological development:**
 - Indian companies imbibe the new technologies and potentially become suppliers to bullet train contracts worldwide.
- ▶ **Cultural transformation:**
 - It can be achieved through a demonstrated ability to implement large projects and improve safety.
- ▶ **India-Japan cooperation:**
 - The soft funding of the project by the Japanese government is an additional advantage, which brings the two countries together and provides significant economic benefits.

- ▶ **Employment generation:**
 - In addition to creating demand for local industry, the project would also generate significant employment for a large number of skilled and unskilled workers.
- ▶ **Fuel efficient:**
 - This system is more energy- and fuel-efficient. Studies show that HSR systems are around three times more fuel-efficient than aeroplanes and five times more fuel-efficient than cars.
 - Given the traffic density in this corridor, this project could lead to a significant reduction in India's carbon footprint.
- ▶ **Agglomeration benefits:**
 - Benefits that accrue from the clustering together of firms and labour markets, and regeneration benefits for an area.
 - The actual construction also provides an opportunity for employment and the potential for technology transfer.
- ▶ **Other:**
 - Reduced journey times that impact individuals and business.
 - Connectivity benefits to populations and markets.

Importance of project for Japan:

- ▶ Japan has struggled to export its bullet train technology. Before India, Taiwan has been the only country to have exported bullet train technology from Japan.
- ▶ High competition from China. Chinese technology is cheaper, which makes it an attractive choice for the cost-conscious developing and middle-income countries of Asia.
- ▶ The competition between China and Japan to export bullet trains is the reflection of broader rivalry between China and Japan for influence in Asia. Therefore, it's not just about bullet trains but the deal has *geostrategic significance* too as both India and Japan has common concerns about China.
- ▶ The project is expected to help revitalise Japan's stagnant economy.

Way forward

It is important to consider the overall long-term benefits, resulting from the high speed rail project aka bullet trains.

The success of this project, however, will lie in its execution. Its successful and timely completion could act as a powerful catalyst to create a culture of efficient project implementation in India. Similarly, there should be a focus on leveraging the post-implementation synergies, which could make this a transformational project for India.

SOCIAL ISSUE

Road Accidents in India



According to the recent report on road accidents, road accidents in the country have decreased by around 4.1% during 2016, with the year seeing 4,80,652 road accidents as against 5,01,423 in 2015. However fatalities resulting from these accidents have risen by about 3.2% during the same period. Nearly 1,50,785 persons were killed in 2016 as against 1,46,133 in 2015.

The recent report of Ministry of Road Transport & Highways stated the need for ensuring road safety. Hereby discussing the facts and steps needed to maintain road safety.

Introduction

Road accidents are an outcome of the interplay of various factors, some of which are the length of road network, vehicle population, human population and adherence/enforcement of road safety regulations, etc. Road accident causes injuries, fatalities, disabilities and hospitalization with severe socio economic-costs across the country. Consequently, road safety has become an issue of concern both at national and international level.

Data of "Road Accidents in India-2016"

The data mentioned in the report are as follows:

- ▶ As many as 17 people died in 55 road accidents per hour on average last year, with nearly half of them in the 18-35 age group.
- ▶ While overall road accidents declined by 4.1 percent, the fatalities were up by 3.2 percent, meaning more than 400 people lost their lives daily on road.
- ▶ A total of 4,80,652 road accidents took place in India last year resulting in the loss of 1,50,785 lives and inflicting serious injuries on 4,94,624 persons.
- ▶ As per the data released by the transport ministry, Chennai witnessed the maximum road accidents during the year - 7,486. It was followed by Delhi with 7,375, Bengaluru 5,323, Indore 5,143 and Kolkata 4,104.
- ▶ However, as far as deaths are concerned, Delhi was the most dangerous. As many as 1,591 people lost their lives in road accidents in the city last year, the data showed. In Chennai, the death toll was 1,183. In other words, more than four people died daily on Delhi roads and more than three in Chennai. Jaipur at 890 and Bengaluru at 835 followed the two Indian mega metros in road deaths. Mumbai was comparatively safer in terms of road deaths, with 562 deaths, lower than even Kanpur and Lucknow.
- ▶ A state-wise classification shows that Tamil Nadu had the highest number of accidents - 71,431. As much as 14.9 percent of total accidents in 2016 happened in the state. Madhya Pradesh stood second with 53,972, followed by Karnataka 44,403, Maharashtra 39,878 and Kerala 39,420.

- ▶ In 2016, Uttar Pradesh topped in number of persons killed in road accidents with 19,320 or 12.8 percent of the total. Tamil Nadu witnessed 17,218 (11.4 percent) deaths, Maharashtra 12,935, Karnataka 11,133 and Rajasthan 10,465.

Reasons for most of the Road accidents

Most of the road users are quite well aware of the general rules and safety measures while using roads but it is only the laxity on part of road users, which cause accidents and crashes. Main cause of accidents and crashes are due to human errors.

Different reasons for road accidents are:

- ▶ **Over speeding:** Most of the fatal accidents occur due to over speeding. It is a natural psyche of humans to excel. If given a chance man is sure to achieve infinity in speed. But when we are sharing the road with other users we will always remain behind some or other vehicle. Increase in speed multiplies the risk of accident and severity of injury during accident. Faster vehicles are more prone to accident than the slower one and the severity of accident will also be more in case of faster the severity of accident will also be more in case of faster vehicles.
- ▶ **Drunken Driving:** Alcohol reduces concentration. It decreases reaction time of a human body. Limbs take more to react to the instructions of brain. It hampers vision due to dizziness. Alcohol dampens fear and incite humans to take risks. All these factors while driving cause accidents and many a times it proves fatal.
- ▶ **Distraction to Driver:** Though distraction while driving could be minor but it can cause major accidents. Distractions could be outside or inside the vehicle. The major distraction now a days is talking on mobile phone while driving. Act of talking on phone occupies major portion of brain and the smaller part handles the driving skills. This division of brain hampers reaction time and ability of judgement. This becomes one of the reasons of crashes. Some of the other distractions on road are: Adjusting mirrors while driving; Stereo/Radio in vehicle; Animals on the road and Banners and billboards.
- ▶ **Red Light jumping:** It is a common sight at road intersections that vehicles cross without caring for the light. The main motive behind Red light jumping is saving time. The common conception is that stopping at red signal is wastage of time and fuel. A red light jumper not only jeopardizes his life but also the safety of other road users.
- ▶ **Avoiding Safety Gears like seat belts and helmets:** Wearing seat belts and helmet has been brought under law after proven studies that these two things reduce the severity of injury during accidents. Wearing seat belts and helmets doubles the chances of survival in a serious accident. Safety Gears keep you intact and safe in case of accidents.

Social impact of Road accidents

Road accidents not only does the loss or impairment of a breadwinner of a family inflict emotional trauma on lakhs of families, it imposes a severe financial burden by pushing entire households into poverty.

It is clear that the outcome of a serious injury or death of a family member in poor communities has many long-term effects, socially, economically and psychologically on all the other family members and the community. Many of these outcomes are permanent and soul destroying for individuals and possibly for the larger community.

Steps taken by the government

The Ministry of Road Transport and Highways has taken a number of steps to prevent road accidents as per details mentioned under:

- ▶ The Government has approved a National Road Safety Policy. This Policy outlines various policy measures such as promoting awareness, establishing road safety information data base, encouraging safer road infrastructure including application of intelligent transport, enforcement of safety laws, etc.
- ▶ The Government has constituted the National Road Safety Council as the apex body to take policy decisions in matters of road safety.
- ▶ The Ministry has requested all States/UTs for setting up of State Road Safety Council and District Road Safety Committees, and to hold their meetings regularly.
- ▶ The Ministry has formulated a multi-pronged strategy to address the issue of road safety based on 4 'E's viz. Education, Engineering (both of roads and vehicles), Enforcement and Emergency Care.
- ▶ Road safety has been made an integral part of road design at the planning stage.
- ▶ Road Safety Audit of selected stretches of National Highways has been taken up.
- ▶ High priority has been accorded to identification and rectification of black spots (accident prone spots) on national highways. Around 700 such black spots have been identified for improvement.
- ▶ The threshold for four laning of national highway has been reduced from 15,000 Passenger Car Units (PCUs) to 10,000 PCUs. About 52,000 Km of stretches of State Highways has been identified for conversion to national highways.
- ▶ Setting up of model driving training institutes in States and refresher training to drivers of Heavy Motor Vehicle in the unorganized sector.
- ▶ Advocacy/Publicity campaign on road safety through the electronic and print media.
- ▶ Tightening of safety standards for vehicles like Seat Belts, Power-steering, anti-lock braking system, etc.
- ▶ Providing cranes and ambulances to various State Governments under the National Highway Accident Relief Service Scheme for development on National Highways. National Highways Authority of India also provides ambulances at a distance of 50 Km. on each of its completed stretches of National Highways under its Operation & Maintenance contracts.
- ▶ Launch of pilot projects for providing cashless treatment of road accident victims on Gurgaon – Jaipur, Vadodara – Mumbai stretch of National Highways No. 8 and Ranchi – Rargaon - Mahulia stretch of National Highway No. 33.
- ▶ Improving road accident data collection and data base management.
- ▶ Vehicular Safety Standards are being set for all classes of vehicles. Trucks are prohibited from carrying protruding rods; Anti-locking Brake System (ABS) made mandatory on Heavy Vehicles; Cars to have provision for fitment of at-least one child seat. Car Crash Standards to be made mandatory w.e.f. 1st April, 2018; ABS/CBS for Two Wheelers mandated w.e.f. 1st April, 2018; AHO (Automatic Headlight On) made mandatory for Two Wheelers to make them more conspicuous; Bus Body Code for safer and comfortable buses; Truck Body Code for safe cabins to drivers and other road users; Mandatory Fitment of Speed Governors on Transport Vehicles to avoid over speeding.
- ▶ Model Institutes of Drivers Training and Research (IDTR) and Refresher course for Drivers in the unskilled sector have been set up.

- ▶ Guidelines have been issued by the Ministry to prevent the harassment of “Good Samaritans” who help road accident victims. The Supreme Court has accepted these guidelines and has asked states for implementation.

Conclusion

Road safety risks could be reduced if proper implementation of rules takes place and there is an attitudinal shift in the society towards Road safety.

ECONOMIC ISSUE

Draft Amendments to Mineral Auction Rules, 2015



The central government has decided to simplify the Mineral Auction Rules, 2015, with the aim of encouraging more companies to participate in non-coal auctions. Thus, government has proposed Draft amendments to Mineral Auction Rules, 2015.

Introduction

Mining is expected to be a key Industry to foster investments, both domestic and foreign, and therefore the prospects for growth and generation of employment are profound.

Thus, for the proper governance of the sector transparent and feasible Mineral Auction Rules are required.

The necessary Rules for enabling the transparent auction of mineral blocks under the MMDR Amendment Act, 2015, viz. the Minerals (Evidence of Mineral Contents) Rules, 2015 and Mineral (Auction) Rules, 2015 were notified subsequently by the Ministry of Mines. The Ministry also formulated the 'Modern Tender Documents' to facilitate the State Governments to expedite the auction process.

Mineral (Auction) Rules, 2015

Following the successful initiation of auctioning coal blocks, the Central Government of India has framed the Mineral (Auction) Rules, 2015 for auctioning other minerals. However, the unlike coal, the mineral auctions will be conducted under the ambit of State Governments.

Under the rules, through auctions the State Governments will grant the leases in two forms – Mining Lease where evidence of mineral contents is established and Composite Lease, a combination of a prospecting licence (PL) and a mining lease (ML), where there is inadequate evidence of mineral contents.

The rules will be applicable to all minerals, except (a) coal & lignite, (b) atomic minerals like uranium, lithium, zirconium, titanium, etc. and (c) minor minerals like building stones, gravel, ordinary clay, ordinary sand, etc.

Salient Features of the Rules

- ▶ According to the rules, the Government will initiate an auction process for grant of a mining lease with respect to an area within the State. It will issue a notice inviting tender (NIT) with respect to mineral auction, identify and demarcate the area where a mining lease is proposed to be granted through auction by using total station and differential global positioning system. It is also required to classify the area so demarcated into forests land, land owned by the State Government and land not owned by the State Government.

- ▶ The eligibility conditions for participating in the auction has been simplified and categorized according to the Value of Estimated Resources (VER) which is defined as the product of –
 - the estimated quantity of mineral resources for which the mineral block is being auctioned, expressed in metric tonne; and
 - the average price per metric tonne of such mineral as published by Indian Bureau of Mines for the relevant State for a period of twelve months immediately preceding the month of computation of the Value of Estimated Resources.
- ▶ The auction will be conducted electronically. The bidding will be done in two rounds. In the first round the bidders will be required to furnish the technical details and the “*Initial Offer*” which has to be equal to or greater than the “reserve price” mentioned by the Government. In the tender document the Government will specify a “*Reserve Price*” which will be the minimum percentage of the value of mineral despatched.
- ▶ The highest initial offer in the first round will be considered as the floor price in the second round where the technically qualified bidders will be required to bid for the final offer for the lease area in terms of percentage of the value of mineral despatched which the bidder will like to pay to the State Government.
- ▶ It mentions that the State Government will obtain the conditional forest clearance and wildlife clearance or any other law so as to enable commencement of operations. It was also supposed to obtain all necessary permissions from the owners of the land and those having occupation rights.

Amendments proposed

The amendments (in mineral auction rules) are aimed at ironing out some of the practical difficulties faced by the governments on past auctions.

- ▶ The government is trying to encourage the smaller players with such steps. Earlier, if the VER of an iron ore mine was Rs 450 crore, the company — participating in auction — would need a net worth of minimum Rs 18 crore. If the proposed amendments to the mineral auction rules are adopted, any company with a net worth of more than Rs 4.5 crore can bid for this iron ore mine,” said a former Union mines secretary.
- ▶ The draft rules also plan to permit state governments to proceed with auctions if — even in the second attempt — the number of technically qualified bidders for a mine remain less than three.
- ▶ The amendments — which are at a draft stage currently — will also prevent the company that has won the bid from “squatting” on the mine and adopting “delaying tactics”. Moreover, it will allow the state government to use the “all-India average sale price by Indian Bureau of Mines (IBM)” as a benchmark for auctions if the state’s average sale price is not available.
- ▶ Rule number 10 (6) currently states that the mining lease/licence shall be “executed by the state government within thirty days of the date of completion of the conditions” by the company that has won the bid. Through the amendment, the government has proposed adding one clause to this rule, which states that if a time period of three years has passed “from the date of (granting) the letter of intent”, no mining lease deed shall be executed and the “letter of intent will be invalidated leading to annulment of the entire process of auction and the state government may grant the mineral block only through a fresh auction process”.

According to the Central government’s explanatory note, this particular amendment “will prevent squatting and adoption of delaying tactics that a successful bidder may adopt for some reasons; and will ensure commencement of mining at the earliest”.

Conclusion

From lowering net worth cap for firms to permitting states to proceed with auction even if qualified bidders are less than three, Centre’s draft amendments to Mineral Auction Rules, 2015, hopes to attract a larger set of bidders and make the mining sector transparent and efficient.

SOCIAL ISSUE

Women in Judiciary Matters

**Context**

The catalyst for empowering women and ensuring their rights require gender-sensitive judicial system. If a comprehensive justice system falls in place, social, economic and political rights for women would also fall in place. However this requires entry of women in the judicial system in large number.

Thus, this article mainly focuses on the benefits of entry of women in the judicial system.

Introduction

The Judiciary in India performs various important role and functions which do not remain confined within the traditional jurisdiction of Civil and Criminal proceedings.

In case of violation of law, a suit is filed against the offender. The judge hears both sides and decides whether there has been a break of the law. In case of violation of law, the judiciary establishes justice by providing redress and punishing the offender.

The judges, by way of interpreting the existing laws, make new laws.

The Judiciary acts as a protector of rights of the citizens guaranteed by the law of the land and the constitution. The court can declare any law which transgresses a fundamental right as invalid. In India the judiciary has the power to issue writs in the name of habeas corpus, prohibition, mandamus, quo warranto and certiorari.

Present scenario in India

There is one woman judge among the 25 Supreme Court judges at present: Justice R. Banumathi, a former Chief Justice of the Jharkhand high court who was elevated to the Supreme Court in August 2014 and was, earlier this year, part of the bench that confirmed the death sentence on the men convicted in the 16 December 2012 “Nirbhaya” gang-rape case.

The lack of gender diversity in the higher judiciary has been commented upon in the past. Of the 229 judges appointed to the Supreme Court since 1950, when it was established, only six have been women. It took the court 39 years to get its first woman judge, Fathima Beevi, who was appointed in 1989. It would take another seven years for the appointment of the second woman judge, Sujata V. Manohar, in 1994. In the 23 years since, only four more women have been appointed Supreme Court judges.

Women judges so far have been discussed below:

- ▶ **Justice M. Fathima Beevi:** She was the first woman to be appointed to the Supreme Court. She started as an advocate who practised in Kerala for eight years before being appointed judge in the Kerala high court in 1983. She retired from the Supreme Court in 1992, and went on to serve as the governor of Tamil Nadu.

- ▶ **Justice Sujata V Manohar (1994-99):** She may have been the second woman judge of the Supreme Court but she was the first woman Chief Judge and the first woman Chief Justice of the Bombay High Court. Having practised as an advocate for almost 20 years, she was known for taking up public interest litigation and doing pro bono work. In her stint at the apex court, she was on the three-judge bench that dealt with the issue of sexual harassment at the workplace and paved the way for the Vishaka Guidelines.
- ▶ **Justice R Banumathi (Present):** More than halfway into her tenure as a Supreme Court judge, she is currently the only sitting woman judge. She was part of the bench that passed the death sentence in the 16 December Nirbhaya gang-rape case. Penning a separate judgement, for which she was lauded, she said that the case came within the category of “rarest of rare”, where the question of any other punishment is “unquestionably foreclosed”. She added that if at all there was a case warranting death sentence, it was this.
- ▶ **Justice Ranjana Prakash Desai (2011-14):** As a lawyer, Desai leaned towards criminal matters before being appointed special public prosecutor for preventive detention matters in 1986. With years of expertise in criminal law, she served as one of the judges who upheld the death sentence awarded to Ajmal Kasab, the lone surviving terrorist of the Mumbai attacks of 26 November 2008. She was also part of the bench that held that registration of FIR in cognizable offences was mandatory.
- ▶ **Justice Ruma Pal:** She addressed women-related issues, stressing, for example, on cruelty and mental cruelty being grounds for divorce. As a former judge, she has voiced concerns about judicial accountability and the lack of a mechanism for this. She developed a reputation for speaking her mind fearlessly even if it involved criticizing her own colleagues.
- ▶ **Justice Gyan Sudha Misra:** Having served as the Chief Justice of the Jharkhand high court for almost two years, her tenure at the apex court saw four eventful years during which she was part of various landmark cases. She was part of the bench that rolled out the initial clean-up of the Board of Control for Cricket in India by barring Narayanaswami Srinivasan from contesting elections to the board in the wake of a spot-fixing scandal. She was also lauded for drawing a distinction between active and passive euthanasia in the case of Aruna Shanbaug, who had been kept on life support following a sexual assault in 1973.

Significance of having Women in judiciary

For proper functioning of the judicial system, the salient features required are **judicial independence, impartiality and integrity**. Alongwith that the composition of the judiciary must reflect the composition of society if it is to be perceived as legitimate and capable of delivering equal justice and upholding equality before the law.

Thus the composition of women in judiciary should be equal, however, it is disappointing that women are not coming into the judiciary in greater numbers.

The significance is as follows:

- ▶ Women in judiciary increase diversity within a judiciary, and ensure judges are representative of society thus, enables the judiciary as a whole to better respond to diverse social and individual contexts and experiences.
- ▶ Without full and equal representation of women in the judiciary, the overall quality of judicial decision making is impoverished, and this impacts generally and also specifically in cases particularly affecting women.

For example, the Supreme Court ruled that if a wife forced her husband to stay away from his family it was an act of “cruelty” and a ground for divorce. The apex court held no son will like to be separated from his dependent parents and it was the norm for a woman to be with her husband’s family after marriage and become an integral part of it. “This particular judgment has less to do with the gender imbalance in our judiciary and more to do with the personal prejudices of the judge and the deep-rooted prejudices of Indian society.

- ▶ Diversity of the judiciary is important because it will create a judiciary a more representative one where there will be judges from different religion, Race, Gender. So that when a dispute comes before a court a particular type of a judge would do more justice than a non representative one because that matter would be more familiar and more understandable by the more representative judiciary.
- ▶ Similarly, increasing the ranks-and the visibility—of women judges gives women lawyers the confidence to pursue the judiciary as a career path. In addition to being role models for lawyers, women judges play an important role in inspiring our youth.
- ▶ A woman judge will understand the realities of a woman’s life better.

The judiciary is urgently in need of women judges who will be more sensitive to crimes against women such as rape.

For example, the judgment delivered by Justice P. Bhagwati and S. Murtaza Ali in Pratap Misra versus State of Orissa in 1977 where it was laid down that the prosecution must look for signs of resistance by a rape victim displayed a patriarchal mindset which has undergone transformation. Later, the apex court has clarified that if there are no signs of injury, it does not mean that rape has not been committed.

Thus there is need to remove the obstacles present in women’s full and equal participation in the judiciary.

Women face great challenges in entry to and acceptance within the judiciary. The appointment system for selecting judges should encourage the best candidates to come forward, ensuring that the broadest pool of talent will be considered for judgeships. However, under the collegiums system, transparency is low. By removing the barriers which keep some women from becoming judges, merit selection can bring greater diversity to the bench.

There is need to remove gender stereotypes, norms and roles that prevent women’s full and equal participation in the judiciary.

Conclusion

Diversity can only enrich the quality of judicial decisions-and women in the legal profession have a unique contribution to make in advancing our constitutional freedoms so to assure justice for all.

Prelims News

Context

Hereby, compiling the important short notes of September (1 to 15), 2017.

Indian Culture

TABOURIDA

- ▶ Tabourida, or La'ab Al-Baroud, "The Game of Powder" is the display of mimics and pays tribute to military parades performed by Arab and Berber tribes since the 15th century.
- ▶ Each troupe, or sourba, of 10 to 30 riders is judged on their synchronicity as a group. After lining up at the top of a track, wearing ceremonial robes and with their horses dressed in elaborate bridles and brightly-colored saddles, the lead rider calls out and the troupe races down the field.
- ▶ After another signal from the leader, or muqadim, the riders brandish their guns and each fires a single shot in unison.
- ▶ It also is an expensive and dangerous sport. Arabian or Berber horses of the highest stock can cost as much as 300,000 Dirhams (\$30,000.) Inexperienced riders frequently fall from their horses, and troupes run the risk of hitting a barrier at the end of the track if they are unable to stop their horses in time.



BAMBOO TRAIN CAMBODIA

- ▶ Battambang's bamboo train is one of the world's all-time unique rail journeys. From O Dambong, 3.7km east of Battambang's old French bridge (Wat Kor Bridge), the train bumps 7km southeast to O Sra Lav along warped, misaligned rails and vertiginous bridges left by the French.
- ▶ The bamboo-lined flat trollies are a testament to Cambodian creativity and enterprise in an impoverished nation with little infrastructure.
- ▶ They were first invented as part of a homegrown, unofficial transport system to make use of the country's abandoned colonial-era train tracks but later morphed into a popular tourist attraction.
- ▶ Government of India is looking at restoring the colonial-era railway tracks, on which the Cambodians built a one-of-a-kind bamboo-lined flat trollies as a mode of transport.

ADOPT A MONUMENT

- ▶ In an attempt to increase public private partnership in conservation and maintenance of heritage sites, the tourism ministry has launched the 'Adopt a Heritage' scheme, inviting private and public sector companies to become 'Monument Mitras'.
- ▶ The 'friends of monuments' will adopt heritage sites, develop basic and advanced amenities at monuments and look after their operation and maintenance. For their services, Monument Mitras will be "given visibility" on the monument premises as well as on the tourism ministry's Incredible India website.

- ▶ The 'Adopt a Heritage' scheme is a repackaged version of the existing National Culture Fund (NCF) – in operation since 1996 – under which private firms can offer to preserve and protect tangible and intangible heritage in India and choose to develop amenities, undertake research or offer funds for building or maintaining a heritage project.

PULIKKALI TIGER DANCE

- ▶ Pulikkali is a recreational folk art from the state of Kerala.
- ▶ It is performed by trained artists to entertain people on the occasion of Onam, an annual harvest festival, celebrated mainly in the Indian state of Kerala.
- ▶ On the fourth day of Onam celebrations (Nalaam Onam), performers painted like tigers and hunters in bright yellow, red, and black dance to the beats of instruments like Udukku and Thakil.
- ▶ Parts of the dance included performers depicting a tiger catching a goat and being hunted down while traditional percussive instruments like the udukku and the thakil are played.
- ▶ The traditional folk event dates back 200 years in India and is a carefully-kept tradition by artists of the area.

MAHA PUSHKARAM

- ▶ Kaveri Pushkaram is a festival of River Kaveri that normally occurs once in 12 years. This Maha Pushkaram (occurs once every 144 years) is observed for a period of 12 days from the time of entry of Jupiter into Tula rasi.
- ▶ **Pushkaram is the festival dedicated to worshiping of rivers in our Sanatana Dharma.** It is also a way of thanking & showing our gratitude to the mighty and holy rivers that have sustained civilization after civilization on its banks nurturing all forms of life.

Geographical News

DAHISAR RIVER

- ▶ Dahisar River is a river on Salsette island that runs through Dahisar, a suburb of Mumbai, India. It originates at the spillway of the Tulsi Lake in the Sanjay Gandhi National Park in the northern reaches of the city. The River flows

roughly North-West for a total of 12 kilometres through the localities of the National Park, Sri Krishna Nagar, Daulatnagar, Leprosy Colony, Kandar Pada, Sanjay Nagar, and Dahisar Gaothan before meeting the Arabian sea via the Manori Creek. Its total Catchment area is 3488 hectares.

MITHI RIVER

- ▶ The Mithi River is a river on Salsette Island, the island of the city of Mumbai, India. It is a confluence of tail-water discharges of the Powai and Vihar lakes. The river is seasonal and rises during the monsoons. The overflowing lakes also contribute to the river flow, which is stopped by a dam at other times.

DEOGARH OPEN DEFECCATION

- ▶ Open defecation is a practice which is unrestrained in India and the country is home to the world's largest population of people who defecate in the open and nearly half the population of India, defecate in the open.
- ▶ India accounts for 90 per cent of the people in South Asia and 59 per cent of the 1.1 billion people in the world who practice open defecation.
- ▶ A very lower proportion of India's rural population uses toilet and in fact about 65 per cent of people in rural areas do not have access to toilets which is one of the main reasons why India loses more than 6,00,000 children under the age of five year due to diarrhea and pneumonia. Deogarh, which became the first open defecation-free (ODF) district in Odisha, has decided to give villages having 100% toilet usage priority in government programmes to keep the cleanliness and sanitation momentum going.
- ▶ Deogarh had completed providing individual household latrines in all the villages.

NARMADA PROJECTS

- ▶ The 'Maa Narmada Mahotsav' occurred between 6th September to 15th September. Under this Mahotsav, a chariot, named 'Narmada Rath' would move in 10,000 villages of 24 districts to spread awareness about the importance of the project and its benefits to around four (4) crore citizens of Gujarat.
- ▶ Three major schemes of Gujarat Government have been launched such as Sauni Yojana,

Sujlam Suflam Yojana and Sardar Sarovar Yojana for the development of the State. Due to these ambitious schemes, Narmada waters would now reach to the far-flung water deficient regions of the state which receive scanty rainfall.

- ▶ Sauni Yojana is a project with an objective of filling 115 major dams by diverting flood waters overflowing from the Sardar Sarovar Dam across the Narmada River, to divert them to the drought prone areas of Saurashtra region
- ▶ Under Sujlam Suflam Yojana, one million acre feet of flood waters of Narmada are to be provided to North Gujarat region by spreading canals and 14 pipelines. The approximate cost for the project is Rs. 4000 crore. Under this project, 697 reservoirs of 8 districts are to be filled with Narmada waters due to which approximately 1,88,600 acres of land would be benefitted.
- ▶ Saradar Sarovar Dam is a part of the yojana by the same name and the dam is situated in Navagam, Dist. Bharuch which is 530 feet high from the sea surface.

Some facts about Saradar Sarovar Dam

- ▶ This project provides irrigation to 18 lacs hectare land of Gujarat and 2.46 lacs hectare land of Rajasthan.
- ▶ The project aims to benefit approximately 10 lakh farmers. 10 lakh job opportunities are expected to be created in the rural areas which will help to prevent the migration from rural to urban areas.
- ▶ Sardar Sarovar Dam is also a unique example of great engineering works.
- ▶ It is India's biggest concrete gravity dam with 1210 meters length and 163 meters height from the foundation. Narmada's main canal is world's biggest canal with 458 km length and its water carrying capacity is 40,000 cubic feet per second.
- ▶ It has world's first canal top solar power plant which saves land and reduces water evaporation from the canal.

HURRICANE IRMA

- ▶ Hurricane Irma was an extremely powerful and catastrophic Cape Verde type hurricane, the strongest observed in the Atlantic.
- ▶ It was the first Category 5 hurricane to strike the Leeward Islands on record.

- ▶ It was also the most intense Atlantic hurricane to strike the United States since Katrina in 2005, and the first major hurricane to make landfall in Florida since Wilma in 2005.
- ▶ The hurricane is one of the most powerful ever recorded in the Atlantic, and shares the record for the strongest to make landfall anywhere in the Atlantic basin, including the Caribbean.

Science and Environment

HORTINET MOBILE APP TECHNOLOGY

- ▶ For greater use of mobile app technology and integrated traceability systems to identify the farmers and laboratories from where farm produce is sourced and tested, a new Mobile App Technology have been launched.
- ▶ The key features of the app are:
 - Online Farm registration application and status tracking.
 - Processing and approval on on-line farmer applications by State Horticulture / Agriculture department.
 - Registration of farmers, farms and products by State Horticulture/Agriculture department.
 - Capture geo location of the farms registered through the app.
 - Sample collection by APEDA authorized Laboratories along with geo location of the sample.
- ▶ The Mobile app will also assist State Horticulture/ Agriculture Department to capture real time details of farmers, farm location, products and details of inspections like date of inspection, name of inspecting directly from field. After registration and approval of farm, farmer gets approval information.

LOCKY RANSWARE

- ▶ The Indian Computer Emergency Response Team (CERT-In) has issued an alert on its website about the new Locky ransomware which spreads through spam emails.
- ▶ Locky is ransomware malware released in 2016. Superly active in 2017, it is delivered by email (that was allegedly an invoice requiring payment) with an attached Microsoft Word document that contains malicious macros.
- ▶ When the user opens the document, it appears to be full of garbage, and it includes the phrase "Enable macro if data encoding is incorrect," a social engineering technique.

- ▶ If the user does enable macros, the macros then save and run a binary file that downloads the actual encryption trojan, which will encrypt all files that match particular extensions. Filenames are converted to a unique 16 letter and number combination with the .locky file extension.
- ▶ After encryption, a message (displayed on the user's desktop) instructs them to download the Tor browser and visit a specific criminal-operated Web site for further information.
- ▶ The Website contain instructions that demand a payment of between 0.5 and 1 bitcoin (one bitcoin varies in value between 500-1000 Euros via a bitcoin exchange).
- ▶ Since the criminals possess the private key and the remote servers are controlled by them, the victims are motivated to pay to decrypt their files.

KYASANOOR FOREST DISEASE (MONKEY FEVER)

- ▶ Kyasanoor Forest Disease (KFD) was first detected in the Kyasanur forest in Shimoga in Karnataka in 1957. Since then, between 400 and 500 humans cases are reported each year in South Asia, mainly India.
- ▶ It causes seasonal outbreaks between December and May along the Western Ghats, striking farmers in Goa, Karnataka, Kerala, Tamil Nadu and Maharashtra.
- ▶ The disease is caused by Kyasanur forest disease virus (KFDV), a member of the virus family Flaviviridae, which also cause yellow fever and dengue.
- ▶ Hard ticks (*Hemaphysalis spinigera*) are the reservoir of KFDV. Once infected, they remain reservoirs for life.
- ▶ Rodents, shrews, and monkeys are common hosts for KFDV after being bitten by an infected tick. KFDV kills most primates it infects.
- ▶ The symptoms in humans include fever for more than 12 days, accompanied by cough, headache, diarrhoea and vomiting. The fever is followed by mental disturbances, tremors and vision deficits.
- ▶ Vaccination against monkey fever is used in endemic areas of India.
- ▶ Additional preventative measures include using insect repellents and wearing protective clothes in areas where ticks are endemic.

HOSPITAL ACQUIRED INFECTION

- ▶ Hospital-acquired infections are caused by viral, bacterial, and fungal pathogens; the most common types are bloodstream infection (BSI), pneumonia (eg, ventilator-associated pneumonia [VAP]), urinary tract infection (UTI), and surgical site infection (SSI).
- ▶ Such an infection can be acquired in hospital, nursing home, rehabilitation facility, outpatient clinic, or other clinical settings. Infection is spread to the susceptible patient in the clinical setting by various means.
- ▶ Symptoms of HAIs will vary by type. The most common types of HAIs are: urinary tract infections (UTIs); surgical site infections; gastroenteritis; meningitis and pneumonia.
- ▶ The symptoms for these infections may include: discharge from a wound; fever; cough, shortness of breathing; burning with urination or difficulty urinating; headache and nausea, vomiting, diarrhea.

NAG MISSILE

- ▶ India's indigenously developed third generation anti-tank guided missile (ATGM) Nag has been successfully flight tested by premier defence research organisation DRDO in deserts of Rajasthan, marking completion of development trials.

About NAG Missile

- ▶ The missile incorporates an advanced passive homing guidance system and possesses high single-shot kill probability. It is designed to destroy modern main battle tanks and other heavily armoured targets.
- ▶ Nag can be launched from land and air-based platforms. The land version is currently available for integration on the Nag missile carrier (NAMICA), which is derived from a BMP-2 tracked infantry combat vehicle.
- ▶ The helicopter-launched configuration, designated as helicopter-launched NAG (HELINA), can be fired from Dhruv advanced light helicopter (ALH) and HAL Rudra (ALH WSI) attack helicopter.

TRAPPIST -1

- ▶ A new scientific study has found that the Earth-sized planets orbiting the ultra cool TRAPPIST-1 dwarf star, 40 light-years away, may have substantial amounts of water and could be habitable.

- ▶ TRAPPIST - (Transiting Planets and Planetesimals Small Telescope) is the name for a pair of Belgian optic robotic telescopes. Trappist-South is situated high in the Chilean mountains and Trappist-North is situated in the Atlas mountains in Morocco. It specializes in searching for Comets and Exoplanets.
- ▶ In 2016, a team of astronomers from Belgium used the Telescope to observe the ultracool dwarf star now known as TRAPPIST-1 which is 40 light-years away. Later in Feb 2017, by utilizing transit photometry, they discovered seven terrestrial planets, at least three of which were Earth -Sized, orbiting the star, the innermost two were found to be tidally locked to their host star while the outermost appears to lie either within the system's habitable zone.
- ▶ Recently an international team of astronomers used the NASA/ESA Hubble Space Telescope to estimate whether there might be water on the seven planets orbiting in the nearby TRAPPIST-1 planetary.
- ▶ The results suggest that the outer planets of the system might still harbour substantial amounts of water. This includes the three planets within the habitable zone of the star, lending further weight to the possibility that they may indeed be habitable.
- ▶ This makes TRAPPIST-1 the planetary system with the largest number of Earth-sized planets discovered so far. Following up on the discovery, scientists used the Space Telescope Imaging Spectrograph (STIS) on the Hubble telescope to study the amount of ultraviolet radiation received by the individual planets of the system.

VOLCANIC CARBON DIOXIDE DROVE ANCIENT GLOBAL WARMING

- ▶ According to a study, 56 million years ago, an extreme global warming event was driven by massive carbon dioxide (CO₂) emissions from volcanoes, during the formation of the North Atlantic Ocean. That event lasted for around 1,50,000 years and temperatures rose by around 5 degrees Celsius.
- ▶ Researchers from the University of Southampton in the U.K. used a combination of new geochemical measurements and novel global climate modeling to show that the Palaeocene-Eocene Thermal Maximum (PETM) was associated with a geologically rapid doubling of atmospheric CO₂ in less than 25 thousand years — because of volcanic CO₂.

- ▶ The PETM is the most rapid and extreme natural global warming event of the last 66 million years. It lasted for around 150 thousand years and global temperatures increased by at least five degrees Celsius.
- ▶ For long it has been suggested that the PETM event was caused by the injection of carbon into the ocean and atmosphere but the ultimate source of this carbon, and the total amount released was unknown. It had been known that the PETM roughly coincided with the formation of massive 'flood basalts' — large stretches of ocean floor coated in lava, resulting from a series of huge eruptions.
- ▶ There was a total input of more than 10,000 petagrammes of carbon from predominantly volcanic sources into the Atmosphere. This is a vast amount of carbon — some 30 times larger than all the fossil fuels burned to date and equivalent to all current conventional and unconventional fossil fuel reserves.

AIR POLLUTION DIMINISHING SOLAR POWER

- ▶ According to the experts, Air pollution is diminishing India's capacity to harness power from the sun, undermining billions being invested in renewable as the energy-hungry giant emerges as a solar superpower.
- ▶ New research has found that the smog and dust that sickens millions across India every year is also diminishing solar power generation by more than 25 percent.
- ▶ In the first study of its kind, U.S. and Indian scientists measured how man-made particles floating in the air and deposited as grime on solar panels combined to seriously impair sunlight from converting to energy.
- ▶ Study reveals that this interference causes steep drops in power generation. At present levels in India, it could amount to roughly 3,900 MW of lost energy — six times the capacity of its largest solar farm, a gigantic field of 2.5 million panels. These huge losses will only compound as India realizes its grand solar ambitions.

ORGANIC WASTE USED TO MAKE GREEN FUEL

- ▶ Scientists, including those of Indian origin, have developed a new way to efficiently extract sugars from wood chips and organic forest

waste, which may serve as a cheaper, sustainable substitute for petroleum – a raw material for fuel.

- ▶ Currently industry separate out the sugars from the lignin through a two-step process using harsh chemicals and reaction conditions in the first step, and an expensive enzyme in the second step.
- ▶ This process makes the resulting sugars expensive and the end products, though renewable, less competitive than those produced with petroleum.
- ▶ So the team of scientists developed a one-step process that integrates the pretreatment step and the hydrolysis of cellulose and hemicellulose in one pot and operates at considerably low temperature (85 degree Celsius) and short reaction time (one hour), which making the method energy efficient.
- ▶ The key to this technology is the use of a concentrated solution of an inorganic salt in the presence of a small amount of mineral acid. The concentrated salt solution requires a minimal amount of water. The solution swells the particles of wood or other biomass, allowing the solution to interact with the fibres, much like a newspaper swells when water spills on it.
- ▶ The team integrated the process with another step, called the dehydration reaction, which converts the sugars to furans in the same pot and enables the salt solution to be recycled. Furans are highly versatile compounds used as starting materials for making speciality chemicals.

Polity and Governance

GOVERNMENT OPENS CENTRE FOR DROPOUTS

- ▶ Dropout rate among the Delhi Government's private candidates under Vishwas group is high and could not pass their exams. Out of 64,000 Vishwas group students, around 60,000 had failed in class X board exam this year.
- ▶ To mitigate the Dropout rate the Delhi government in collaboration with the National Institute of Open Schooling (NIOS) has set up separate study centers to provide them with an opportunity to complete their school education.

- ▶ The scheme is aimed at those children who failed to clear Class 9 examinations for two years and Class 10 examinations in the 2016-17 sessions. This step is to secure the interests of every child in Delhi, and especially those who have been a victim of insufficient academic support.
- ▶ Under this initiative, separate classes will be held for girls and boys in 34 designated Zonal Study Centres in government schools across the city at different timings. For girl students classes will be held in the morning shift while boys will attend the classes in evening shifts. Separate teachers for conducting the classes at the study centres will be provided by Directorate of Education (DoE) and the study materials will be provided by the NIOS itself.

NO FLY RULES

- ▶ Government has unveiled the National No Fly List for the air passengers who 'Misbehave' in an aircraft.
- ▶ Now onwards, a passenger misbehaving or indulging in any misdemeanor in an aircraft in India could be banned from flying for 3 months to two years or more.
- ▶ The revised CAR will address unruly passenger behavior on board an aircraft and is applicable for all Indian operators engaged in scheduled and non-scheduled air services. The revised CAR defines three categories of unruly behavior:
 - **Level 1:** unruly verbal behavior under which a passenger found guilty can be banned for flying for up to three months.
 - **Level 2:** offences will relate to physical behavior and a passenger being prosecuted under this offence can be banned from taking to the skies for up to six months.
 - **Level 3:** If a passenger's behaviour is considered life threatening like affecting the safety of the aircraft then he or she can be banned for up to two years or more.

LARGEST MARCH TO PROTECT CHILDREN

- ▶ Nobel Laureate and child rights activist Kailash Satyarthi organized a march against Trafficking and sexual abuse of children at Kanyakumari.
- ▶ According to government data, more than 9,000 children were reported to have been trafficked in 2016, a 27 percent rise from the previous year, according to government data. Figures from the National Crime Records

Bureau also show that almost 15,000 children were victims of sexual violence such as rape, molestation and exploitation for pornography in 2015 - up 67 percent from the previous year.

- ▶ To spread public awareness about it, Nobel Laureate and child rights activist Kailash Satyarthi has organized the world's largest march from Kanyamkumari. Thousands of people gathered and over 10 million people from across India are due to take part in the month-long "Bharat Yatra" - or India March - which will end in the capital New Delhi on Oct. 16. The march participants will travel around 11,000 km (7,000) miles) and cover 22 of India's 29 states. They will stop in towns and villages, visit schools and colleges and hold events with local officials, police, religious and community leaders.

SC ALLOWS SALE OF FIRECRACKERS, CONDITIONS APPLY

- ▶ On November 11, 2016, the Supreme Court had ordered the suspension of all licenses permitting the sale of fireworks, wholesale and retail, within the NCR till further orders. The order was based on a slew of petitions to ban the use of fireworks. Further, the air pollution had become manifold severe after Diwali in 2016.
- ▶ In a paradigm shift from its stand last year, the court now struck a balance between its primary concern to protect the "human right to breathe good quality air" and the commercial interests of the fireworks industry. It has now opted for a "graded approach" to prohibition of fireworks.
- ▶ Supreme Court modified its November 2016 ban on sale of firecrackers in the National Capital Region, noting that its too radical step to ban it completely.
- ▶ The modification is a big relief to Sivakasi fireworks manufacturers, who had challenged the 2016 ban. They contended that the ban had left 821 fireworks industries and five lakh employees in dire straits.
- ▶ The court also passed directions for regulating temporary licences. It said it has come to terms with the ground reality that "illegal temporary shops" are bound to crop up with or without the permission of the authorities in the NCR during Diwali.

- ▶ The Delhi Police is directed to reduce the grant of temporary licences by about 50% of the number of licences granted in 2016. The number of temporary licences should be capped at 500. Similarly, the States in the NCR are restrained from granting more than 50% of the number of temporary licences granted in 2016. Also, the lifting of suspension of permanent licenses would be reviewed post-Diwali.

MUTUAL DIVORCE PROCESS SHORTENED BY 6 MONTHS

- ▶ The SC laid down directions for lower courts to speed up the divorce process, if both spouses agree to terms.
- ▶ Currently, under the Hindu Marriage Act, after a couple files for divorce claiming mutual consent, they have to wait for at least six months intended to allow for reconciliation.
- ▶ Section 13B(2) of the Hindu marriage Act contains a bar to divorce being granted before six months of time elapsing after filing of the divorce petition. The period was laid down to enable the parties to have a rethink so that the court grants divorce only if there is no chance for reconciliation.
- ▶ In the recent updates, the Supreme Court (SC) has waived the mandatory minimum period of six-month "cooling-off" period for cases of divorce with mutual consent. The SC laid down directions for lower courts to speed up the separation process, if both spouses agree to terms.
- ▶ To advance the interest of justice, the court also allowed divorce proceedings to be conducted via video-conferencing and, in the event either one of the main parties was absent, close relations such as parents or siblings could represent them.

CABINET APPROVES DOUBLING OF GRATUITY PAYMENT

- ▶ Cabinet approved the proposal to provide extra compensation to central government employees and to double gratuity payment norms.
- ▶ The current upper ceiling on gratuity for private sector and government employees under the Payment of Gratuity Act is Rs 10 lakh. At present, even if a worker accumulates more than Rs 10 lakh as gratuity contribution, the withdrawal is capped at Rs 10 lakh and the rest is paid out after deduction of taxes.

- ▶ The Payment of Gratuity (Amendment) Bill 2017 seeks to double tax-free gratuity for government and private sector employees to Rs 20 lakh. On this line the Union cabinet approved two worker-friendly proposals. One entails extra compensation to central government employees while the other proposes to extend gratuity payment norms, available at present to government employees, to staffers in the private sector companies as well as public sector firms.
- ▶ Accordingly, the gratuity withdrawal limits for staff in private companies and public-sector units have been doubled to Rs 20 lakh. This will only come into effect once the Payment of Gratuity Act is amended.
- ▶ The cabinet also approved an increase in the dearness allowance (DA) and dearness relief for over 11 million central government employees and pensioners. The hike in dearness allowance and gratuity, once implemented, may also boost consumption in the economy.
- ▶ Since there is less investment, recovery in Indian economy will be consumption-led this year. And decisions like this will support the consumption story.

DIKSHA PORTAL

- ▶ The Vice President, Shri M. Venkaiah Naidu launched DIKSHA portal, a national digital infrastructure for teachers. DIKSHA will enable, accelerate and amplify solutions in the realm of teacher education.
- ▶ DIKSHA is a unique initiative which leverages existing highly scalable and flexible digital infrastructures, while keeping teachers at the center. It is built considering the whole teacher's life cycle - from the time student teachers enroll in Teacher Education Institutes (TEIs) to after they retire as teachers.
- ▶ States, government bodies and even private organisations, can integrate DIKSHA into their respective teacher initiatives based on their goals, needs and capabilities. They can use DIKSHA's features to create:
 - In-class resources
 - Teacher training content
 - Assessment aids
 - Teacher profile
 - News and announcement
 - Teacher community

- ▶ These features have emerged from consultations with multiple state governments, NGOs and more than 30 public and private organisations, who have collaborated in contributing to DIKSHA

Miscellaneous News

INITIAL COIN OFFERINGS

- ▶ It is an unregulated means by which funds are raised for a new cryptocurrency venture.
- ▶ An Initial Coin Offering (ICO) is used by startups to bypass the rigorous and regulated capital-raising process required by venture capitalists or banks.
- ▶ In an ICO campaign, a percentage of the cryptocurrency is sold to early backers of the project in exchange for legal tender or other cryptocurrencies, but usually for Bitcoin.
- ▶ When a cryptocurrency startup firm wants to raise money through an Initial Coin Offering (ICO), it usually creates a plan on a whitepaper which states what the project is about, what need(s) the project will fulfill upon completion, how much money is needed to undertake the venture, how much of the virtual tokens the pioneers of the project will keep for themselves, what type of money is accepted, and how long the ICO campaign will run for.
- ▶ During the ICO campaign, enthusiasts and supporters of the firm's initiative buy some of the distributed cryptocurrencies with fiat or virtual currency.
- ▶ These coins are referred to as tokens and are similar to shares of a company sold to investors in an Initial Public Offering (IPO) transaction. If the money raised does not meet the minimum funds required by the firm, the money is returned to the backers and the ICO is deemed to be unsuccessful. If the funds requirements are met within the specified timeframe, the money raised is used to either initiate the new scheme or to complete it.

NAVIKA SAGAR PARIKRAMA - NAVY'S WOMEN TEAM

- ▶ The six-member crew will circumnavigate the globe on India-built sail boat INSV Tarini, which is being skippered by Lt. Commander Vartika Joshi.
- ▶ *Navika Sagar Parikrama* considered the first-ever attempt by an all-woman crew to

circumnavigate the globe, would cover the expedition in five legs with stop-overs at four ports (Fremantle, Australia; Lyttleton, New Zealand; Port Stanley, the Falklands; and Cape town, South Africa) for replenishment of ration and repairs as necessary, before returning to Goa in April 2018.

- ▶ INSV Tarini is a 55-foot sailing vessel which has been built indigenously by Aquarius Shipyard, Goa and was inducted into the Indian Navy earlier in 2017.
- ▶ The project is considered essential towards promoting ocean sailing activities in the Navy while depicting Government of India's thrust for *Nari Shakti*.
- ▶ The crew would also collate and update Meteorological/ Ocean/Wave data on a daily basis for subsequent analysis by research and development organisations. They would also monitor and report marine pollution on the high seas.

ISSUE IN GRANTING CITIZENSHIP TO CHAKMAS

- ▶ The Union government is considering granting citizenship to over a lakh Chakma and Hajong refugees, who have been living in India for over 50 years.
- ▶ The Chakmas and Hajongs are ethnic people who lived in the Chittagong Hill Tracts, most of which are located in **Bangladesh**. Chakmas are predominantly Buddhists, while Hajongs are Hindus. They are found in northeast India, West Bengal, Bangladesh, and Myanmar.
- ▶ In 2015, the Supreme Court directed the Centre to grant citizenship to Chakma and Hajongs who had migrated from Bangladesh in 1964-69. The order was passed while hearing a plea by the Committee for Citizenship Rights of the Chakmas. Following this, the Centre introduced amendments to the Citizenship Act, 1955. The Bill is yet to be passed, as the opposition says the Bill makes illegal migrants eligible for citizenship on the basis of religion, which is a violation of Article 14 of the Constitution.
- ▶ However Arunachal Pradesh has opposed the move because in the 1960s, the Chakma refugees were accommodated in the relief camps constructed in the "vacant lands" of Tirap, Lohit and Subansiri districts of the

erstwhile North-East Frontier Agency (NEFA). In 1972, NEFA was renamed Arunachal Pradesh and the locals and regional political parties opposed re-settling refugees in their land fearing that it may change the demography of the State and that they may have to share the limited resources available for them.

- ▶ The recent government statement has led to violent protests in the state.

RAJIV MAHRISHI

- ▶ Rajiv Mehrishi has been named as the next Comptroller and Auditor General of India.
- ▶ He was former Union Home Secretary.
- ▶ Mehrishi has held several key posts in Union and Rajasthan governments namely the Chief Secretary of Rajasthan, Principal Finance Secretary, Chairman of Indira Gandhi Nahar Board and District Magistrate and Collector of Bikaner under Rajasthan Government. In the Union Government, he has served as the Union Finance Secretary, Secretary (Fertilizers), and Secretary (Overseas Indian Affairs).
- ▶ As a constitutional functionary, the CAG is primarily entrusted with the responsibility to audit the accounts of the Union and state governments. His reports are laid before the Parliament and the Legislatures of the states.

SUNIL ARORA

- ▶ Former Information and Broadcasting Secretary Sunil Arora has been appointed as an Election Commissioner.
- ▶ He was also Secretary in the Ministry of Skill Development and Entrepreneurship.
- ▶ He also served as Joint Secretary in the Ministry of Civil Aviation during 1999-2002 and CMD, Indian Airlines for five years (two years as additional charge and three years as full charge)
- ▶ In Rajasthan, besides district postings in Dholpur, Alwar, Nagaur and Jodhpur, he was Secretary to the Chief Minister during 1993-1998 and Principal Secretary to CM (2005-2008) and handled Information and Public Relations (IPR), Industries and Investment Departments.

FARMER ZONE

- ▶ FarmerZone is a collective open-source data platform for smart agriculture which will use biological research and data to improve the lives of small and marginal farmers.

- ▶ It is envisaged that the platform will connect farmers and scientists, government officials, thought leaders in agriculture, economists and representatives from global companies who work in the big-data and e-commerce space to bring about technology-based localised agri-solutions.
- ▶ It will help cater to all needs of the farmer, from dealing with climate change, weather predictions and soil, water, and seed requirements to providing market intelligence.
- ▶ The platform will work on getting relevant quality data related to agriculture into the cloud, develop sentinel sites to help link with farmers and evolve PPP based enterprises for data delivery.

AYODHYA OBSERVERS

- ▶ Two additional district judges have been appointed as observers at the Babri Masjid-Ram Janambhoomi site in Ayodhya by the Allahabad High Court.
- ▶ The observers are Additional District Judge, Basti, Irfan Ahmad and Additional District Judge, Faizabad, Amarjeet Tripathi.
- ▶ They will submit fortnightly reports to the Supreme Court on the disputed site's status quo and the adjacent excess area that was acquired.

Terms in News

AUTOMATIC EXCHANGE OF INFORMATION

- ▶ Automatic exchange of information involves the systematic and periodic transmission of "bulk" taxpayer information by the source country to the residence country concerning various categories of income (e.g. dividends, interest, etc.). It can provide timely information on non-compliance where tax has been evaded.
- ▶ AEOI will enable the discovery of formerly undetected tax evasion. It will enable governments to recover tax revenue lost to non-compliant taxpayers, and will further strengthen international efforts to increase transparency, cooperation, and accountability among financial institutions and tax administrations. Additionally, AEOI will generate secondary benefits by increasing voluntary disclosures of concealed assets and by encouraging taxpayers to report all relevant information.

- ▶ Recently India - Switzerland - Doris Leuthard step up to fight against Tax fraud, to exchange first set of information by 2019 to combat Black Money.

EUROPEAN FREE TRADE ASSOCIATION

- ▶ The European Free Trade Association (EFTA) is a regional trade organisation and free trade area consisting of four European states: Iceland, Liechtenstein, Norway, and Switzerland. The organisation operates in parallel with the European Union (EU), and all four member states participate in the European single market.
- ▶ The main tasks of the Association are threefold:
 - Maintaining and developing the EFTA Convention, which regulates economic relations between the four EFTA States;
 - Managing the Agreement on the European Economic Area (EEA Agreement), which brings together the Member States of the European Union and three of the EFTA States - Iceland, Liechtenstein and Norway - in a single market, also referred to as the "Internal Market".
 - Developing EFTA's worldwide network of free trade agreements.

WORLD GIVING INDEX

- ▶ The World Giving Index (WGI) is an annual report published by the Charities Aid Foundation, using data gathered by Gallup, and ranks over 140 countries in the world according to how charitable they are.
- ▶ The aim of the World Giving Index is to provide insight into the scope and nature of giving around the world.
- ▶ The report bases its findings on three parameters: number of people donating money, volunteering time and helping a stranger.
- ▶ The eighth edition of the Charities Aid Foundation (CAF) World Giving Index 2017 indicates that global giving has declined across continents with only Africa recording a positive shift in giving habits.
- ▶ According to the data, 340 million Indians participated in helping a stranger (down from 401 million during 2015), 265 million gave money (up from 203 million during 2015) and 256 million volunteered (up from 200 million during 2015).

CAF World Giving Index 2017

Rank		Country	Score (in %)	
2017	2016		2017	2016
1	1	Myanmar	65	70
2	7	Indonesia	60	56
3	12	Kenya	60	52
4	4	New Zealand	57	59
5	2	US	56	61
81	91	India	31	29

Source: Charities Aid Foundation

HYDROGEN BOMB

- ▶ A hydrogen bomb or a thermonuclear bomb, uses a second stage-reaction. This follows a fusion method in which hydrogen atoms are mashed together together in the same process that fuels the sun. When these relatively light atoms join together, they unleash neutrons in a wave of destructive energy.
- ▶ In the first stage, a hydrogen weapon uses a fission explosion to create a tremendous pulse

that compresses and fuses small amounts of deuterium and tritium, kinds of hydrogen, near the heart of the bomb. This release swarms of neutrons and can ramp up the explosive chain reaction of a uranium layer wrapped around it, creating a blast far more devastating than uranium fission alone.

A successful test this time would show that the North's nuclear program has become more sophisticated and that the country is closer to making an atomic warhead that could be fitted on a long-range missile able to strike the mainland United States.

The underground blast, which caused tremors felt in South Korea and China, was the first by the North to surpass the destructive power of the bombs dropped on Hiroshima and Nagasaki.

- ▶ The United Nations Security Council unanimously adopted a US-drafted resolution to impose new sanctions on North Korea.
- ▶ The resolution is designed to accomplish six major goals: cap North Korea's oil imports, ban textile exports, end additional overseas laborer contracts, suppress smuggling efforts, stop joint ventures with other nations and sanction designated North Korean government entities, according to a US official familiar with negotiations.

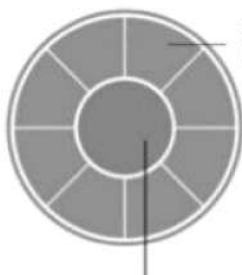
NORTH KOREA'S PROGRAMME IS PROBABLY AT AN INTERMEDIATE PHASE OF DEVELOPMENT

The secret to achieving more destructive power is to increase the amount of thermonuclear fuel that an exploding atomic bomb can ignite. North Korea said that Sunday's test was a hydrogen bomb, but analysts were sceptical of this claim.

STAGE 1
IMPLOSION ATOMIC BOMB
Uses conventional explosives to compress and ignite atomic fuel

1

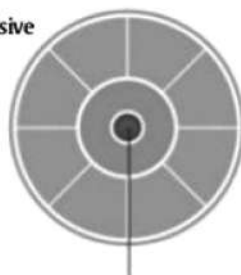
Equal to Hiroshima



Atomic fuel

STAGE 2
BOOSTED ATOMIC BOMB
Uses a bit of thermonuclear fuel inside the atomic core

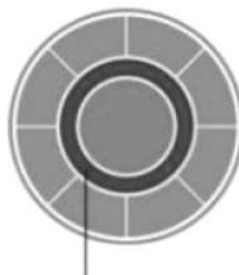
3



Thermonuclear gas

STAGE 3
LAYERED ATOMIC BOMB
Uses more thermonuclear fuel outside the atomic core

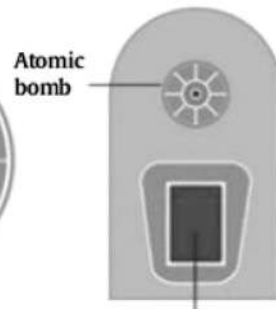
25



Solid thermonuclear fuel

STAGE 4
HYDROGEN BOMB
Uses lots of hydrogen fuel that the nearby atomic core ignites

1,000



Solid thermonuclear fuel

Note: The destructive power for each stage is based on early tests in the United States and the erstwhile USSR, not on current stockpiles.
The New York Times

GS SCORE

An Institute for Civil Services

IAS 2018 PT TEST SERIES

Prelims "Q & A"

[Quick Revision
through
TEST SERIES]



Classroom



Online



Flexi Format

Total: 44 Tests

23

Sub-Sectional
Tests

6

Sectional
Tests

8

Current Affairs
Tests

3

CSAT
Tests

4

Mock
Tests

&

25 Revision Classes cum Test Discussion

Batch
Starts:

7th
October
2017

Off. No. 6, 1st Floor, Apsara Arcade, Karol Bagh New Delhi-110005, (Karol Bagh Metro Gate No. 5)

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