

Topical Analysis

Forest Rights Act & Status of Tribal Groups

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- ▶ Concept of Master and the Roster
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FOREST RIGHTS ACT & STATUS OF TRIBAL GROUPS

Titles may need to be given to only 10,000 hectares of forest land in TN. This is less than 0.5% of forest land in TN but will boost living conditions of poor tribals.

A PLACE CALLED HOME

RECOGNIZING TRIBAL RIGHTS

The Forest Rights Act, 2007, confers three rights on traditional forest-dwelling Scheduled Tribes

> **Right to hold and live in the forestland** for habitation or for self-cultivation for livelihood if the forest-dwelling ST had occupied it before a cut-off date of Dec 13, 2005

> **Right of ownership, access to collect, use, and dispose of minor forest produce**

> **Division of one hectare or less of forest land** for schools, dispensaries, hospitals, roads, and drinking water supply managed by the government if not more than 75 trees are felled per hectare



STATES' RECORD IN IMPLEMENTATION

> Since the FRA was passed, 17 lakh land titles covering 89 lakh acres of forest land were distributed all over India to forest-dwelling STs

> Madhya Pradesh and Maharashtra distributed nearly 20 lakh & 11 lakh acres

> In Kerala, 33,000 lakh acres were distributed through

> TN did not distribute any because of high court stay

> In Andhra Pradesh, 14.6 lakh acres land was distributed through

> Laying of road in Chithen forest area in Dharmapuri district with permission under FRA 2006

EFFECTIVE IMPLEMENTATION OF FOREST RIGHTS ACT WILL CREATE A WIN-WIN SITUATION FOR FORESTS AS WELL AS TRIBALS IN TN. IT WILL PROMOTE A HARMONIOUS RELATIONSHIP BETWEEN TRIBALS AND FOREST DEPT

Laying of road in Chithen forest area in Dharmapuri district with permission under FRA 2006

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How An Electoral Bond Works

- 01 Notified banks are chosen
- 02 The notified bank issues electoral bonds
- 03 The donor buys an electoral bond using a cheque/digital payment
- 04 The donor gives the party of his/her choice the bond within the specified timeframe
- 05 The party deposits the bond in an account, the details of which are with the Electoral Commission

- National Register of Citizens in Assam
- Concept of Master and the Roster
- Role of CAG and Recent Reports

- Virtual ID for AADHAR

HOW IT WILL WORK

- > User has to log on to UIDAI website and provide her 12-digit Aadhaar number
- > Website will generate a 16-digit temporary 'Virtual ID'
- > All service providers, such as telcos, to accept it instead

- of Aadhaar number
- > User can change her 'Virtual ID' any number of times by going online
- > Aadhaar details to be shared with service providers for KYC on need-based basis



March 1, 2018: Start generating your virtual ID
June 1: Companies must start accepting users' ID

- How Safe is Digital India?
- Generic Drugs and their Significance
- Heavy Metal Water Pollution
- Reduction in Migratory Birds: Reasons and Steps Needed
- What Ails Namami Gange Project?
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COVER STORY

Forest Rights Act & Status of Tribal Groups



In Odisha, one of the 13 Particularly Vulnerable Tribal Groups (PVTGs), Mankidias, were denied habitat rights inside the Simlipal Tiger Reserve (STR) under the historic Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

According to the Simlipal Tiger Reserve administration, habitat rights would create barriers for free movement of tigers and other animals and there is also apprehension of the risk to life of the Mankidia PVTG. They also advocated that habitat rights to PVTG should be confined to buffer zone of tiger reserve only.

On this issue, State forest department has been criticized on playing the role of an obstructionist by denying tribals their rights. There is also no empirical evidence that Mankidias face tiger threat in their villages as they have been residing inside the core area of the tiger reserve with animals for decades.

The present article analyzes the implementation extent of Forest Rights Act (FRA), status of Particularly Vulnerable Tribal Groups in India, threats to their habitat rights and what needs to be done in the future.

Introduction

The tribal people everywhere have lived in intimate relationship with forests and their entire existence has been linked with forests due to historical factors. Forests have been sustaining their inhabitants. In fact, there existed a ‘symbiotic relationship’ between the tribals and the forests. Forests have been their abode and source of livelihood. Thus, it has been a unanimously held view that forest economy is tribal economy and vice versa.

Not only their economic life but the religious and religio-magical beliefs of the tribal people have been rotating round the forests.

Following is a brief chronicled narration of evolution of forest policy along with various measures taken by the state to manage the forests.

First Forest Act of 1865	Regulated the collection of forest produce by the forest dwellers.
Forest Act of 1878	Control over forests was further tightened by prohibiting certain acts such as trespass or pasturing of cattle and declaring certain activities as forest offences. Imprisonment and fines were also prescribed for these offences.

First Forest Policy, 1894	The first forest policy envisaged, for the first time, the regulation of rights and restriction of privileges of the users in the forest. These regulations and restrictions were justified only when the advantages to be gained by the general public were great and the cardinal principles observed.
Indian Forest Act, 1927	Elaborated provisions were made in the direction of further extension of 'states' authority and control over the forests. Forest offences were defined as offences punishable under the Act. This Act created an extremely powerful and adequately protected executive consisting of Forest Officers of Indian Forest Service, State Forest Service, Rangers, Foresters, and Forest Guards.
National Forest Policy, 1952	The tribal's had virtually no statutory right but enjoyed only certain concessions/privileges such as right to take water, for agricultural purposes, digging of wells and canals for agricultural purpose, free grazing in open forests, removal of timber, bamboos, reeds, canes, etc for construction and repair of houses and for agricultural implements collection of dead wood for domestic use as fuel, collection of grass for cattle and for thatching their huts, fishing and hunting excluding the protected fauna and cultivation of forest land.
National Forest Policy, 1988	It states that having regard to the symbiotic relationship between the tribal people and the forests, a primary task of all the agencies responsible for the forest management including the forest corporations should be to associate the tribals closely in the protection, regeneration, and development of forests as well as to provide, gainful employment to the people living in and around the forest.

In order to implement these provisions, the Ministry of Environment and Forest (MoEF) issued a set of six circulars in 1990 which decreed that pre-1980 occupation of forest land would be eligible for regularization provided the State Government had evolved certain eligibility criteria in accordance with the local needs and conditions.

The State Governments, however, failed to implement the 1990 Guidelines. Meanwhile, a Supreme Court order led to large scale evictions by the Forest Departments of various states.

Following mass protests by tribal communities, the MoEF issued supplementary guidelines in 2004 to address the issue of recognizing the legal right of tribal communities to forest land and resources. However, the Supreme Court issued a stay order on those Guidelines.

This led to the enactment of The Scheduled Tribes (Recognition of Forest Rights) Act, 2006. The Scheduled Tribes (Recognition of Forest Rights) Act, 2006 was enacted to fulfill the need of a comprehensive legislation to give due recognition to the forest rights of tribal communities.

Now, after the passage of Forest Rights Act (FRA) 2006, only 3% of villages or communities could secure their rights over forest resources which include land and the produce from the forests and water.

It has been found that some of the states with a significant percentage of forest-dwelling tribes and communities have performed poorly in implementing these rights.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Highlights of the Act

- The Scheduled Tribes (Recognition of Forest Rights) Act, 2006 recognises forest rights of forest dwelling Scheduled Tribes (FDSTs) who have been occupying the land before October 25, 1980.

- ▶ An FDST nuclear family would be entitled to the land currently occupied subject to a maximum of 2.5 hectares. The land may be allocated in all forests including core areas of National Parks and Sanctuaries.
- ▶ In core areas, an FDST would be given provisional land rights for five years, within which period he would be relocated and compensated. If the relocation does not take place within five years, he gets permanent right over the land.
- ▶ The Act outlines 12 forest rights which include the right to live in the forest, to self cultivate, and to use minor forest produce. Activities such as hunting and trapping are prohibited.
- ▶ The Gram Sabha is empowered to initiate the process of determining the extent of forest rights that may be given to each eligible individual or family.

Rights under the Act

- ▶ **Title rights:** Ownership to land that is being farmed by tribals or forest dwellers subject to a maximum of 4 hectares; ownership is only for land that is actually being cultivated by the concerned family, meaning that no new lands are granted.
- ▶ **Use rights:** To minor forest produce (also including ownership), to grazing areas, to pastoralist routes, etc.
- ▶ **Relief and development rights:** To rehabilitation in case of illegal eviction or forced displacement; and to basic amenities, subject to restrictions for forest protection.
- ▶ **Forest management rights:** To protect forests and wildlife.

Eligibility

- ▶ Eligibility to get rights under the Act is confined to those who “primarily reside in forests” and who depend on forests and forest land for a livelihood.
- ▶ Further, either the claimant must be a member of the Scheduled Tribes scheduled in that area or must have been residing in the forest for 75 years.

Process of recognition of rights

- ▶ The Act provides that the Gram Sabha, or village assembly, will initially pass a resolution recommending whose rights to which resources should be recognized.
- ▶ This resolution is then screened and approved at the level of the sub-division (or taluka) and subsequently at the district level.
- ▶ The screening committees consist of three government officials (Forest, Revenue and Tribal Welfare departments) and three elected members of the local body at that level. These committees also hear appeals.

Main Issues involved in Forest Rights Act 2006

It is being criticized that some recent moves by the Government has diluted the Act in several ways.

- ▶ **These include:**
 - One, the process of documenting communities’ claims under the FRA is intensive — rough maps of community and individual claims are prepared democratically by Gram Sabhas. These are then verified on the ground with annotated evidence, before being submitted to relevant authorities. The Gram Sabha is treated as a public authority under the FRA, and if the higher authorities under the law reject its claims, substantive reasons have to be provided for doing so. This exhaustive process is why the official diktat to implement the FRA so quickly lacks any understanding about the extent of the task and labour involved.

- A series of legislation that undermine the rights and protections given to tribals in the FRA, including the condition of “free informed consent” from Gram Sabhas for any government plans to remove tribals from the forests and for the resettlement or rehabilitation package. The requirement of public hearings and Gram Sabha consent has also been done away with for mid-sized coal mines.
 - The amendments to the Mines and Minerals (Development and Regulation) Act, the Compensatory Afforestation Fund Act and a host of amendments to the Rules to the FRA also undermine the FRA.
 - The government has declared its commitment to ensuring “ease of business”, which translates into clearing all private sector-sponsored projects in tribal-inhabited forest areas.
 - The National Board for Wildlife, with the Prime Minister as Chairperson, was reconstituted, slashing the number of independent experts from 15 members to three, packing it with subservient officials.
 - Also, there is the deliberate freeze of the actual implementation of the FRA. Neither individual pattas nor pattas for community forest resources are being given.
- **Recent Supreme Court Verdicts**
- The Prime Minister’s Office has attempted to water down the Act, by instructing the relevant ministries that gram sabha consent is not needed in all cases.
 - Both the environment and tribal affairs ministries have accepted the change. However, the Supreme Court’s verdict on the Niyamigiri mine, restated the right of the Dongria Kondh to give or withhold their consent to the mine.
- **Few government orders have also been introduced in some states to subvert the FRA**
- In Telangana, in total violation of the FRA, the government has illegalized traditional methods of forest land cultivation.
 - The Jharkhand government has brought amendments to the Chotanagpur and also the Santhal Pargana Tenancy Acts which eliminate rights of gram sabhas and permit tribal land to be taken over by corporates, real estate players, private educational and medical institutions in the name of development, without tribal consent.
 - In Maharashtra, the government has issued a notification of “Village Rules” which gives all rights of forest management to government-promoted committees as opposed to the gram sabha. This is the law-based offensive.

The main factor inhibiting the FRA’s full implementation is the reluctance of the forest bureaucracy to give up control. The forest bureaucracy has misinterpreted the FRA as an instrument to regularise encroachment. This is seen in its emphasis on recognising individual claims while ignoring collective claims — Community Forest Resource (CFR) rights as promised under the FRA — by tribal communities. To date, the total amount of land where rights have been recognised under the FRA is just 3.13 million hectares, mostly under claims for individual occupancy rights.

Issues related to Particularly Vulnerable Tribal Groups (PVTGs)

Particularly Vulnerable Tribal Groups (PVTGs) are more vulnerable among the tribal groups. In 1975, Central Government had initiated to identify the most vulnerable tribal groups as a separate category called PVTGs and declared 52 such groups.

Later, in 1993, additional 23 groups were added to the category, making it total of 75 PVTGs out of 705 Scheduled Tribes, spread over 17 states and 1 UT in the country according to the 2011 census. Among 75 listed PVTGs, the highest number are found in Odisha (13), followed by Andhra Pradesh (12).

Status of PVTGs under FRA

- ▶ The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) legally recognizes the rights of tribal communities to live in their forests and to protect and manage their habitats.
- ▶ The Act was created to reverse the erosion of their traditional rights of Tribals by forestry policies, encroachment on their lands by outsiders and the take-over of their forests.
- ▶ The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) has a special section regarding the **75 PVTGs** in the country. 'Habitat', as defined under Section 2 (h) of the FRA, includes the area comprising the customary habitat and such other habitats in reserved forests and protected forests of primitive tribal groups and pre-agricultural communities and other forest dwelling Scheduled Tribes. In Odisha, processes have been initiated for according habitat rights to PVTGs such as Mankidias, Bondas, Didai, Hill Khadia and Paudi Bhuyan.

Issues Involved in Mankidias PVTG

Mankidias is a Particularly Vulnerable Tribal Group (PVTG) and their livelihood is dependent on making rope with Siali fibre, richly available in Similipal. For more than a year, the habitat rights of Mankidia community of Odisha (one of the state's 13 Particularly Vulnerable Tribal Groups (PVTGs)) were stalled and now they will be deprived of the non-timber forest produce as they are denied Habitat rights under Simlipal Tiger Reserve.

- ▶ In 2016, the community's rights were approved by the District Level Committee (DLC). Since then, the land titles have not been granted.
- ▶ While they have the legal approval of the DLC, the state's forest department is not willing to give the land to Mankidias.
- ▶ The bone of contention for the forest department is the core area of the Similipal Tiger Reserve (STR) where the Mankidia make out a living by collecting Siali fibre. The forest department has been reluctant to give land in the core area as it's a sensitive issue and there are no precedents of this in the country.
- ▶ The Forest Department influenced the DLC to reorganize another Traditional Leader Consultation of Mankidia Tribe to restrict their habitat rights within the buffer areas. After consultation, all the traditional leaders refused the proposal. Therefore, for last one year, the claim has been pending with the DLC.
- ▶ The reluctance of the forest department came to the surface again on December 15, 2017 when the Simlipal Tiger Reserve administration raised the issue objecting to conferring of habitat rights to the PVTG within Similipal core areas.
- ▶ The DLC cites safety of the Mankidia as the reason for not granting titles in the core area.

Because of this, the future of the Mankidia community hangs in the balance.

Way Forward

The tribal resistance is growing all over the country to defend their rights under FRA and other related issues. Given this, the government should recognize the FRA meager implementation in the country and the role played by the forest bureaucracy, State administrations and forest communities.

- ▶ In almost all States, the Forest Department has either appropriated or been given effective control over the FRA's rights recognition process. This has created a situation where the officials controlling the implementation of the law often have the strongest interest in its non-implementation, especially the community forest rights provisions, which dilute or challenge the powers of the forest department.
- ▶ The government should confront the forest bureaucracy and make it clear that any obstruction on their part is unacceptable. The little progress that has been made in implementation so far has been due to close coordination between tribal departments, district administrations and civil society
- ▶ There is also a clear need to strengthen the nodal tribal departments, provide clear instructions to the State and district administrations, and encourage civil society actors. Without a strong political will, this historical transformation is unlikely to take place.
- ▶ Besides, any law by the government should be brought in only after wide discussions.

In spite of its inadequacies, there can be little doubt that the Forest Rights Act (FRA) stands as a powerful instrument to protect the rights of tribal communities.

There is a clear need to strengthen the nodal tribal departments, provide clear instructions to the State and district administrations, and encourage civil society actors.

POLITY & GOVERNANCE ISSUES

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Electoral Bonds Notified



The Union Government has announced details of Electoral Bonds for political funding that can be routed by donors to political parties. The electoral bonds scheme was announced in Union Budget 2017 with an aim for increasing transparency in political funding.

It makes India first country in the world to have such unique bonds for electoral funding.

Hereby, discussing the provisions related to the Electoral Bonds and how will it be able to bring change in electoral system.

Introduction

In order to cleanse the system of political funding in the country and in keeping with the government's desire to move to a cashless economy, Union Finance Minister Arun Jaitley has outlined the basic contours of the electoral bonds scheme announced during the 2017 Budget, including their denominations, validity, and eligibility of the purchasers.

The scheme, announced during the 2017 Budget, aims to account the donations made to all major political parties.


Salient features of the Electoral Bonds:

- ▶ Electoral bonds will be issued by a notified bank for specified denominations.
- ▶ If anyone is keen to donate to a political party, they can buy these bonds by making payments **digitally or through cheque**. They are then free to gift the bond to a registered political party. The bonds will likely be bearer bonds and the **identity of the donor will not be known to the receiver**.
- ▶ The party can convert these bonds back into money via their bank accounts. The bank **account used must be the one notified to the Election Commission** and the bonds may have to be redeemed within a prescribed time period.
- ▶ The electoral bond is more like a bail-bond than a Government or corporate bond. Electoral bonds are essentially like bearer cheques.
- ▶ The issuing bank will remain the custodian of the donor's funds until the political party redeems the bond. So, only the RBI will most likely be allowed to issue these bonds, to be sold through notified banks.
- ▶ The life of the bond would be **only 15 days**. It can only be encashed in a predeclared account of a political party which will have to disclose the amount to the Election Commission.
- ▶ An electoral bond is designed to be a bearer instrument like a Promissory Note — in effect, it will be similar to a bank note that is payable to the bearer on demand and free of interest. It **can be purchased by any citizen of India or a body incorporated in India**.

- ▶ The bonds will be issued in multiples of **Rs.1, 000, Rs.10, 000, Rs.1 lakh, Rs.10 lakh and Rs.1 crore** and will be available at specified branches of State Bank of India.
- ▶ They can be bought by the donor with a KYC-compliant account. Donors can donate the bonds to their party of choice which can then be cashed in via the party's verified account within 15 days.

Electoral bonds will be available for purchase for 10 days each in the months of January, April, July and October

<ul style="list-style-type: none"> ▪ Such bonds can be purchased by any Indian citizen or a body incorporated in India <hr/> <ul style="list-style-type: none"> ▪ Can be bought for any amount in multiples of ₹1,000, ₹10,000, ₹1 lakh, ₹10 lakh, and ₹1 crore <hr/> <ul style="list-style-type: none"> ▪ Can only be bought from specified SBI branches 	<ul style="list-style-type: none"> ▪ Purchaser must pay from KYC-compliant bank account <hr/> <ul style="list-style-type: none"> ▪ Bonds will not carry the name of the payee and will be valid for 15 days <hr/> <ul style="list-style-type: none"> ▪ Can be used for donation to a registered political party only <hr/> <ul style="list-style-type: none"> ▪ Can be encashed only through that party's bank account
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Why Electoral Bonds are Necessary?

- ▶ India is the largest democracy in the world. However, despite strengthening various institutions for the last seven decades, India has not been able to evolve a transparent political funding system.
- ▶ Elections and political parties are a fundamental feature of Parliamentary democracy. Elections cost money. Round the year functioning of the political parties involves a large expenditure.
- ▶ Parties run offices throughout the country. Staff salaries, travelling expenses, establishment cost are regular expenditures of political parties. There has not been a single year where election either for the Parliament or State Assemblies has not been held.
- ▶ Besides expenditure of individual candidates, political parties have to spend money on election campaigns, publicity, tours, travels and election related establishments. These expenditures run into hundreds of crores. Yet there has not been a transparent funding mechanism of the political system.
- ▶ The conventional practice of funding the political system was to take donations in cash and undertake these expenditures in cash. The sources are anonymous or pseudonymous. The quantum of money was never disclosed.
- ▶ The present system ensures unclean money coming from unidentifiable sources. It is a wholly non-transparent system. Most political groups seem fairly satisfied with the present arrangement and would not mind this status-quo to continue. The effort, therefore, is to run down any alternative system which is devised to cleanse up the political funding mechanism.

A report by Delhi based think-tank 'Association for Democratic Reforms (ADR)' on 'POLITICAL FUNDING' highlights that:

- ▶ On an average, the parties receive 16 per cent of their income from known donors. Another Rs 1,835.63 crore, 16 per cent is income from other sources, like sale of assets, membership fees, bank interest, sale of publications, party levy etc.
- ▶ National and regional political parties received Rs 11,367.34 crore of total income during this period, INC has the highest total income of Rs 3,982.09 crore between 2004-05 and 2014-15, this is 42.92 per cent of the total income of the 6 parties during the same time. BJP has the second highest income of Rs 3,272.63 crore which is 35.27 per cent of the total income of the 6 national parties

Currently, political parties are required to report any donation of over Rs.20,000 to the IT department. But there has been a trend of more donations flowing by way of hard cash in smaller amounts.

To fix this, the Budget has reduced the **disclosure limit to Rs.2,000** and insists that any **amount over this must be paid through cheque or the digital mode**. The idea is that electoral bonds will prompt donors to take the banking route to donate, with their identity captured by the issuing authority.

How will the Bonds help?

- ▶ The current system of cash donations from anonymous or pseudonymous sources is wholly non-transparent and the donor, the donee, the quantum of donations and the nature of expenditure are all undisclosed.
- ▶ The Bonds will encourage political donations of “clean money” from individuals, companies, HUFs, religious groups, charities, etc.
- ▶ After purchasing the bonds, these entities can hand them to political parties of their choice, which must redeem them within the prescribed time.
- ▶ Some element of transparency would be introduced in as much as all donors declare in their accounts the amount of bonds that they have purchased and all parties declare the quantum of bonds that they have received.

Concerns

- ▶ But there are loopholes to electoral bonds too. While the identity of the donor is captured, it is not revealed to the party or public. So transparency is not enhanced for the voter.
- ▶ The voting public will not know which individual, company, or organisation has funded which party, and to what extent.
- ▶ At the same time, the government will know who is getting what from whom can open up the possibility of arm twisting or harassment of those seen to be supporting parties or ideologies that are opposed to the government. And this will be possible without the public knowing or being able to see the pattern of such harassment.
- ▶ In a 2012 paper, economists M V Rajeev Gowda and E Sridharan argued that corporates and businesspersons, while availing tax benefits, are wary of political donations because they can't remain anonymous, a concern that the idea of Bonds appears to address.
- ▶ However, such a solution pushes back decades of work to ensure that the electoral process is not captured by just the rich or those who can draw funds which might then lead to a quid pro quo, a tailoring of government policy to favour these donors.

Conclusion

There do not seem to be many precedents to such a bond in other countries, even where political funding is well evolved. It may have been worthwhile to study alternate methods and ensure the process leads to more accountability for voters, before shaking things up.

However, the success of reform will largely depend upon the will of the political parties to adhere to and implement such reforms. If people vote according to their convictions and punish those who infract the rules, corrupt practices will automatically disappear. And this will go a long way towards enabling democracy to flourish and grow to its full capacity.

National Register of Citizens in Assam

Context

National Register of Citizens (NRC) for Assam has recently identified 19/32.9 million applicants as legal Indian citizens in a massive exercise aimed at identifying illegal immigrants in the state that borders Bangladesh. Fate of rest of the people is on stake.

Hereby, discussing the concept of National Register of Citizens, its significance in handling the illegal migration issue and implications of it on the common people.

Introduction

- ▶ The National Register of Citizens (NRC) contains names of Indian citizens of Assam. The NRC was prepared in 1951, after the Census of 1951.
- ▶ It was prepared by recording particulars of all the persons enumerated during that Census and was further kept in the offices of Deputy Commissioners and Sub Divisional Officers according to instructions issued by the Government of India in 1951. Later these registers were transferred to the Police in the early 1960s.
- ▶ The NRC Updating is currently going on (2014-2016) across Assam and shall include the names of those persons (or their descendants) who appear in the NRC 1951, or in any of the Electoral Rolls up to the midnight of 24 March 1971. The NRC (1951) and the Electoral Rolls up to the midnight of 24 March 1971 together are collectively called Legacy Data.
- ▶ **Assam is the only State in the country** that prepared an NRC in 1951 following the census of that

NRC: An Introduction

WHAT IS NRC?
The National Register of Citizens is a list of all Indian citizens

IS THIS THE FIRST SUCH REGISTER?
No, there was an NRC across the country in 1951, but that was based on the Census of that year, and this is the first time it is being revised and only in Assam, and it is not based on the Census

WHAT IS THE NEED FOR THIS?
Assam has been wrecked by violent protests since the 1970s over the issue of illegal migrants, mostly from Bangladesh. The NRC is to be updated to comply with the demands in the Assam Accord, signed in 1985 by Rajiv Gandhi and leaders of the Assam Movement

WHEN WILL THE CURRENT NRC BE COMPLETED?
By Jan 2016. The process is being monitored by the Supreme Court

WHO WILL BE CONSIDERED INDIAN CITIZEN
Those whose names were in the 1951 NRC or in any of the electoral rolls up to the midnight of March 24, 1971, and their descendants

ARE THESE THE ONLY ADMISSIBLE DOCUMENTS?
No, any of 12 other documents including land records, citizenship certificate, refugee registration certificate, birth certificate and educational certificate

WHAT HAPPENS TO THOSE WHO CAME FROM NEIGHBOURING COUNTRIES AFTER MARCH 24, 1971?
While the demand has been that such people be sent back to the countries they came from, India needs to sign repatriation treaties with Bangladesh and Nepal for the same

year and has become the first State to get the first draft of its own updated NRC. The NRC, 1951, is updated in Assam with the names of applicants whose names appear in NRC, 1951, or any electoral rolls of the State up to midnight of March 24, 1971, and their descendants and all Indian citizens, including their children and descendants who have moved to Assam post March 24, 1971.

What is NRC, 1951?

- ▶ National Register of Citizens, 1951 is a register prepared after the conduct of the Census of 1951 in respect of each village, showing the houses or holdings in a serial order and indicating against each house or holding the number and names of persons staying therein. These registers covered each and every person enumerated during the Census of 1951 and were kept in the offices of Deputy Commissioners and Sub Divisional Officers according to instructions issued by the Government of India in 1951. Later these registers were transferred to the Police in the early 1960s.

Why the National Register of Citizens (NRC) is being updated in Assam?

- ▶ National Register of Citizens (NRC) updating basically means the process of enlisting the names of those persons (or their descendants) whose names appear in any of the Electoral Rolls up to 1971, 1951 NRC or any of the admissible documents stipulated.
- ▶ The demands to update the NRC of 1951 were first raised by the All Assam Students' Union (AASU) and Assam Gana Parishad more than three decades ago. The organisations had submitted a memorandum to the Centre on January 18, 1980, two months after launching the Anti-illegal Foreigners Assam Movement.
- ▶ On November 17, 1999, at an official-level tripartite meeting to review the implementation of the **Assam Accord**, a decision was taken that the NRC would be updated and the Centre sanctioned Rs 20 lakh for the purpose and released Rs 5 lakh of it to start the exercise. Later, Prime Minister Manmohan Singh led government took the final decision to update NRC on May 5, 2005. Thereafter, the government created a directorate for updating the NRC and the process of computerisation of the voters' list up to 1971 and the NRC of 1951 began.

Assam Accord

The Assam Accord (1985) was a Memorandum of Settlement (MoS) signed between representatives of the Government of India and the leaders of the Assam Movement in New Delhi on 15 August 1985.

The accord brought an end to the Assam Agitation.

Some of the key demands were – All those foreigners who had entered Assam between 1951 and 1961 were to be given full citizenship, including the right to vote.

Those who had done so after 1971 were to be deported; the entrants between 1961 and 1971 were to be denied voting rights for ten years but would enjoy all other rights of citizenship.

A parallel package for the economic development of Assam, including a second oil refinery, a paper mill and an institute of technology, was also worked out.

The central government also promised to provide 'legislative and administrative safeguards to protect the cultural, social, and linguistic identity and heritage' of the Assamese people.

Concerns

- ▶ That 1.29 crore out of a total of 3.29 crore applicants did not find their names in the first draft of the National Register of Citizens (NRC) for Assam points to the enormity of the challenge the state is facing in identifying illegal migrants. In effect, they would be legally declared non-citizens — even stateless — and their numbers are likely to be in thousands.

- ▶ Border crossings into Assam and West Bengal are a reality, and political parties are to blame for turning a blind eye to the situation over the decades in order to cultivate vote banks. The issue has, however, become much larger than a cut-and-dried question of who is an Indian citizen and who is not.
- ▶ There are important humanitarian concerns at play, concerns that go beyond identification and numbers. Nearly five decades have elapsed since the cut-off date of March 25, 1971, and individuals who have sneaked in illegally have children and grandchildren by now.

Way forward

- ▶ Government to focus on its campaign promise of sealing the India-Bangladesh border and explore the possibility of provisions such as transparent work permits for foreigners, rather than push for this politically contentious legislation.

Conclusion

The idea of updating the NRC was not a bad initiative prima facie but inability to stop petty corruption which renders the whole exercise meaningless. NRC is not the panacea for illegal migration and other more efficient measures should be thought out to solve the menace of immigration.

Concept of Master and the Roster



On January 12, 2018 four Supreme Court Justices - Justice J. Chelameswar, Justice Ranjan Gogoi, Justice Madan B. Lokur and Justice Kurian Joseph - held a press conference to register their differences with the Chief Justice of India in matters related to court administration. This highlights the serious discrepancies in judicial administration of India.

Introduction

Indian Constitution has established an integrated judicial system with the Supreme Court at the top and the high courts below it. Under a high court (and below the state level), there is a hierarchy of subordinate courts, that is, district courts and other lower courts.

India, although a federal country, has a **unified judiciary** and one system of fundamental law and justice. The Supreme Court of India was inaugurated on January 28, 1950. Articles 124 to 147 in Part V of the Constitution deal with the organization, independence, jurisdiction, powers, and procedures and so on of the Supreme Court.

Chief Justice of India at its head make rules and regulations of daily conduct and also issues which Judge adjudicate which case, that is why he also called “ Master of Roster”.

Procedure of the Court

The Supreme Court can, with the approval of the President, make rules for regulating generally the practice and procedure of the Court.

The Constitutional cases or references made by the President under Article 143 are decided by a Bench consisting of at least five judges. All other cases are usually decided by a bench consisting of not less than three judges.

Concept of ‘Master of the Roster’

‘Master of the Roster’ refers to the privilege of the Chief Justice to constitute Benches to hear cases.

This privilege was emphasised in November last year, when a Constitution Bench, led by the Chief Justice of India Dipak Misra, declared that “the Chief Justice is the master of the roster and he *alone has the prerogative* to constitute the Benches of the Court and allocate cases to the Benches so constituted.”

No Judge can take up the matter on this own, unless allocated by the Chief Justice of India.

The immediate trigger for this was a direction by a two-judge Bench (led by Justice Chelameswar) that a petition regarding a medical college corruption case, involving

an alleged conspiracy to bribe Supreme Court judges, be heard by a Bench of the five senior-most judges of the Supreme Court.

Controversy

All judges of the Supreme Court are equal when it comes to hearing and adjudicating cases. However, with respect to the administration of the Court, the Chief Justice is the “**first among equals**”. The Chief Justice decides when a case may be listed for hearing, and s/he also decides which judges will hear it.

In India, however, there are three interconnected factors that have, over the years, put this model under severe strain.

First: the Supreme Court now consists of 26 judges, who predominantly sit in benches of two. Chief Justice of India has discretion in determining which judges will hear and decide a case.

Second: Two judges who come from different contexts may even understand the same set of facts very differently. For example: in the mid-2000s, where two Supreme Court benches were hearing cases involving the death penalty. One of these benches confirmed virtually every death sentence, while the other commuted most of the cases before it.

Third: Supreme Court is dealing with a massive backlog of cases. The Chief Justice, however, has the power to “list” cases for hearing. For example, the government’s demonetisation policy was challenged in the Supreme Court, that the government could not legally deprive people of their property without passing a law. *The Supreme Court is yet to hear this case.* In the meantime, the policy has been implemented in its entirety.

The office of the Chief Justice remains answerable to none, a situation that was highlighted recently when, in a case that potentially involved the Chief Justice, the Chief Justice himself constituted a bench to hear it, and the Bench, while rendering its judgment, effectively held that the principle “no person shall be a judge in their own cause” simply didn’t apply to the office of the Chief Justice.

Consequences

As consequence of master of roster, survival of the Court as an institution is dependent entirely upon the **character of the individual as Chief Justice.**

History tells us that institutions that become over-reliant upon single individuals inevitably decay.

Though CJI is “first among equals”, but master behaviour of CJI is undermining equality in court. This led to serious contravention of opinions among judges and Justice System will be on anvil.

Trust of common man deteriorating from judicial system due to contradictions and controversies in system.

Way forward

The actions of the four judges highlight the structural problems pointed out above and remind us that if we are to prevent that decay in one of the most vital institutions of our democracy, the only way out is **meaningful reform** that brings **accountability and transparency** to the office of the Chief Justice, without compromising on judicial independence.

The issues are: the cardinal principle that the Chief Justice of India is the master of the roster must be re-examined. Although there can scarcely be any argument against it as a tenet of judicial discipline, it would be naive to consider it an absolute principle of justice delivery.

In the U.K., Lord Chancellors had, for long, used the prerogative of Bench selection to serve partisan ends. As scholar Diana Woodhouse writes, Lord Halsbury wanted the power of trade unions reduced and selected Benches accordingly; Lord Hailsham chose Benches to constrict his colleague Lord Atkin's ability to progressively interpret the law and Lord Loreburn's cherry-picking of judges to reach favourable conclusions is well-known. The history of such abuse of prerogative led the U.K. to statutorily establish two leadership positions in the new Supreme Court — that of the President and the Deputy President, together with a professional registry and a Chief Executive. The unchecked power of the Chief Justice of India to constitute Benches must be similarly circumscribed. Doing so does not amount to mistrusting the Chief Justice, but rather being cognisant of changing demands of accountability.

This will inflict deep scars on the institution of judiciary. It is important for this institution to ensure that an impression is not given to public at large that constitution of Benches and allocation of matters are being administratively done in a manner more palatable to the Executive whose major actions and decisions are being tested on the touchstone of constitutionality every day.

Conclusion

Transparency and accountability in highest institutions instill confidence in common people. Judicial accountability need to be ensured but at the same time it needs to be kept in mind that people with vested interests are not allowed for forum shopping in the name of justice and shall be dealt with strict measures such as contempt of court.

Role of CAG and Recent Reports



Recent CAG has given audit reports on FSSAI and bio-toilets. Comptroller and Auditor General of India (CAG) has pulled up food regulator FSSAI for issuing licences to food business operators without complete documents, and questioned it on the quality of testing with 65 out of 72 State labs not being NABL accredited.

The second Audit was conducted with a view to review the achievement of targets for induction of bio-toilets in passenger coaches by Indian Railways and to evaluate the adequacy of infrastructure in Coaching Depots and Workshops to ensure proper maintenance and upkeep of bio-toilets.

Hereby, discussing the functions of the CAG and recent reports on FSSAI and Bio-toilets. A student can place the recommendations in the respective answers to enhance the quality of content.

Introduction

- ▶ **Comptroller and Auditor General (CAG)** of India is empower to audit all expenses from the combined Fund of the union or state governments, whether incurred within India or outside.
- ▶ CAG is a constitutional office under article 148 and is appointed by the President of India by warrant under his hand for a period of 6 years or up to age of 65 years.

Functions and Power of CAG:

- ▶ CAG suggests the account keeping of union and state with the approval of President. It exercises power in relation to account of union and state or any other enterprise funded by GOI as may be prescribed by law made by parliament.
- ▶ The CAG reports to the President and governors regarding the accounts of union and state respectively. In 1976, the accounting was separated from auditing from the CAG's duty. Now accounting is done by other agencies.
- ▶ It audits all expenditure and receipts from Consolidated Fund of India and of the states and union territories. It audits all balance sheets of other subsidiary account kept in department stores and stocks of all the government offices. It audits the accounts of all government companies setup under the Companies Act 1956 and also includes the central government corporation. It also audits authorities and body substantially funded by the CFI and account of those authorities which are not funded by government, at the request of President and governor or CAG's own initiative.

Importance of CAG

- ▶ CAG audit report makes observations on efficiency and loss. When there is a loss to exchequer due to dubious allocation of natural resources, it is expected that CAG would perform its duty as Guardian of public exchequer fairly. For example, regarding the 2G scam, the dubious 2008 allocation at a time when demand far exceeded supply was an unexplained question and hence it was CAG's well indicated duty to point it out.

Highlights of CAG report on Bio-toilets

- ▶ The ambitious project of Indian Railways to do away with the existing system of toilets in trains and replace them with bio-toilets has hit a roadblock.
- ▶ According to a report by the Comptroller and Auditor General of India (CAG) there was up to 67% shortfall in construction of bio-toilets in various zones of the railways.
- ▶ The total target for retrofitting bio-toilets was 70,000 for 2016-2017. However, only 22,198 bio-toilets could be retrofitted. And utilisation of funds allotted for retrofitting varied between 34-71% from 2014-15 to 2016-17.
- ▶ Besides missing the target on availability of bio-toilets, the CAG report has also highlighted the issues with the quality of bio-toilets available on trains. The audit team identified 199,689 cases of deficiencies or complaints. The highest number of complaints was regarding choking of such toilets, along with foul smell, non-functionality of bio-toilets, non-availability of dustbins, non-availability of mugs and other complaints like ball valve failure.
- ▶ The CAG report also highlights the lack of railways staff trained in maintenance of bio-toilets. Only 36.62% supervisory and 23.21% non-supervisory staff was trained in maintenance of bio-toilets.
- ▶ The report states that none of the Zonal Railway except Southern Railway conducted any specific Passenger Awareness Drive to educate the public by distributing pamphlets, making announcements or arranging display on display boards/LED screens. When it comes to undertaking awareness initiatives for passengers regarding the use of bio-toilets, the railways failed to do its bit.

Suggestions

- ▶ The large number of defects/problems was an area of concern, which is required to be addressed by the railways on priority basis.
- ▶ There is an urgent need to operationalize Annual Maintenance and Operations Contracts and effectively monitor working and maintenance of bio-toilets fitted in passenger coaches by the Coaching Depots. Evacuation systems should be made available in order to maintain the bio-toilets received in the Coaching Depots.
- ▶ The problems of choking and foul smell need to be addressed through proper maintenance of bio-toilets in Coaching Depots, especially in Coaching Depots at Bengaluru with higher number of instances. Checks prescribed to be carried out on bio-toilets during PoH should also be exercised for their smooth operation in trains.
- ▶ There is an urgent need to train more number of non-Supervisory staff, who can effectively handle maintenance and upkeep of bio-toilets fitted in passenger coaches.

- ▶ The effective steps needed to be taken to make passengers aware about the working and usage of bio-toilets, which would go a long way in ensuring proper upkeep and maintenance of bio-toilets.

CAG report on Food Safety

- ▶ According to the CAG, even after more than a decade of the enactment of the Act, the Ministry and Food Authority are yet to frame regulations governing various procedures, guidelines and mechanisms enunciated in different sections of the Act.
- ▶ FSSAI and state food safety authorities did not conduct survey for enforcement and administration of the Act and of the FBOs under their jurisdiction, though required to do so under the Act.
- ▶ Audit finds that licenses were issued on the basis of incomplete documents in more than 50% of cases.
- ▶ FSSAI has failed to ensure that the Customs authorities follow up the Non-Conformance Reports issued by the FSSAI, and take appropriate action to ensure that unsafe foods do not enter the country.
- ▶ FSSAI has no data on public analysts, declared eligible under the erstwhile Prevention of Food Adulteration Act, who continue to function under the FSS Act. FSSAI also has no data on whether all the notified empanelled food laboratories have qualified food analysts.
- ▶ Acute shortage of licensing and enforcement officers (Designated Officers and Food Safety Officers) in the states severely affected food safety measures in the states.

Recommendations Based on the audit

- ▶ FSSAI may frame standard operating procedures on the formulation and review of standards, and ensure that these are adhered to, and should expedite the notification of regulations on areas that have been specified in the Act, but are yet uncovered.
- ▶ FSSAI must ensure that all licenses issued under the erstwhile system of product approvals are reviewed, and licenses cancelled and reissued as warranted under the present procedure.
- ▶ FSSAI and state food authorities should conduct surveys of food business activity under their jurisdiction to ensure a comprehensive and reliable database of FBOs and to ensure better enforcement and administration of the FSS Act.
- ▶ FSSAI may frame and notify policy guidelines and procedures on risk based inspections, including the periodicity of inspections. All states may be persuaded to specify the periodicity of inspections and ensure that the periodicity is adhered to.
- ▶ Ministry is required to ensure accreditation of all state food laboratories, and ensure that state food laboratories and referral laboratories are fully equipped and functional.

The reports of the CAG are taken into consideration by the Public Accounts Committees (PACs) and Committees on Public Undertakings (COPUs), which are special committees in the Parliament of India and the state legislatures.

Virtual ID for AADHAR



The Unique Identification Authority of India (UIDAI) has recently introduced 'Virtual ID' (VID) to safeguard Aadhaar cardholders' data. It has introduced a virtual identification for the ID holders so that the actual number need not be shared to authenticate their identity. Simultaneously, it has further regulated the storage of the Aadhaar number within various databases.

Hereby, discussing about 'Virtual ID' and its significance.

What is Virtual ID (VID)?

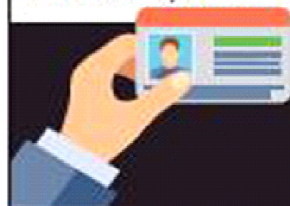
- ▶ This is a temporary **16-digit**, number that an Aadhaar holder can use for authentication instead of the Aadhaar number.
- ▶ It will give authorized agency (e.g. mobile company) limited details like name, address and photograph, so complete details from Aadhar card will not be available to these companies.
- ▶ Only Aadhaar number will be sufficient to generate VID; it can be generated from anywhere.

How it Works?

- ▶ It can be generated through Aadhaar resident portal, *Aadhaar Enrolment Centers*, and the *mAadhaar app* by Aadhar number.
- ▶ Authentication agencies will get virtual Id only to generate UID token that authenticates it, and provides a limited set of demographic details, such as name, phone number, address etc.

HOW IT WILL WORK

<ul style="list-style-type: none"> ▶ User has to log on to UIDAI website and provide her 12-digit Aadhaar number ▶ Website will generate a 16-digit temporary 'Virtual ID' ▶ All service providers, such as telcos, to accept it instead 	<p>of Aadhaar number</p> <ul style="list-style-type: none"> ▶ User can change her 'Virtual ID' any number of times by going online ▶ Aadhaar details to be shared with service providers for KYC on need-based basis
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March 1, 2018: Start generating your virtual ID

June 1: Companies must start accepting users' ID

About UIDAI and AADHAR:

The Unique Identification Authority of India (UIDAI) is a **statutory authority** established under the provisions of the *Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services Act, 2016* (Ministry of Electronics and Information Technology (MeitY)). UIDAI was created with the objective to issue Unique Identification numbers (UID), to **all residents of India** (not illegal immigrants) to eliminate duplicate and fake identities. UIDAI works in consultation with the **Registrar General of India**, which is responsible for census data in India.

AADHAR:

Aadhaar is a **12 digit unique-identity** number issued to all Indian residents based on their biometric and demographic data.

Aadhaar is the world's largest biometric ID system, with over 1.19 billion enrolled members (as of 30 Nov 2017).

Aadhaar is a proof of residence and not a proof of citizenship, and it does not itself grant any rights to domicile in India.

Privacy issue with Aadhar

- ▶ **Correlation of identities across domains:** Aadhaar makes it possible to track an **individual's activities** across multiple domains of service using their global Aadhaar Ids which are valid across these domains. This would lead to identification without consent.
- ▶ **Identification without consent using Aadhaar data:** There may be unauthorised use of biometrics to illegally identify people. Such violations may include identifying people by inappropriate matching of fingerprint or iris scans or facial photographs stored in the Aadhaar database, or using the demographic data to identify people without their consent and beyond legal provisions.
- ▶ **Illegal tracking of individuals:** Individuals may be tracked or put under surveillance without proper authorisation or legal sanction using the authentication and identification records and trails in the Aadhaar database. Such records will typically also contain information on the precise location, time and context of the authentication or identification, and the services availed.

To **address above mentioned security concerns** over Aadhaar database government has proposed VID.

Benefits

- ▶ The VID is supposed to hide the Aadhaar number from the authenticating agency, this expected to strengthen privacy.
- ▶ It is possible with VID to prevent **profiling** of citizens of India.
- ▶ VID is a temporary number that will be automatically revoked once the Aadhaar holder generates a new VID, make data theft very difficult. (Like changing ATM pin frequently, it makes more secure).
- ▶ It also introduced what it described as a system of **“Limited KYC”** (Know Your Customer) to reduce the storage of Aadhaar numbers with the Authentication User Agencies (AUAs). (*Note: ‘limited KYC’ – it will only provide need-based or limited details of a user to authorised agencies.*)

Criticism to VID

At prima facie as government claiming VID looks solution to all problems. The idea of the Virtual ID is to prevent agencies from collecting and storing individual Aadhaar

numbers with demographic data. But what if government agencies have themselves been leaking Aadhaar numbers and it is entirely possible, given the way the internet works, that the entire Aadhaar database – with the UIDs and demographic data – has already been copied. Hence forth use of Aadhar number will be more secure, but already stolen data, is main cause of concern. And no one is talking in that direction.

Conclusion

As growing concerns with Aadhar security is increasing, Virtual ID (VID), can be a good step towards national security. But it is imperative to find solutions on security at its root cause by increasing security infrastructure than ad-hoc solutions.

SCIENCE, ENVIRONMENT AND DISASTER ISSUES

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How Safe is Digital India?

Context

In the recent days, weeks and months, there is an overdrive by the government and India Inc to link tax returns, bank accounts, mobile SIMs, mutual funds and more to the 12-digit Aadhaar.

In 2016, 3.2 million credit card and debit card details were stolen by Chinese hackers. In April last year, the Food and Civil Supplies Department of Chandigarh was reported to have published Aadhaar numbers of their public distribution system beneficiaries. Later in July, the Jharkhand Directorate of Social Security reported similar leak.

Thus, the above stated issues has raised the query: Is Digital India secure? Hereby, discussing the concept of Digital India, and issues related to it.

Introduction

Digital India aims at transforming India into a digitally empowered society and expects to further accelerate awareness, availability and adoption of digital technologies. The focus of the Digital India programme is on creating safe and secure cyberspace. The benefits of digital payments also increase risks and the principal concern over the rush to a digital economy is the growing threats of cyber-attacks, and data leakage.

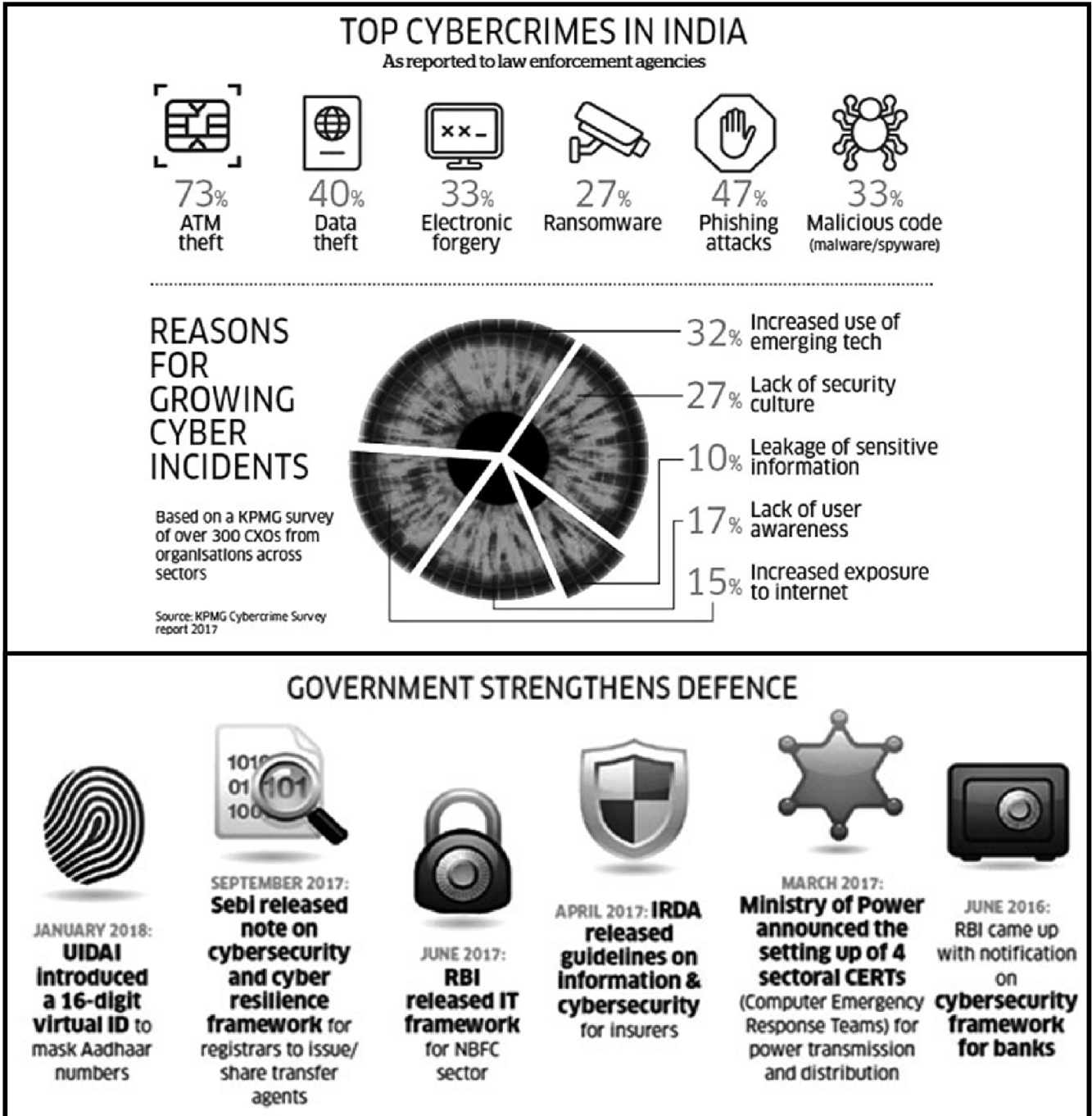
A 2017 study by PwC and ASSOCHAM revealed that attacks on Indian websites increased five times in the past four years. It noted that Digital India spends miniscule amount on security which have rised the question whether Digital India is safe or not?

Issues raised

- ▶ There are critical data pools across Digital India platforms, with sensitive personal information about bank transactions, taxes filed, passport details, property ownership, birth certificates, and photographs and so on. These reside in systems of Passport Seva, GSTN, e-governance portals, income tax e-filing, UIDAI and others.
- ▶ Data across systems and agencies is increasing every minute. A few lakh people apply for Aadhaar every month or go to its centres to update or correct information, including address, date of birth, name. The government is the biggest player in digital India, with several petabytes (one petabyte is 1,000 terabytes or approximately 10 years of TV content) of data residing with various agencies. And there are multiple user agencies accessing that data to complete their tasks. These include banks, telecoms, insurance companies, credit card issuers, mobile wallets, e-commerce companies, hospitals, security and gas agencies.
- ▶ Linking Aadhaar with everything is a risk if done without adequate checks and balances. Who is the actor, who owns the information, how and why do multiple agencies have access to databases? There are good uses and bad uses of data. The trouble is we don't know the bad users.

- ▶ The problem with government databases is that these are live, accessed by multiple users within the government and outside. That multiplies the security challenge. Every opportunity comes with a cost.
- ▶ UIDAI gave an option to users to mask their numbers by creating virtual identity while this move is great to protect identity; users have to be reasonably tech-savvy to use this. That may not be true of those at the bottom of the pyramid who get direct benefit transfer under various government schemes. There could be a disgruntled employee who decides to misuse privileges.
- ▶ Agencies' need to keep pace with the speed at which technology changes from a two-year upgrade cycle, now it is 60 days for some software. Technology has increased in complexity. We cannot depend on one technology partner but an ecosystem of partners who supply different software. This dependence on others is a security risk as well.
- ▶ **Social Media:**
 - Often users store personal information on their smartphones. They download free apps like WhatsApp or True Caller. An app could seek permission in its long list of conditions – which nobody cares to read - to copy every word you key in, compromising security.
 - Facebook and Instagram have user's name and birth dates, besides frequent updates.
 - Amazon, Flipkart and other e-commerce companies know addresses, mobile numbers and credit card numbers. Over the next few years, if users are able to do banking via links, like on Facebook, it will multiply risks. The biggest challenge is that personal data is not just with the bank (or UIDAI or GSTN, etc).
- ▶ There is an entire ecosystem of players and not all of them run their shops with the same level of rigour and controls that banks do. Users need to be careful before connecting to public Wi-Fi. Also, using the photocopy shop or even printers and copiers in offices to get Aadhaar or passport copies is not without risks. These come with hard disks that store every copy or print.
- ▶ **Inadequate Fund for Greater Security:**
 - Most companies still don't spend the kind of money that securing digital assets needs. For instance, JP Morgan has a \$10 billion IT budget and \$1 billion spend on security.
 - In India, public sector banks spend 1-3% of their IT budgets on cybersecurity and it's slightly higher in private banks vis-a-vis the US where, generally, spending 10-15% of the IT budget on digital security is a common trend among financial institutions.
 - The 2017 Global Cybersecurity Index by the UN ranked India 23rd among 165 countries in commitment to Cybersecurity. India scored better in security than in ease of doing business, but is not entirely risk-free.
- ▶ **Quantum Era:**
 - The greatest threat to Digital India could arise from hackers residing anywhere in the world - state-sponsored or otherwise.
 - About 20 years back, 40-bit encryption was considered high-tech. Today it can be breached in minutes and companies have moved to 128-bit and 256-bit encryption. Databases like Aadhaar are secured with 2048-bit encryption.

- What appears impregnable today could succumb to quantum computing (QC) in just a few years. Today's encryption methods could be brought down with QC in minutes.
- 100% security is a mythical target because of the variety of attack methods, number of known and unknown hardware and software vulnerabilities, limitations in detection and response technologies, etc.



Solutions

Security is not a product, but a process.

- At a time when there's a hue and cry over technology jobs drying up, the software security market is staring at a crisis. There aren't enough geeks to protect digital assets. Digital India needs top professionals who can build hack-proof systems and are blockchain-and quantum-computing era ready and ensure 24x7 protection against threats.

- ▶ The corporates in India needs to address the basics in terms of user management, patch management, backup and recovery processes, incidence response processes, and the end user awareness.
- ▶ The Government can also play a larger role in creating secure business and society. Through stricter regulations and mechanisms to ensure information protection, incidence sharing and data protection, the Government can help create systems to empower citizens in cyberspace.
- ▶ Establishing mandatory security standards for technologies, supported by intelligence sharing will help counteract threats. Regulations however, should not be restrictive to business. For example, China's recent cyber security law demands that data gathered in the country, and data about Chinese citizens be stored locally at all times.
- ▶ Effective implementation of cybersecurity and privacy laws also requires requisite technical capability in law enforcement agencies. Globally, there is a dearth of cybersecurity talent, which calls for strong academia-government-private partnerships to create specialised courses, as well as career paths for those who choose to pursue this field.
- ▶ Cybersecurity is a field driven by innovation and the Government needs to promote entrepreneurs exploring the field.
- ▶ Security should be the shared responsibility of government, organisations as well as the end users. Organisations should regularly update their software and fraud detection systems while the users should be aware of the basic security features. The government should focus more on educating the customers as well as enforcing basic security standards for organisations. Also, all the breaches should be mandatorily reported.
- ▶ A robust regulatory framework, an effective customer redressal framework, fool proof security measures to enable confidence and trust, incentives for large participation and benefits similar to cash transactions, such as ease of use, universal acceptability, perceived low cost of transaction, convenience and immediate settlement, are some measures that can help ensure long-term success for digital payments.

Generic Drugs and their Significance



Context

The government in Himachal Pradesh plans to make it compulsory for doctors of all hospitals in the State to prescribe generic drugs to patients. HP will be the first state in the country to form a law like this.

Hereby, discussing the status of pharmaceutical industry in India, concept of generic drugs, its significance and rules related to it in India.

Pharma Industry in India

- ▶ The Pharmaceutical industry in India was more or less non-existent, prior to 1947; there were no production units of allopathic medicine in the country.
- ▶ Today, in the 21st century the Indian Pharma sector is well recognized and a major provider of medicines and healthcare products globally.
- ▶ India is now a leading pharmaceutical producer, with a fast-growing generics and bio-similar market.
- ▶ India currently ranks fourth in the world among the highest generic pharmaceuticals producers and contributes 20% of global generic drug exports – as per a report by Equity Master.
- ▶ Several attractive reasons for India's rising prominence in pharmaceuticals can be cited, including:
 - ▣ Economic labour.
 - ▣ Strong government support.
 - ▣ Infrastructure and legislature.
 - ▣ Lower production costs.
- ▶ While India's domestically-owned pharmaceuticals companies may be few in number, many multinational Pharma giants appear to be taking advantage of the country's inexpensive labour through India-based subsidiaries.
- ▶ India boasts lower research and development (R&D) and manufacturing costs, given government initiatives that support the pharmaceuticals sector, including fiscal incentives and streamlined development procedures.
- ▶ The cost of production has been a leading source of India's industry strength, as India is 60% cheaper than the U.S. and 50% cheaper than Europe in terms of drug production costs.

- ▶ The flexible provisions of the Patent Act of 1970 and other supportive policies of the Government of India played an instrumental role in the growth and development of this industry.
- ▶ Medical practitioners across the state of Himachal Pradesh will have to prescribe Generic Medicines to the patients. Doctors have been instructed to prescribe generic drugs and those medicines which are available for free at the hospitals. If Generic medicines are not available only then, the doctor is allowed to prescribe branded medicines. But, he has to mention why he is prescribing branded medicines on the prescription.
- ▶ In HP, there is a scarcity of Generic Medicines stores. Therefore aim is to make medicines affordable for patients. Generic Medicines will definitely help the poor patients. As, the branded medicines are expensive and poor people can't afford it.

What are Generic Drugs?

- ▶ A generic drug is a pharmaceutical drug that is equivalent to a brand-name product in dosage, strength, route of administration, quality, performance and intended use, but does not carry the brand name.
- ▶ The generic drug may differ from the original in non-essential characteristics such as colour, taste and packaging.
- ▶ Although they may not be associated with a particular company, generic drugs are usually subject to government regulations in the countries where they are dispensed. They are labelled with the name of the manufacturer and a generic non-proprietary name.
- ▶ A generic drug must contain the same active ingredients as the original brand-name formulation.
- ▶ In most cases, generic products become available after the patent protections afforded to a drug's original developer expire.
- ▶ Generic medicines tend to cost less than their brand-name counterparts because they do not have to repeat animal and clinical (human) studies that were required of the brand-name medicines to demonstrate safety and effectiveness. In addition, multiple applications for generic drugs are often approved to market a single product; this creates competition in the marketplace, typically resulting in lower prices.

Significance of Generic Drugs

Although generic drug *active ingredients* are chemically identical to their branded counterparts, they are typically sold at a cheaper price than the brand-name drug. Generics are less expensive because the drug manufacturer does not have to duplicate the original clinical trials for effectiveness and safety, which lowers the cost to bring the drug to market. Generics are not less expensive because they are lower in quality.

Health care costs are the second most frequent reason for rural indebtedness. A major component of health care cost is medicines. Studies show that in India the cost of medicines is anything between 50 to 80 percent of the total cost of treatment. Currently, many of the patients seeking care in Public Health Facilities have to buy medicines from retail shops and these medicines are very costly for a variety of reasons. To meet this generic drugs can play an important role in reducing the cost of health issues.

Rules in India Related to Pharma Sector

- ▶ In India, the approval, production and marketing of quality drugs at reasonable prices is ensured by the following regulatory bodies:

- Drugs with high sales and a market share of more than 50% are part of the price regulation exercise. These drugs are referred to as scheduled drugs. Historically, the NPPA would intervene only if the annual price increases more than 20%.
- However, post-2007, the NPPA intervenes in cases where drugs have significant sales and where the annual price increases by 10%.
- The National Pharmaceuticals Policy 2006, proposed various measures such as increasing the number of bulk drugs under regulation from 74 to 354, regulating trade margins and instituting a new framework for drug price negotiations so as to make drugs more affordable for the Indian masses, to name a few.

To increase the use of generic drugs in India, government has initiated the Jan Aushadhi Campaign. The objectives are:

- ▶ Promote greater awareness about cost effective drugs and their prescription.
- ▶ Make available unbranded quality generic medicines at affordable prices through public-private partnership.
- ▶ Encourage doctors, more specifically in government hospital to prescribe generic medicines.
- ▶ Enable substantial savings in health care more particularly in the case of poor patients and those suffering from chronic ailments requiring long periods of drug use.

Conclusion

In situations where demand for medicines exceeds supply, and cost effective drug in demand with minimum expenditure, generic drug are best choice fulfilling this demand. Indian pharmaceutical industries grow rapidly all over the world and one of largest generic exporter in world. Thus, the proper validated regulation is required for manufacturing generic drugs in India. The current and future prospective of generics in India is very bright as Indian government looking towards generic drugs for providing better health care to public.

Heavy Metal Water pollution

Context

Supebeda, in Gariaband district on Chhattisgarh's border with Odisha is a village where 1 out of 10 residents are plagued by kidney failures and government records suggest that 54 villagers have died between 2009 and 2017 due to kidney malfunctions. They have noted the presence of harmful metals in the water and the soil. Nickel, chromium, cadmium and lead metals were found in higher amount. Some water samples showed higher level of zinc. This was in news recently, in this regard, it is imperative to study health hazards due to heavy metal water pollution in India.

What are Heavy Metals?

- ▶ Heavy metals are naturally occurring elements that have a high atomic weight and a density at least 5 times greater than that of water.
- ▶ Their multiple industrial, domestic, agricultural, medical and technological applications are raising concerns over their potential effects on human health and the environment.
- ▶ Their toxicity depends on several factors including the dose, route of exposure, and chemical species, as well as the age, gender, genetics, and nutritional status of exposed individuals.
- ▶ Because of their high degree of toxicity, arsenic, cadmium, chromium, lead, and mercury rank among the priority metals that are of public health significance.
- ▶ These metallic elements are considered **systemic toxicants** that are known to induce multiple organ damage, even at lower levels of exposure.
- ▶ They are also classified as **human carcinogens** (known or probable) according to the U.S. Environmental Protection Agency, and the International Agency for Research on Cancer.

Causes of Heavy Metal Pollution

- ▶ **Natural sources:** Natural causes like seepage from rocks, volcanic activity and forest fires can also contribute. Minerals like fluoride and arsenic salts are of natural origin, but human activity can also aggravate the situation.
- ▶ **Anthropogenic:** Rapid industrialisation and resulting industrial solid waste from power plants and integrated iron and steel industries, have imposed an enormous environmental pressure on water resources of Chhattisgarh.
- ▶ Pollutants introduced into the atmosphere by human activities include NO_x, SO₃, dioxins and heavy metals too. These are due to mining activities, thermal power plant, and transportation.
- ▶ **Unchecked treated water:** Water thrown into water bodies before treatment caused heavy water pollution.

Sources of Heavy Metals

Metals	Industry
Chromium (Cr)	Mining, industrial coolants, chromium salts manufacturing, leather tanning
Lead (Pb)	Lead acid batteries, paints, e-waste, smelting operations, coal-based thermal power plants, ceramics, bangle industry.
Mercury (Hg)	Chlor-alkali plants, thermal power plants, fluorescent lamps, hospital waste (damaged thermometers, barometers, sphygmomanometers), electric appliances etc.
Arsenic (As)	Geogenic/natural processes, smelting operations, thermal power plants, fuel burning.
Copper (Cu)	Mining, electroplating, smelting operations.
Vanadium (Va)	Spent catalyst, sulphuric acid plant.
Nickel (Ni)	Smelting operations, thermal power plants, battery industry.
Cadmium (Cd)	Zinc smelting, waste batteries, e-waste, paint sludge, incinerations & fuel combustion.
Zinc (Zn)	Smelting, electroplating.

How does Heavy Metals Affects Human Beings?

- ▶ In biological systems, heavy metals have been reported to affect cellular organelles and components such as cell membrane, mitochondrial, lysosome, endoplasmic reticulum, nuclei, and some enzymes involved in metabolism, detoxification, and damage repair.
- ▶ Heavy metals are also dangerous because they tend to bioaccumulate. Bioaccumulation is a condition in which the concentration of a chemical in a biological organism increases over time, compared to the chemical's concentration in the environment. Compounds accumulate in living beings any time they are taken up and stored faster than they are broken down that is, metabolised or excreted.
- ▶ Metal ions have been found to interact with cell components such as DNA and nuclear proteins, causing DNA damage and conformational changes that may lead to cell cycle modulation, carcinogenesis or apoptosis.
- ▶ Heavy metal-induced toxicity and carcinogenicity involves many mechanistic aspects, some of which are not clearly elucidated or understood. However, each metal is known to have unique features and physico-chemical properties that confer to its specific toxicological mechanisms of action.

Solutions

Given this disturbing background, it is essential for the Government to step up its heavy metal contamination prevention and mitigation activity so that the growing concern of heavy metal poisoning in the country can effectively be addressed.

For instance, a new low cost and safe method for removing chromium-6, a highly toxic heavy metal, from wastewater has been developed by a group of scientists from India and Ethiopia. The method uses water hyacinth, a weed known for its ability to spread rapidly over water bodies. It is used for cleansing polluted water bodies owing to its remarkable capacity of absorbing pollutants.

As per this method, water hyacinth is made into a powder and then mixed with water containing chromium-6. The powder is allowed to settle down and gradually the water above the powdered area starts showing lower levels of chromium-6 as compared to other parts of the water body where the powder has not been applied.

This is because water hyacinth particles attract chromium, which then gets 'stuck' to it, thereby leaving water chromium 'free'. For every litre of water, only 0.04 grams of powdered water hyacinth is required to reduce the amount of chromium-6 to 'safer' levels over a period of 30 minutes. It was also found that acidic water further encouraged the 'sticking' or adsorption of chromium-6 particles to the powdered water hyacinth.

The Government must encourage researches, such as the water hyacinth powder model, to remove extremely hazardous elements from industrial waste before it becomes dangerous to the humans and the environment.

It is also essential that physico-chemical, as well bioremediation solutions, should be applied immediately to reduce the environment and public health load, preferably at the site of generation.

Common effluent treatment facilities can be considered for smaller industries, provided they are maintained properly. To ensure accountability and proper functioning of these plants, the Government must set up a supervisory team comprising of representatives of industry employees, government officials and representatives of the local population in the area.

Conclusion

Heavy metals are important in many respects to man, especially in the manufacturing of certain important products of human use, such as accumulators (Pb), mercury-arch lamps and thermometers (Hg), utensils (Al) and a wide range of other products. But the biotoxic effects, when unduly exposed to them could be potentially life threatening, hence, cannot be neglected. While these metals are in many ways indispensable, good precaution and adequate occupational hygiene should be taken in handling them.

Reduction in Migratory Birds: Reasons and Steps Needed



Annual bird census is being conducted: The number of unique species in the wetland decreased from 42 to 35 between 2017 and 2018.

Asian Water bird Census (AWC) has found that Bird population at the scenic Chilika Lake (Asia's largest brackish water lagoon) has recorded a marginal drop.

Chilika lake (Odisha) is also experiencing loss of migratory birds.

Introduction

What are migratory birds?

- ▶ Avian/bird migration is a natural process, whereby different birds fly over distances of hundreds and thousands of kilometers in order to find the best ecological conditions and habitats for feeding, breeding and raising their young.
- ▶ There are many different migration patterns. The majority of birds migrate from northern breeding areas in the summer, to southern wintering grounds. However, some birds breed in southern parts of Africa and migrate to northern wintering grounds, or horizontally, to enjoy the milder coastal climates in winter.
- ▶ Migratory birds have the perfect morphology and physiology that enables them to fly fast and across long distances.
- ▶ However, their journey is often an exhausting one during which they go to their limits. The Red Knot for example, a 24 cm long wader weighing of around 220 gm, breeds in Siberia and over winters on the west coast of Africa, some even going down to South Africa.

Threats to Migratory Birds

- ▶ The loss of habitats due to **pollution or exploitation caused by encroachment for settlement, agriculture, grazing etc.** is the main threat migrating birds face, as they are dependent on finding suitable breeding and wintering grounds as well as stopover sites along their flyways where they can rest and feed.
- ▶ The loss of any of these sites used by the birds during their annual cycle could have a dramatic impact on the birds' chances of survival.
- ▶ **High-voltage power lines** and wind turbines have a dramatic impact on birds, which are in danger of being killed by electrocution or collision.
- ▶ **Poaching remains widely practiced** in countries where people are highly dependent on biodiversity for their livelihoods.

- ▶ **Natural Disasters:** Hurricanes, blizzards, wildfires and other natural disasters can destroy crucial stopover and rest sites as well as destroying food sources birds need to refuel along their journeys. Birds that are caught in these disasters can suffer other effects that cause injury, debilitation or death, such as singed feathers in a wildfire or freezing in an early or late blizzard.
- ▶ **Collisions:** Tens of thousands of migrating birds collide with obstacles in mid-flight during both spring and fall migrations, and the majority of these collisions cause fatal injuries.

Bird Conservation Solutions

- ▶ Creating bird-friendly landscape and preserving natural habitats for birds to rest and refuel during migration.
- ▶ Keeping bird feeders and bird baths clean and fresh to avoid spreading diseases that could infect migrating birds and thus spread to migratory flocks.
- ▶ Minimizing or avoiding pesticide use and taking care to dispose of oil, lead and other toxic materials safely and responsibly so there is no environmental contamination that can affect birds. If a spill occurs, participating in cleanup efforts can help protect both local and migratory birds.
- ▶ Supporting strong enforcement of local hunting laws and measures to prevent poaching or illegal hunting activities.
- ▶ Raise awareness of birds in every season and encourage more people to protect migrating birds.

Government Initiatives for Conservation of Birds

- ▶ *Rare and endangered species of birds, including migratory birds, are included in Schedule-I of the Wild Life (Protection) Act, 1972 thereby according them highest degree of protection.*
- ▶ Stringent punishments have been provided for in the Wild Life (Protection) Act, 1972 for violation of the provisions of the Act.
- ▶ Important habitats of birds, including migratory birds, have been notified as Protected Areas under the Wild Life (Protection) Act, 1972 for better conservation and protection of birds and their habitats.
- ▶ Financial and technical assistance is provided to the State/UT Governments for protection and management of Protected Areas.
- ▶ Wildlife Crime Control Bureau has been established for control of illegal trade in wildlife and its parts and products.
 - Mainstreaming coastal and marine biodiversity conservation into production sectors in the east Godavari river estuarine ecosystem, AndhraPradesh: The East Godavari River Estuarine Ecosystem (EGREE) encompassing the Godavari mangroves is the second largest area of mangroves along the east coast of India (after Sundarbans).
 - Mainstreaming coastal and marine biodiversity conservation into production sectors in Sindhudurg, Maharashtra: The Sindhudurg Coastal and Marine Ecosystem (SCME), located on the west coast of India in the state of Maharashtra is one of the 11 ecologically and economically critical habitats identified along the Indian coast. Critical habitats include: rocky shore, sandy shore, rocky island, estuaries, mud flats, marshy land, mangroves, coral reefs, and Sargassum forests.

- India High Range Landscape Project - Developing an effective multiple-use management framework for conserving biodiversity in the mountain landscapes of the High Ranges, the Western Ghats, India.

International Cooperation

- ▶ *Convention on International Trade in Endangered Species of Fauna and Flora (CITES)*: In order to regulate international trade in endangered species of Wild Life, the Convention on International Trade in Endangered Species of wild fauna and flora (CITES) was signed in March 1973.
- ▶ *World Heritage Convention*: India is a member of World Heritage Convention responsible for listing of World Heritage Sites, which include both Cultural and natural sites. The World Heritage Convention is a Convention under the aegis of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Wild Life wing of the Ministry of Environment and Forests is associated with the conservation of the Natural World Heritage sites.
- ▶ *Convention on the Conservation of Migratory Species of Wild Animals (CMS)*: The Convention on Conservation of Migratory Species (CMS) or Bonn Convention aims to conserve migratory species throughout their range. The Convention came into force in 1979. India is a signatory to the convention since 1983.
- ▶ *International Whaling Commission*: The International Whaling Commission (IWC) was set up under the International Commission for the Regulation of Whaling which was signed in Washington on 2nd December 1946.

Some Critically Endangered Bird Species of India

Ardea insignis (White-bellied Heron): Extremely rare bird found in five or six sites in Assam and Arunachal Pradesh.

Grus leucogeranus (Siberian Crane): Habitat: Wetland areas of Keoladeo National Park in Rajasthan.

Heteroglaux blewitti (Forest Owlet): It is an owl that is endemic to the forests of central India, south Madhya Pradesh, north-west Maharashtra and north-central Maharashtra.

Houbaropsis bengalensis (Bengal Florican): Bengal Bustard

Ophrysia superciliosa (Himalayan Quail): Presumed to be extinct since no reliable records of sightings exist after 1876.

Rhinoptilus bitorquatus (Jerdon's Courser): The bird was discovered by the surgeon-naturalist Thomas C. Jerdon in 1848 but not seen again until its rediscovery in 1986.

Rhodonessa caryophyllacea (Pink-headed Duck): A large diving duck that was once found in parts of the Gangetic plains of India.

Some of the migratory bird sites in India

Chilika Lake, Odisha: Notable places for bird watching in Chilika are Nalabana, Birds Island and Mangalajodi. The Pintail Duck comes from Siberia's Caspian region, while red-crested Pochard Duck from Lake Baikal.

Nalsarovar Bird Sanctuary, Gujarat: Located west of Ahmedabad, the Nalsarovar Bird Sanctuary is a favourite location for migratory birds during the winter months.

Sundarban National Park, West Bengal: Some of the birds that one can find here are herons, storks, cormorants, sand pipers, seagulls, pintail, whimprel, eastern knot, curlew, and white eyed pochard.

Kumarakom Bird Sanctuary, Kerala: Lush greenery everywhere commands the view of this place as pond herons make their stay felt with their beautiful presence. Here cuckoo, owl, egret and water duck, among other migratory birds also make this bird sanctuary their home.

Eaglenest Wildlife Sanctuary, Arunachal Pradesh: Home to almost 454 species of birds, the Eaglenest is Arunachal Pradesh's best kept secret.

Conclusion

The number of migratory birds arriving in the country depends on various factors including habitat quality and preference, human disturbances along their migratory route, pollution, hunting and other biotic factors etc. However, as per the latest 'Asian Water bird Census' coordinated by the Wetlands International, the population of threatened migratory birds in the entire flyway region which includes Central Siberia, Mongolia, Central Asian republics, Iran, Afghanistan, Gulf States and the Indian sub-continent, are largely decreasing. Along with the government initiative people should come forward to save these birds.

What Ails Namami Gange Project?



Namami Gange Project or Namami Ganga Yojana is an ambitious Union Government Project in May 2015, which integrates the efforts to clean and protect the Ganga River in a comprehensive manner.

Continued inflow of untreated wastewater in the Ganga is one of the prime causes of tardy progress of the Namami Gange project to rejuvenate the country's most revered river. Despite constantly nudging the towns around the Ganga's banks to put up wastewater treatment plants, the bulk of the sewage generated by them is falling into the river unprocessed.

Hereby, discussing the issues with proper implementation of the Namami Gange Programme.

Introduction

'Ganga has been declared one of the world's fastest shrinking and most threatened river by the United Nation.'

The river directly and indirectly affects the largest population in comparison to any river in the world with over more than 420 million people who rely on it for food, water, bathing and agriculture. And that is not to mention the tens of millions of pilgrims who venture to India's most holy of rivers each year to bathe and worship.

'Namami Gange' focus on pollution abatement interventions namely interception, diversion & treatment of wastewater flowing through the open drains through bio-remediation / appropriate in-situ treatment / use of innovative technologies / sewage treatment plants (STPs) / effluent treatment plant (ETPs); rehabilitation and augmentation of existing STPs and immediate short term measures for arresting pollution at exit points on river front to prevent inflow of sewage etc.

The key achievements under Namami Gange programme are:

- ▶ **Creating Sewerage Treatment Capacity:** 63 sewerage management projects under implementation in the States of Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal. 12 new sewerage management Projects launched in these states. Work is under construction for creating sewerage capacity of 1187.33 (MLD). Hybrid Annuity PPP Model based two projects has been initiated for Jagjeetpur, Haridwar and Ramanna, Varanasi.
- ▶ **Creating River-Front Development:** 28 River-Front Development projects and 33 Entry level Projects for construction, modernization and renovation of 182 Ghats and 118 crematoria has been initiated.

- ▶ **River Surface Cleaning:** River Surface cleaning for collection of floating solid waste from the surface of the Ghats and river and its disposal are afoot and pushed into service at 11 locations.
- ▶ **Bio-Diversity Conservation:** Several Bio-Diversity conservation projects namely – Biodiversity Conservation and Ganga Rejuvenation, Fish and Fishery Conservation in Ganga River, Ganges River Dolphin Conservation Education Programme – has been initiated. 5 Bio-Diversity center's at Dehradun, Narora, Allahabad, Varanasi and Barrackpore has been developed for restoration of identified priority species.
- ▶ **Afforestation:** Forestry interventions for Ganga through Wildlife Institute of India; Central Inland Fisheries Research Institute and Centre for Environment Education has been initiated. Forestry interventions for Ganga has been executed as per the Detailed Project Report prepared by Forest Research Institute, Dehradun for a period of 5 years (2016-2021) at project cost of Rs.2300 Crores. Work has been commenced in 7 districts of Uttarakhand for medicinal plants.
- ▶ **Public Awareness:** A series of activities such as events, workshops, seminars and conferences and numerous IEC activities were organized to make a strong pitch for public outreach and community participation in the programme. Various awareness activities through rallies, campaigns, exhibitions, shramdaan, cleanliness drives, competitions, plantation drives and development and distribution of resource materials were organized and for wider publicity the mass mediums such as TV/Radio, print media advertisements, advertorials, featured articles and advertorials were published. Gange theme song was released widely and played on digital media to enhance the visibility of the programme.
- ▶ **Industrial Effluent Monitoring:** Real-time Effluent Monitoring Stations (EMS) has been installed in 572 out of 760 Grossly Polluting Industries (GPIs). Closure notice have been issued to 135 GPIs so far and others have been given deadlines for compliance to stipulated norms and for installations of online EMS.
- ▶ **Ganga Gram:** Ministry of Drinking Water and Sanitation (MoDWS) identified 1674 Gram Panchayats situated on the bank of river Ganga in 5 State (Uttarakhand, Uttar Pradesh, Bihar, Jharkhand, and West Bengal). Rs. 578 Crores has been released to Ministry of Drinking Water and Sanitation (MoDWS) for construction of toilets in 1674 Gram Panchayats of 5 Ganga Basin States. Out of the targeted 15,27,105 units, MoDWS has completed construction of 8,53,397 toilets.

What Ails Namami Gange Project?

- ▶ Continued inflow of untreated wastewater in the Ganga is one of the prime causes of tardy progress of the Namami Gange project to rejuvenate the country's most revered river. Despite constantly nudging the towns around the Ganga's banks to put up wastewater treatment plants, the bulk of the sewage generated by them is falling into the river unprocessed.
- ▶ High cost of setting up and operating the refining units is among the major reasons for poor interest in cleansing the dirty water before releasing it into Ganga.
- ▶ The total cost of refining the untreated sewage being released into Ganga with the help of the WTC technology would come to only around Rs.1,300 crores, against over Rs, 10,430 crores in the case of treatment with conventional methods.
- ▶ The Ganga's vast coverage across multiple states and level of usage indeed makes it difficult to clean it up within a short time period.

- ▶ Large amount of Ganga water used for irrigation is killing the Ganga downstream of Narora.
- ▶ The constructions of inland waterways is leading to increased pollution and killing aquatic life.
- ▶ Undue investment on technical aspects like creating sewage treatment plants to prevent the pollution in river Ganga without involving people living on the banks of the river.
- ▶ Encroachment of the catchment areas and diversion for construction and developmental activities.
- ▶ Polluted river surfaces in Varanasi, Kanpur, Allahabad, Mathura and Patna have faced problems related to rampant waste disposal. The river surface near Varanasi and Mathura has particularly faced severe pollution issues due to them being holy sites.
- ▶ The issue of cremation is a contentious one, and religious sentiments are attached with the ritual. However, this plays a massive part in polluting the river.
- ▶ Swacch Bharat Mission will compound the problem of Ganga pollution to an irreparable level. These toilets will be built with four on-site sanitation technologies septic tank, twin pits, biotoilet or biodigester. This means by 2019, over 30 million tanks or pits would have been dug along the Ganga. A back-of-the-envelope calculation shows these tanks and pits will produce 180 MLD of faecal sludge and septage. In the absence of a proper management system, this waste will eventually find its way into the Ganga.
- ▶ There are 764 grossly polluting industries on the banks of the Ganga, mostly in Uttar Pradesh. These include tanneries, paper and pulp industries, sugar mills, dyeing factories, distilleries, and cement plants. Effluents from all these flow untreated into the river. Tanneries near Kanpur alone generate about 25 million litres of effluents daily.
- ▶ Non-involvement of local youth and people who stay near the banks of river.
- ▶ Cleaning of rivers failed because catchment areas were encroached upon and diverted for construction and development activities.

Way forward

- ▶ **Hassle-free and affordable sewage treatment technology:**
 - Untreated wastewater handicap can be overcome to a large extent by replacing the cost-intensive and problematic conventional liquid-waste cleansing methods with the simple, hassle-free and affordable sewage treatment technology.
 - Besides, the land requirement for setting up the WTC treatment units, too, is comparatively far meagre. Moreover, these units can be transformed into environment friendly eco-parks to woo tourists as their water bodies have been noticed to attract migratory birds. Unlike the normal sewage treatment plants which stink, the new units do not emit any unpleasant odour because the decontamination process occurs under the soil surface without the use of chemicals which generate smelly gases.
 - The government plans to use biological means to deal with this waste. It wants to experiment with Seechwal model inculcated the practice of segregation of solid and liquid waste, treatment of waste water through oxidation ponds, use of treated water for irrigation, and composting of solid waste with a sense of community participation and ownership of the river.

- Machines called trash skimmers have been ordered from abroad to clean the river surface.
- Need to build gas or electric crematoriums, especially in religious centres like Varanasi and Allahabad.

Recent Initiative by the government under Namami Gange:

- ▶ **Ganga Manthan:** A national conference to discuss issues and solutions for cleaning the river.
- ▶ **Ganga Task force:** First company of Battalion was deployed at Garhmukteshwar.
- ▶ **Ganga Gram Yojana:** 1600 villages situated along the banks of river Ganga will be developed under this scheme.
- ▶ MoU with Rotary India to implement 'WASH in School' program. The program includes the implementation of Water, Sanitation and Hygiene services in the targeted government schools.

Tragedy of Preventable Disasters



Recently, the fire at the Kamala Mills (Mumbai) Compound took 14 lives. It is the kind of accident that could happen almost anywhere in the country, at the same time this is also a type of preventable disaster.

Hereby, discussing the concept of preventable disaster and steps needed for its management.

Preventable Disasters

With rapid economic development, man-made disasters pose equally grave threats to all life, property and environment. Moreover, man-made disasters are preventable and therefore what needs to be tackled is 'crisis' and not disaster. Every disaster is a crisis, but every crisis may not lead to a disaster. Focus should be on management of crises so that their degeneration into a disaster is prevented.

Preventable disasters are nothing but the types of man-made disasters that have been a result of human carelessness, callousness, or sheer lack of foresight and planning that has ended up with large number of innocent people losing lives, all of which were preventable. Ex: Bhopal Gas tragedy, AMRI Hospital fire, Kolkata, Maha Kumbh mela stampede in Allahabad.

Role of Local Level Governance

- ▶ Local self-governments, both rural and urban, have emerged as important tiers of governance. For the people, they are also the **nearest units of administration** and are among the **first responders to any crisis** besides being closely knit with the communities.
- ▶ These units can thus play an important role in crisis management under the overall leadership of the District Administration. So provisions need to be introduced in disaster management legislations or even the municipal legislations to bring greater salience to the role of the municipal bodies in responding to disasters.
- ▶ Ex: In Kamala mill tragedy it is observed that the rooftop of that building was an illegal construction. It shows the ineffectiveness of existing Municipal laws.
- ▶ The Disaster Management Act, 2005 mandates preparation of disaster mitigation prevention plans at District, State and National level. And visualizes the district plan as the one that lists out the vulnerable areas in the district, the measures required for prevention and mitigation of disasters, the capacity building and preparedness.

- ▶ The experience from past disasters and the prospect of more disasters/crisis, demand a holistic and an agile system for dealing with crisis/disasters. This would require strengthening of the existing legal framework, removal of loopholes.
- ▶ So, there is need of ensuring an effective coordination mechanism and an administrative structure with unity of command and well defined responsibilities at all levels.
- ▶ It also require resources to be drawn from different levels of government, means that a totally centralized or totally decentralized mechanism would be ineffective.

Lacunae in Government Functioning

- ▶ **Good governance and responsive administration** have to be seen as non-negotiable features of a dynamic process of effective interface with the communities at risk from the devastating impact of disasters. This process must be driven by transparency and accountability of public functionaries and their ownership of the transition to the paradigm shift.
- ▶ **Weak Compliance of Policies** like the Disaster Management Act, 2005, stipulated the setting up of the Disaster Response Fund and the Disaster Mitigation Fund at national, state and district levels, only the National and State Disaster Response Funds have become operational till now. The increasing frequency and damage to property, assets and infrastructure caused by recurring disasters makes it imperative that the provisions of the Disaster Management Act, 2005, are enforced in letter and spirit.
- ▶ **Failure in Formation of Disaster Recovery Plan:** Just 14 states have submitted their State Disaster Management Plan. The lackadaisical attitude shows government's complete disregard towards national and human safety.
- ▶ **Misutilization of Funds:** Government constituted National Disaster Response Fund and State Disaster Response Fund to deal with the disasters. The report indicates that Ministry of Home Affairs is not receiving appropriate information from states on utilization of funds. Audit findings reveal that some states have mutualized funds for expenditures that were not sanctioned for disaster management. There was in a few cases significant delay in releasing funds.
- ▶ **Disaster Management Communication:** Presently, if a disaster strikes and regular communication networks go down, there are no contingency methods available for communication to a disaster-hit area.

Prevention and Risk Reduction of Disasters

- ▶ Disaster risk can be reduced by forecasting occurrence of hazards as accurately as possible and well in time, and preparing in advance for their onset and even manipulating those natural hazards, which lend themselves to manipulation.
- ▶ It can also be brought down by taking measures to reduce vulnerability of the peoples living in that disaster prone areas.
- ▶ The enactment of laws and the setting up of national, state and district level authorities is an acknowledgement of the fact that disaster management is an integral part of administration.
- ▶ Disaster risk reduction can be effective if the communities feel that their needs are being met and participate in it. The community is also a repository of knowledge and skills which have evolved traditionally and these need to be integrated in the risk reduction process.



Conclusion

- ▶ Our preparedness regime needs to be strengthened both at the Government level and at the community level. In fact community preparedness is still an alien concept in the country. An intensive campaign to strengthen community preparedness will have to be undertaken. With better planning, preparedness, awareness and mitigation measures we can significantly reduce the impact of disasters for our people in the near future.



SOCIAL ISSUES

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1. All India Survey on Higher Education Report
2. Begging as Social Menace in India

All India Survey on Higher Education Report



Recently the Union Minister of Human Resource Development, released the 8th All India Survey on Higher Education (AISHE) for the year 2016-17.

Hereby, providing the gist of the report.

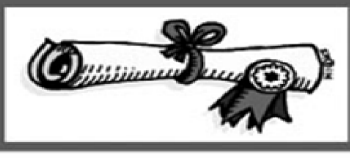
All India Survey on Higher Education

- ▶ To portray the status of higher education in the country, Ministry of Human Resource Development has endeavoured to conduct an annual web-based All India Survey on Higher Education (AISHE) since 2010-11. The survey covers all the Institutions in the country engaged in imparting of higher education. Data is being collected on several parameters such as teachers, student enrolment, programmes, examination results, education, finance, infrastructure. Indicators of educational development such as Institution Density, Gross Enrolment Ratio, Pupil-teacher ratio, Gender Parity Index, Per Student Expenditure will also be calculated from the data collected through AISHE. These are useful in making informed policy decisions and research for development of education sector.
- ▶ Each Institution is allotted a code known as AISHE code. There are about 50,000 Institutes of Higher Education in India, out of this about 800 are Universities, 12000 are Professional Institutes and remaining academic colleges and Institutes.
- ▶ In survey, Data is collected about details of Institute, Students enrolled, no. and details of teachers, infrastructure available, scholarship, loans and accreditation etc.

Key Highlights of All India Survey on Higher Education 2016-17

- ▶ The Human Resource Development (HRD) Ministry released the All India Survey on Higher Education (AISHE) for 2016-17 on 5 January 2018.
- ▶ The AISHE 2016-17 has been created with the government's vision for the higher education, which is based on three important aspects namely Quality, Autonomy, and Research & Innovation.
- ▶ The main items of data collection under survey are Programme details, Basic details, Teaching & Non-Teaching Staff, Examination Result, Student Enrolment, Infrastructure, Scholarships and Foreign students etc.
- ▶ In the AISHE 2016-17, the efforts have been made for the first time to collect data of teachers in the portal '**Gurujan**' which is designed specifically for the teachers. It fetched details of 12.68 lakh teachers – an exercise that will prove useful in ascertaining the quality of faculties in colleges and universities.

- ▶ Total enrollment in higher education stood at 35.7 million in 2016-17, up from 30 million in 2012-13. Of these, around 80 per cent of the students are enrolled in graduation courses.
- ▶ As per AISHE, India witnessed significant achievement in overall enrolment from 27.5 million in 2010-11 to 35.7 million in 2016-17, and improvement in Gross Enrolment Ratio (GER) from 19.4% in 2010-11 to 25.2 in 2016-17. It is expected that GER ratio of 30% would be achieved by the year 2022.
- ▶ Tamil Nadu had the highest Gross Enrollment Ratio in the country at 46.9 percent, Bihar has the lowest GER with 14.9 percent of its youth.
- ▶ Gender Parity Index (GPI) has improved from 0.86 to 0.94 to the corresponding period. To give a further boost to girl students, the government announced that a supernumerary quota in IITs will be increased.
- ▶ The number of institutions of higher education listed on AISHE portal has also increased significantly to 864 universities in 2016-17 from 621 universities in 2010-11 and 40,026 colleges in 2016-17 from 32,974 colleges in 2010-11.
- ▶ The foreign student enrolment number has slightly improved from 45,424 in 2015-16 to 47,575 in 2016-17.
- ▶ Another interesting finding is about college density, which tells us about the number of colleges per lakh eligible population (18-23 year age group). At the all-India level, the data is impressive. There are 28 colleges per 100,000 eligible students, translating into a college for every 3,500 students.
- ▶ But some of the states, especially in the eastern part of the country, are way behind. College density is poorest in Bihar (7), Jharkhand (8) and West Bengal (11). What's worse is that the situation hasn't improved in the past five years.
- ▶ Bengaluru district tops the country in college density with 1,025 colleges in the area, followed by Jaipur, Hyderabad and Pune as shown in the table.

	2012-13		2016-17	
	College Density	Avg. Enrolment per college	College Density	Avg. Enrolment per college
Top 3 major States				
1. Puducherry	62	544	49	549
2. Telangana	54	561	59	483
3. Karnataka	44	436	53	381
Bottom 3 major States				
1. Bihar	6	2018	7	1801
2. Jharkhand	7	1934	8	1786
3. West Bengal	9	1498	11	1323



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***No. of Colleges per Lakh eligible population (18 – 23 Years)**

- ▶ The gains for women in higher education has been a spot of cheer too—between 2011-12 and 2016-17, women's enrolment grew by 22.15% while that for men grew by 17.3%.
- ▶ The gains are also significant for SC, ST and OBC enrolment—of the total enrolment in 2016-2017, 14.3% were SC students, 5.2% were ST students and 34.4% were OBC students, a meaningful rise over the corresponding 2012-13 figures.

- ▶ At 4.9%, Muslim representation among teachers in higher educational institutions in India is much lower than the community's proportion in India's population (14.2%).
- ▶ The survey shows the representation of SCs at 8.3% of the total number of teachers in higher educational institutions, ST representation is 2.2%.
- ▶ At the all-India level, teachers belonging to the general category are more than half, that is, 58.2% of the total number of teachers in India; OBCs follow at 31.3%," says the survey report.
- ▶ The report also details the gender distribution in the teaching profession at the higher education level. Bihar comes across as having a hugely skewed gender ratio, with 75.3% male teachers and just 24.7% female teachers. Jharkhand also shows an excess of male teachers, with the ratio at 60:40.

REPORT HIGHLIGHTS

K'TAKA HAS MORE COLLEGES Karnataka is one of the eight states that has the highest number of colleges in India. Bengaluru district has 1,025 colleges, which is maximum number of colleges in the country, followed by Jaipur with 635 and Hyderabad 437 .	Two universities from the state did not respond to survey		13,050 Karnataka	6,818 Students have enrolled for the B.Tech programme. Eighty seven per cent of these students are male. This is followed by BBA and BA courses.
	Uttar Pradesh has higher enrollment of foreign students in higher education followed by Maharashtra and Tamil Nadu		4,889 Tamil Nadu	
Male students are more except for certificate courses	4,619 Maharashtra			
Sixteen programmes have more than 1,000 foreign students which accounts for 81 per cent of the total foreign students.	3,602 Uttar Pradesh			
			Maximum students enrolled in BA (21.70 lakh) followed by B.Sc (10.12 lakh) and B.Com (9.48 lakh)	

NEW FEATURE OF AISHE 2016-17

- ▶ Data on profile of teachers were collected in a well-designed Teacher Information Format (TIF) as a separate module.
- ▶ Details of 12.68 lakh teachers have been uploaded on the portal.
- ▶ Data collected on teachers will be used in the 'Gurujan' portal.
- ▶ Gurujan – useful in ascertaining the quality of faculty in an institution.

Issues Associated with India's Higher Education

- ▶ There are only 722 universities, as against the National Knowledge Commission (NKC) recommendation of 1,500.
- ▶ Not even one Indian higher education institution made it to the top 200 club in the Times Higher Education (THE) rankings for 2014-15.
- ▶ Disparity in access to education, especially in terms of economic class, gender, caste and ethnic and religious belonging.
- ▶ Expansion of the private, self-financing education sector, with commercial intent, has been another reason for the propagation of disparities. There has been a

decline in the government institutes and increase in the private institutes. For 2013, the share of private undergraduate colleges and students was at 59 per cent and 37 per cent respectively. Out of the 712 universities, about 360 are of private, state and of deemed status. The high cost of private education has affected access by the poor to education.

- ▶ Lack of autonomy and independence, universally accepted as fundamental in higher education.
- ▶ Narrow view of education with education limited to attendance, exam, marks and degree. This results in poorly skilled students. As per a survey only 19% of engineering and 5% of non-engineering graduates are employable.
- ▶ Unscientific, partisan and non-merit based appointment of the faculty/vice-chancellor.
- ▶ Outdated Curriculum susceptible to tampering based on ideology of the government. It curbs creativity and critical thinking with skills set out of sync with modern times.
- ▶ Faculty accountability is missing in India. Worldwide, teachers are assessed by the students but the practice is yet to be followed in India in spite of rising salaries especially in the government universities and colleges.
- ▶ Poor quality of Research and Development in the universities, with the link to the industries missing and declining government support to R&D.
- ▶ Lack of access to global courses and knowledge.

Suggestions for Improving Quality of Higher Education

There are some suggestions and Expectations from Government, Industry, Educational Institutions, Parents and Students for improving quality of higher education.

- ▶ **Towards a Learning Society:** As we move towards a learning society, every human activity will require contributions from experts, and this will place the entire sector of higher education in sharp focus. Although the priorities, which are being assigned today to the task of Education for All, will continue to be preponderant, the country will have to prepare itself to invest more and more on higher education and, simultaneously, measures will have to be taken to refine, diversify and upgrade higher education and research programmes.
- ▶ **Incentives to Teachers and Researchers:** Industry and students are expecting specialized courses to be offered so that they get the latest and best in education and they are also industry ready and employable. Vocational and Diploma courses need to be made more attractive to facilitate specialized programs being offered to students. Incentives should be provided to teachers and researchers to make these professions more attractive for the younger generation.
- ▶ **To Mobilize Resources:** The decline in public funding in the last two plan periods has resulted in serious effects on standards due to increasing costs on non-salary items and emoluments of staff, on the one hand, and declining resources, on the other. Effective measures will have to be adopted to mobilize resources for higher education.
- ▶ **Innovative Practices:** The new technologies offer vast opportunities for progress in all walks of life. It offers opportunities for economic growth, improved health, better service delivery, improved learning and socio-cultural advances. Though efforts are required to improve the country's innovative capacity, yet the efforts should be to build on the existing strengths in light of new understanding of the research innovation-growth linkage.

- ▶ **Student-Centred Education and Dynamic Methods:** Methods of higher education also have to be appropriate to the needs of learning to learn, learning to do, learning to be and learning to become. Student-centred education and employment of dynamic methods of education will require from teachers new attitudes and new skills. Methods of teaching through lectures will have to subordinate to the methods that will lay stress on self-study, personal consultation between teachers and pupils, and dynamic sessions of seminars and workshops.
- ▶ **To Provide Need Based Job-Oriented Courses:** All round development of personality is the purpose of education. But the present day education is neither imparting true knowledge of life and nor improving the talent of a student by which one can achieve laurels in the field one is interested. So, combination of arts subjects and computer science and science and humanities or literature should be introduced so that such courses could be useful for the students to do jobs after recruitment in some companies which would reduce unnecessary rush to higher education.
- ▶ **International Cooperation:** Universities in India have been a primary conduit for the advancement and transmission of knowledge through traditional functions such as research, innovation, teaching, human resource development, and continuing education. International cooperation is gaining importance as yet another function. With the increased development of transport and communication, the global village is witnessing a growing emphasis on international cooperation and action to find satisfactory solutions to problems that have global dimensions and higher education is one of them.
- ▶ **Action Plan for Improving Quality:** Academic and administrative audit should be conducted once in three years in colleges by external experts for ensuring quality in all aspects of academic activities. The self-finance colleges should come forward for accreditation and fulfill the requirements of accreditation. Universities and colleges should realize the need for quality education and come forward with action plan for improving quality in higher educational institutions.
- ▶ **Personality Development:** Finally, education should be for the flowering of personality but not for the suppression of creativity or natural skill. In the globalized world, opportunities for the educated people are naturally ample in scope.
- ▶ **Examination Reforms:** Examination reforms, gradually shifting from the terminal, annual and semester examinations to regular and continuous assessment of student's performance in learning should be implemented.

Conclusion

The time has come to create a second wave of institution building and of excellence in the fields of education, research and capability building. We need an educational system that is modern, liberal and can adapt to the changing needs of a changing society, a changing economy and a changing world. The thrust of public policy for higher education in India has to be to address these challenges. However, one university can't make much difference. If the government welcomes more such initiatives, the future will be ours. We will be able to match and compete with other countries and the dream to be the world's greatest economy won't be difficult to achieve.

Overall, it seems from this survey, which shows impressive strides on enrollment, college density and pupil-teacher ratio, that we have finally managed to fix the supply problem. Now, we need to focus on the quality.

Begging as Social Menace in India



Recently (January 2018) The Uttarakhand police has rescued nearly 400 children including 117 girls found begging on the streets and public places in different districts and reunited them either with their families or admitted them in child rehabilitation centers.

Introduction

It is estimated that there are around 500,000 beggars in India.

- ▶ Many children are abducted in India and forced into begging. According to the Indian National Human Rights Commission, up to 40,000 children are abducted every year.
- ▶ It's estimated that 300,000 children across India are drugged, beaten and made to beg every day.
- ▶ It's a multi-million dollar industry that's controlled by human trafficking cartels. Police do little to address the problem, because they often assume that the children are with family members or other people who know them.
- ▶ There are inconsistencies in the law on how to deal with child beggars.
- ▶ **Some example of begging scams are:**

In **Mumbai**, visitors are often approached by a child or woman wanting some powdered milk to feed a baby. They will assist you to a nearby stall. Milk will be expensively priced and if you hand over the money for it, the shopkeeper and the beggar will simply split the proceeds between them.

In **Chandigarh**, children can be seen selling balloons and other products at major intersections across the city, this another type of begging as children look innocent, people buy cheap products at higher cost.

Laws Governing Begging in India

- ▶ **In India, there is no central law** which penalizes begging. Although, 22 states (including few Union Territories) have their anti-begging laws. The Act which functions as the derivative figure for all the state anti-begging law is **Bombay Prevention of Begging Act, 1959**.
- ▶ **Definition of begging as per anti-begging law:** Soliciting or receiving money, clothes or other things ordinarily given to a beggar, in a public place whether or not by singing, dancing, fortune telling, performing or offering any article for sale, or entering on any private premises for the purpose of soliciting or receiving money, clothes or other things ordinarily given to a beggar.

Freedom of speech and expression under Article 19(1)(a), right includes freedom to express one's opinion through any medium, for example, by words of mouth. This right has been recognised by the Supreme Court as a "basic human right". **Begging to be covered under this right.** But restrictions over it can be imposed under Article 19(2) on the basis of decency or morality. However, this limitation or restriction should not be arbitrary or excessive, or beyond what is required in the situation in the interests of the public, as is the case with the punishment of begging. This was also opined by the **Delhi High Court in Ram Lakhan v. State of Delhi.**

Power of the Police to Arrest Beggars

- ▶ *As per the anti-begging laws of various states in India, an authorised Police officer has the power to arrest without a warrant any person who is found begging. If a person is found begging inside a private property, he can only be arrested on a formal complaint by the owner of the property.*
- ▶ After arresting, it is the duty of the Police officer to send the arrested beggar to court.
- ▶ A beggar arrested is required to be kept in a certified institution as prescribed by the state government.
- ▶ If the court finds that the person accused was not involved in begging activities he is to be released.
- ▶ If the court is convinced that the person accused was involved in begging, appropriate punishment will be given by the court.

Reasons for Beggars in India

- ▶ **Education:** Lack of awareness and education amongst parents and communities, especially the rural, poor and urban poor, tend children for begging.
- ▶ **Social causes:** Impact of religious beliefs, social structures & norms that discriminate one caste from the other and thereby one human being from another.
- ▶ **Migration:** Inflow of people and children from rural India and poor infrastructure in Urban India to support this inflow.
- ▶ **Awareness:** Illiteracy amongst parents of children living on streets, numbness of urban India towards street children, had left poor children in hands of mafia that runs rackets of begging.

Way forward

- ▶ **Eradicate poverty:** Priority should be given to eradication of extreme poverty. This will help solve the problem of beggars migrating from one State to another.
- ▶ **Banning of begging** is a positive step and will help counter the menace of beggars.
- ▶ Steps should be initiated to **rehabilitate the beggars.** Small shelters have to be made and they need to be imparted skills that would help them to get jobs. They should be made to earn their livelihood by working and not begging.
- ▶ The Government and charitable organisations should look after people who are aged and physically challenged.

Conclusion

The authorities should impose a ban on begging so that the pursuers and perpetrators of begging should be dealt with an iron hand. Priority should be given to eradication of extreme poverty. The physically handicapped beggars should be taken care of. Banning of begging is a positive step and will help counter the menace of beggars.

INTERNATIONAL RELATIONS ISSUES

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1. Trump Suspends Aid to Pakistan
2. WEF Global Manufacturing Index

Trump Suspends Aid to Pakistan



The United States has proposed to suspend all security assistance to Pakistan until Islamabad "takes decisive action against groups, including the Afghan Taliban and the Haqqani Network."

The total amount withheld from the country that has been an important logistical stop for US troops fighting in Afghanistan - America's longest war - is approximately \$255m (£188m).

Hereby, discussing the impact of the decision.

Introduction

The United States has suspended more than \$1.15 billion security assistance to Pakistan, accusing Islamabad of harbouring terror groups like the Afghan Taliban and the Haqqani Network within its border and showing unwillingness to take "decisive actions" against them.

The freezing of all security assistance to Pakistan comes days after President Donald Trump, in a new year tweet, accused Pakistan of giving nothing to the U.S. but "lies and deceit" and providing "safe haven" to terrorists in return for \$33 billion aid over the last 15 years.

About the Decision

- ▶ For years, U.S. officials have complained that Pakistan has allowed the Taliban and other extremists to operate within its borders. Taliban leaders are widely believed to reside in Pakistan, helping to direct insurgent operations in neighboring Afghanistan. Pakistan denies those allegations and says that the United States has failed to acknowledge the efforts it has taken against militant groups.
- ▶ These groups are destabilising the region and also targeting U.S. personnel. The U.S. will suspend that kind of security assistance to Pakistan.
- ▶ The U.S. will not be delivering military equipment or transfer security-related funds to Pakistan unless it is required by law.
- ▶ Department of Defense has suspended the entire \$900 million of the **Coalition Support Fund** (CSF) (which are meant to be reimbursements to Pakistan for the logistical costs of supporting the US military's ground and air supply routes into Afghanistan) money to Pakistan for the fiscal year 2017. Of these funds, \$400 million can only be released if the Secretary of Defense certifies that the Pakistan government has taken specific actions against the Haqqani Network.
- ▶ According to a senior State Department official, no decision has been taken on the fate of \$255 million security assistance to Pakistan for the fiscal year 2017. The deadline for that is September 30 of this year.

- ▶ Prominent among the suspended amount include \$255 million in **Foreign Military Funding** (FMF) for the fiscal year 2016 as mandated by the Congress.
- ▶ **Exceptions:** This suspension does not include US civilian assistance programs in Pakistan. Exceptions may be made on a case by case basis if they're determined to be critical for national security interests.
- ▶ Pakistan officials denounced the Trump administration's decision to suspend military aid, decrying what they called arbitrary deadlines and unilateral pronouncements.

Impact

- ▶ Security experts believe the cuts are likely to put a squeeze on the Pakistani military, at least in the short run. If the US pipeline dries up, the military's immediate plans for upgrading of materiel and manpower resources will be stalled.
- ▶ It will also be a setback in the long term as China or any other friendly country cannot totally replace the resources that Pakistan needs to keep its military machine well oiled.
- ▶ The United States would have to end its dependence on Pakistan as the main supply route for NATO troops to landlocked Afghanistan. It would have to commit to using the more expensive and complicated northern route via Central Asia or spending much more flying in supplies. It would also have to work harder at getting the Afghan Taliban to the negotiating table. A failing, inconclusive war in Afghanistan or any U.S. abandonment of the country will only result in a brazen Pakistan.
- ▶ The United States also needs to use its leverage to strengthen Pakistan's civilian leadership instead of its army's remote-control rulers.
- ▶ If Pakistan decides to retaliate, some or all of these benefits could go away. Pakistan could stop sharing intelligence on terrorist groups with the US. It could seal off its bases. It could shut down supply routes, **as it did in 2011** after the US attacked a Pakistani border post, killing 25 Pakistani soldiers, (They reopened supply routes after the US apologized in 2013.)
- ▶ Pakistan could also end up embracing the US's rivals, China and Russia, to compensate for Washington's rejection.

Pakistan-China Relations

- ▶ Apart from the Afghan supply lines, military and civilian regimes in Pakistan have played on American fears that they might irretrievably 'lose Pakistan' to China if they tighten the screws.
- ▶ The 'all-weather alliance' of China and Pakistan has flourished for several decades owing to their common objective of checking India's rise.
- ▶ In recent years, the gargantuan increase in Chinese aid to Pakistan has elevated Beijing's centrality and generated confidence in Islamabad that it has a powerful substitute for Washington's largesse.
- ▶ Today, China's civilian aid and investment in Pakistan overshadow the shrinking sums that the US has been offering. Beijing's commitment of \$62 billion for the China Pakistan Economic Corridor (CPEC) and its staunch defence of Pakistan's alleged counter-terrorism record give solace to the military establishment in Pakistan.
- ▶ Since Pakistan's nuclear and missile programmes have enjoyed China's backing, and in light of Beijing seeking to blunt the burgeoning US-India partnership in the Indo-Pacific, the Sino-Pakistani axis remains Islamabad's number one insurance policy against Trump's no-nonsense dealing.

Conclusion

At the moment, the US is still providing Pakistan with non-military aid. And even in the case of military assistance, it is believed the US may follow a “condition and issue-based approach” where funds would be released for identified and measurable actions. The US does not want instability in Pakistan. Pakistan has one of the world’s fastest-growing nuclear programmes, as well as several Islamist terrorist organisations on its soil, so “America and its allies are rightly concerned that any instability in Pakistan may result in terrorists getting their hands on Pakistan’s nuclear technology”.

Thus, balance have to be maintained to retain stability and peace in the region.

WEF Global Manufacturing Index



A joint report from the World Economic Forum and A.T. Kearney measures 100 countries based on how well prepared they are for the future of manufacturing production, and looks at what policymakers and business leaders can do to navigate the opportunities and challenges ahead. Hereby, providing the gist of the report with specific related to India.

Introduction

The Fourth Industrial Revolution and emerging technologies— such as the Internet of Things, artificial intelligence, robotics and additive manufacturing—are spurring the development of new production techniques and business models that will fundamentally transform production. Both the speed and the scope of technological change, combined with the emergence of other trends, add a layer of complexity to the already challenging task of developing and implementing industrial strategies that promote productivity and inclusive growth. Further, recent changes put the competitiveness paradigm of low-cost manufacturing exports as a means for growth and development at risk. Countries need to decide how to best respond in this new production paradigm vis-à-vis their national strategies and their ambition to leverage production as a national capability.

Thus, the World Economic Forum System Initiative on the Future of Production seeks to help usher in a sustainable production future that is:

- ▶ **Solution-driven:** Technology can tackle and solve challenges that have previously been insurmountable.
- ▶ **Human-centric:** Technology can unlock human potential by unleashing creativity, innovation and productivity in new ways.
- ▶ **Sustainable:** Technology can promote sound production processes that minimize negative environmental impact, conserve energy and resources and enable carbon neutrality.
- ▶ **Inclusive:** Employees, companies and countries at different stages of development benefit from Fourth Industrial Revolution technologies and the transformation of production systems.

Findings of the Report

Japan has been found to have the best structure of production in the Geneva-based WEF's first 'Readiness for the future of production report' and is followed by South Korea, Germany, Switzerland, China, Czech Republic, the US, Sweden, Austria and Ireland in the top 10.

Findings related to India

It has ranked India at 30th position on a global manufacturing index - below China's 5th place but above other BRICS peers, Brazil, Russia and South Africa.

Among BRICS nations, Russia is ranked 35th, Brazil 41st and South Africa at 45th place.

It has categorised 100 countries into four groups - Leading (strong current base, high level of readiness for future); High Potential (limited current base, high potential for future); Legacy (strong current base, at risk for future); or Nascent (limited current base, low level of readiness for future).

India has been placed in the 'Legacy' group along with Hungary, Mexico, Philippines, Russia, Thailand and Turkey, among others. China figures among 'leading countries', while Brazil and South Africa are in 'nascent' ones.

About India, the 5th-largest manufacturer in the world with a total manufacturing value added of over USD 420 billion in 2016, the WEF stated that the country's manufacturing sector has grown by over 7 per cent per year on average in the past three decades and accounts for 16-20 per cent of India's GDP.

It listed human capital and sustainable resources as the two key challenges for India and said the country needs to continue to raise the capabilities of its relatively young and fast-growing labour force.

This entails upgrading education curricula, revamping vocational training programmes and improving digital skills. India should continue to diversify its energy sources and reduce emissions as its manufacturing sector continues to expand.

In terms of scale of production, India has been ranked 9th, while for complexity it is at 48th place. For market size, India is ranked 3rd, while areas where the country is ranked poorly (90th or even lower) include female participation in labour force, trade tariffs, regulatory efficiency and sustainable resources.

Areas for Action

A.T. Kearney's collaboration with the World Economic Forum on the Future of Production initiative seeks to help usher in a sustainable production future that is solution-driven, human-centric, environmentally sound, and inclusive. Additional resources will be developed in four areas to support government and business leaders in consideration of those goals:

- ▶ **Transition framework:** New transition frameworks to help governments co-design and implement strategies in collaboration with the private sector, civil society, and academia. While the readiness assessment serves as a diagnostic, the transition framework will support treatment of the diagnosis.
- ▶ **Country engagement:** Multi-stakeholder engagement activities in countries around the world to kick-start change, launch pilots, and focus on action and implementation.
- ▶ **Readiness assessment:** Updated data for 2019 for the online reader. The diagnostic framework will also continue to be studied and updated as the future unfolds.

ECONOMIC ISSUES

Index

1. Amendments in Insolvency and Bankruptcy Code
2. Companies Act Notified
3. Lab to Land - How to Improve
4. Pesticide Management Bill
5. Sunset Clause and its Significance in Policies
6. E-Way Bill



Amendments in Insolvency and Bankruptcy Code



The Parliament has passed the Insolvency and Bankruptcy Code (Amendment) Bill, 2017, which bars unscrupulous persons from misusing the provisions of the Code.

Hereby, discussing the salient features of the Bill.

Insolvency and Bankruptcy

Insolvency is when an individual or organization is unable to meet its outstanding financial debt towards its lender as it become due. Insolvency can be resolved by way of changing the repayment plan of the loans or writing off a part thereof. If it cannot be resolved, then a legal action may lie against the insolvent and its assets will be sold to pay off the outstanding debts. Generally, an official assignee/liquidator appointed by the Government of India, realizes the assets and allocates it among the creditors of the insolvent.

Bankruptcy is a concept slightly different from insolvency, which is rather amicable. A bankruptcy is when a person voluntary declares him as an insolvent and goes to the court. On declaring him as 'bankrupt', the court is responsible to liquidate the personal property of the insolvent and hand it out to its creditors. It provides a fresh lease of life to the insolvent.

Need for Bankruptcy Law

- ▶ According to central bank data, In the April-June quarter of 2017-18, non-performing assets (NPAs) rose by 34.2 per cent on a year-on-year basis. Also the NPA ratio increased to 10.21 per cent (Rs 8,29,338 crore) in June 2017.
- ▶ Freeing up this money is crucial for the banking sector to go about its business.
- ▶ *Multiplicity of laws* has been a problem in the way of banks failing to recover their loans.
- ▶ Many concerns rose amongst *international investors* on the regulatory and country risks while providing financing.

Insolvency and Bankruptcy Code, 2016

- ▶ The Insolvency and Bankruptcy Code, 2016 aims to consolidate and amend the laws relating to insolvency resolution of companies and limited liability entities, partnerships and individuals, which are contained in various enactments, into a single legislation.
- ▶ The main focus of this legislation is at **providing resurrection and resolution in a time bound** manner for maximization of value of debtor's assets.



- ▶ The Code has put forth an overarching framework to aid sick companies to either wind up their business or engineer a revival plan, and for investors to exit. Notably, the Code has also empowered the operational creditors (workmen, suppliers etc.) to initiate the insolvency resolution process if default occurs.
- ▶ Another important feature of the Code is that it does not make any distinction between the *rights of international and domestic creditors or between classes of financial institutions*.
- ▶ The Code has sought to balance the interest of all the stakeholders including alteration in the order of priority of payment of Government dues.
- ▶ The legislators have sought to bring in a law analogous to international standards which is guided by the broad *philosophy that insolvency resolution must be commercially and professionally driven (rather than court driven)*.

The Insolvency and Bankruptcy Code (Amendment) Bill, 2017

The objective of the new Bill is to allow creditors to move to the National Company Law Tribunal (NCLT) in case of insolvency. ***New Bill prohibits certain persons from submitting a resolution plan in case of defaults.*** These include: (i) willful defaulters, (ii) promoters or management of the company if it has an outstanding non-performing debt for over a year, and (iii) disqualified directors, among others. Further, it bars the sale of property of a defaulter to such persons during liquidation.

Highlights

- ▶ It looks for Legislation that will ***prevent unscrupulous persons from misusing or vitiating the provisions of the insolvency.***
- ▶ *Loan defaulters can now participate in bidding under the insolvency proceedings after paying due interest and making their bad loan accounts operational.*
- ▶ The ineligible persons or entities will include undercharged insolvent, willful defaulter and those whose accounts have been classified *as non-performing asset*.
- ▶ Those defaulters who had participated in the insolvency proceedings before November 23 can also bid for stressed assets provided they clear their dues in a month.
- ▶ The Bill proposes the creation of a new ***class of insolvency professionals*** that will specialize in helping sick companies.
- ▶ Whole effort is to make banking sector robust and detach it from politics.
- ▶ The Code creates ***time-bound processes for insolvency resolution of companies and individuals. These processes will be completed within 180 (extended to 270) days.***
- ▶ Information utilities (IUs) will be established to collect, collate and disseminate financial information to facilitate insolvency resolution.
- ▶ ***The National Company Law Tribunal (NCLT) will adjudicate insolvency resolution for companies.***
- ▶ ***The Debt Recovery Tribunal (DRT) will adjudicate insolvency resolution for individuals.***
- ▶ The Insolvency and Bankruptcy Board of India will be set up to regulate functioning of IPs, IPAs and IUs.

- ▶ Given that many corporate transactions and businesses involve an international element, the Code attempts to address this by including provisions for cross border insolvency.

Key Issues

- ▶ The Bill prohibits certain persons from submitting resolution plans or participating in the liquidation process. One argument may be that these persons may be considered undesirable to take charge of the company. However, this *may reduce competition* among applicants and result in lower recoveries for creditors.
- ▶ A company that is liquidated ceases to exist, and the background of persons bidding for its assets may be irrelevant.
- ▶ Another major concern was the huge *“haircut [loss on account of auction of assets of defaulting companies],”* to the extent of 75%, being taken by public sector creditors.

Impact of the Bankruptcy Act

- ▶ Impact of the bankruptcy code will be **positive**, *leading to a better management of stressed companies in India.*
- ▶ There will be better financial discipline among companies; this will ensure that all their creditors are paid on time, building confidence in financial system of India.
- ▶ Timely recovery of loans and relief in NPAs issue, Appointment of Insolvency Resolution professionals (IRP) who are specialized in handling sick companies would be in place.
- ▶ It will free up banks productive resources, the credit availability in the economy which could be used for **welfare purposes.**
- ▶ Solving bankruptcy and insolvency cases in a quick manner will act as **confidence building majors to foreign investors.**
- ▶ Creditors will be able to recover a larger part of their investment faster which will eventually allow them to re-invest in other projects.

Conclusion

This Act will corroborate to take India from among relatively weak insolvency regimes to becoming one of the world's best insolvency regimes. The strict timelines for resolution of insolvency and liquidation proceedings would definitely be an incentive and provide the requisite impetus for economic growth when implemented in letter and spirit, provide a major boost to the India economy.

Companies Act Notified

Context

The government notified amendments to the Companies Act 2013, aimed at making the insolvency process more effective. These changes are a part of the government's efforts to remove or change laws that are impeding the effective resolution of bankrupt companies.

Hereby, discussing the changes notified in the Act.

Introduction

The Central Government notified the Companies (Amendment) Act, 2017 on 3rd January, 2018. The provisions of this Amendment Act shall come into force on the date or dates as the Central Government may appoint by notification(s) in the Official Gazette. A few provisions in the Amendment Act have important bearing on the working of the Insolvency and Bankruptcy Code, 2016.

The Companies Act, 2013:

- ▶ The Indian Companies Act 2013 replaced the Indian Companies Act, 1956.
- ▶ The Act makes comprehensive provisions to govern all listed and unlisted companies in the country.
- ▶ **Provisions:**
 - **Increase in number of Shareholders:** The Act increased the number of maximum shareholders in a private company from 50 to 200.
 - **More power for Shareholders:** The act provides for approvals from shareholders on various significant transactions.
 - **Class action suits for Shareholders:** The Act has introduced new concept of class action suits with a view of making shareholders and other stakeholders, more informed and knowledgeable about their rights.
 - **Women empowerment in the corporate sector:** The Act stipulates appointment of at least one woman Director on the Board (for certain class of companies).
 - **Corporate Social Responsibility:** The Act stipulates certain class of Companies to spend a certain amount of money every year on activities/ initiatives reflecting Corporate Social Responsibility.
 - **National Company Law Tribunal:** The Act introduced National Company Law Tribunal and the National Company Law Appellate Tribunal to replace the Company Law Board and Board for Industrial and Financial Reconstruction. They would relieve the Courts of their burden while simultaneously providing specialized justice.
 - **Fast Track Mergers:** The Act proposes a fast track and simplified procedure for mergers and amalgamations of certain class of companies such as holding

and subsidiary, and small companies after obtaining approval of the Indian government.

- ❑ **Cross Border Mergers:** The Act permits cross border mergers, both ways; a foreign company merging with an India Company and vice versa but with prior permission of RBI.
- ❑ **Prohibition on forward dealings and insider trading:** The Act prohibits directors and key managerial personnel from purchasing call and put options of shares of the company, if such person is reasonably expected to have access to price-sensitive information.
- ❑ **Limit on Maximum Partners:** The maximum number of persons/partners in any association/partnership may be upto such number as may be prescribed but not exceeding one hundred.
- ❑ **One Person Company:** The Act provides new form of private company, i.e., one Person Company. It may have only one director and one shareholder.
- ❑ **Entrenchment in Articles of Association:** The Act provides for entrenchment (apply extra legal safeguards) of articles of association have been introduced.
- ❑ **Electronic Mode:** The Act proposed e-Governance for various company processes like maintenance and inspection of documents in electronic form, option of keeping of books of accounts in electronic form, financial statements to be placed on company's website, etc.
- ❑ **Indian Resident as Director:** Every company shall have at least one director who has stayed in India for a total period of not less than 182 days in the previous calendar year.
- ❑ **Independent Directors:** The Act provides that all listed companies should have at least one-third of the Board as independent directors. Such other class or classes of public companies as may be prescribed by the Central Government shall also be required to appoint independent directors. No independent director shall hold office for more than two consecutive terms of five years.
- ❑ **Rotation of Auditors:** The Act provides for rotation of auditors and audit firms in case of publicly traded companies.
- ❑ **Prohibits Auditors from performing Non-Audit Services:** The Act prohibits Auditors from performing non-audit services to the company where they are auditor to ensure independence and accountability of auditor.
- ❑ **Rehabilitation and Liquidation Process:** The entire rehabilitation and liquidation process of the companies in financial crisis has been made time bound under Companies Act 2013.

Amendments in the Act

- ▶ **Section 53** of the Companies Act, 2013 prohibited issuance of shares at a discount.

The Amendment Act: Now allows companies to issue shares at a discount to its creditors when its debt is converted into shares in pursuance of any statutory resolution plan such as resolution plan under the Insolvency or Bankruptcy Code or a debt restructuring scheme.

- ▶ **Section 197** of the Companies Act, 2013 required approval of the company in a general meeting for payment of managerial remuneration in excess of 11 percent of the net profits. **The Amendment Act:** Now requires that where a company has defaulted in payment of dues to any bank or public financial institution or non-convertible debenture holders or any other secured creditor, the prior approval of the bank or public financial institution concerned or the non-convertible debenture holders or other secured creditor, as the case may be, for such payment of managerial remuneration shall be obtained by the company before obtaining the approval in the general meeting.
- ▶ **Section 247** of the Companies Act, 2013 prohibited a registered valuer from undertaking valuation of any assets in which he has a direct or indirect interest or becomes so interested at any time during or after the valuation of assets.
The Amendment Act: Now prohibits a registered valuer from undertaking valuation of any asset in which he has direct or indirect interest or becomes so interested at any time during three years prior to his appointment as valuer or three years after valuation of assets was conducted by him.
- ▶ Companies, which have defaulted on their dues to financial institutions.
The Amendment Act: Those companies will now require the prior approval of these creditors, besides approval in a general meeting in case the payment of managerial remuneration exceeds 11% of the net profits. Earlier, only the company's prior approval in a general meeting was required.

These changes are a part of the government's efforts to remove or change laws that are impeding the effective resolution of bankrupt companies. The income tax department said that rules around levy of minimum alternate tax (MAT) will be eased for insolvent companies. The tax department said that companies against whom insolvency proceedings have been initiated will be allowed to reduce the entire amount of loss brought forward, including unabsorbed depreciation from the book profit for calculation of MAT. The legislative changes will be made to make this more effective.

Lab to Land: How to Improve



Scheme- Kisan Pathshala Yojana of the Uttar Pradesh (UP) government, also being called the Million Farmers' School has been recently launched. It is basically an extension and outreach programme of lab to land programme to connect the agricultural department's scientific and technical staff with the state's farming community. In this context, it is imperative to understand issues related with lab to land initiative.

Lab to Land Programme

- ▶ The Lab to Land Programme (LLP) was launched by the ICAR- Indian Council for Agriculture Research, in 1979 as a part of its Golden Jubilee celebration.
- ▶ The overall objective of the programme was to improve the economic condition of the small and marginal farmers and landless agricultural laborers, particularly scheduled castes and scheduled tribes, by transfer of improved technology developed by the agricultural universities, research institutes etc.

The Specific Objectives of the Lab to Land Project

- ▶ To study and understand the background and resources of the selected farmers and landless agricultural laborers. To introduce low cost relevant agricultural and allied technologies on their farms/houses for increasing their employment production and income.
- ▶ To assist the farmers to develop feasible farm plants keeping in view the availability of technologies, needs and resources of the farmers, and the resources which could be made available from external sources/agencies.
- ▶ To guide and help the farmers in adopting improved technologies as per their farm plans and demonstrate to them the economic viability of those technologies as well as methods of cultivation and farm management.
- ▶ To organize training programmes and other extension activities in relation to their adopted practices, and prepare them for active participation in agricultural development programmes of the state departments of agriculture.
- ▶ To make the farmers aware of the various opportunities and agencies which they could utilize to their economic advantage.
- ▶ To develop functional relations and linkages with the scientists/Institutions for future guidance, advisory services and help.
- ▶ To utilize this project as a feedback mechanism for the agricultural scientists and extension functionaries.

Krishi Vigyan Kendra (KVK)

- ▶ Krishi Vigyan Kendra (KVK) is an innovative science based institution which undertakes vocational training of farmers, farm women and rural youths; conducts on farm research for technology refinement and front line demonstrations to promptly demonstrate the latest agricultural technologies to the farmers as well as the extension workers.
- ▶ The KVK functions on the principles of collaborative participation of scientists, subject matter experts, extension workers and farmers.
- ▶ **KVK work to:**
 - Collaborate with the subject matter specialists of the state Agricultural universities/Scientists of the regional research station, NAEP and the state extension personnel in “on farm testing”, refining and documenting technologies for developing region-specific sustainable land use systems.
 - Organize training to update the extension personnel within the area of operation with emerging advances in agricultural research on regular basis.
 - Organize long term vocational training courses in agriculture and allied vocations for the rural youths with emphasis on “learning by doing” for generating self-employment through institutional financing.
 - Organize front-line demonstration in various crops to generate production data and feedback information. Based on the mandates, the following activities are performed by KVK.
 - **On-Farm Research (OFR):** On farm research is an adaptive research which is conducted on farmers’ fields by the farmers with the support from scientists/subject-matter specialists. It is conducted with a farming systems perspective.
 - **In Service Training:** The KVKs has been given the responsibility of conducting in service training of grass route level extension workers like VEWs and others working in Government and non-Government development organizations.
 - **Vocational Training of Farmers:** This had been the major mandate of the KVKs in the past and will continue to be so in future as well. The objective is to organize long term vocation based and skill oriented training for farmers, farm women, rural youths and school drop-outs so that they could adopt new methods of farming and increase farm income thus, the emphasis is not on crops but on vocations.
 - **Front line Demonstrations (FLD) and other Extensional Activities:** The KVKs organize front line demonstrations which aim at demonstrating the production potentialities of newly released and pre-released production technologies of cereals, pulses and oil seeds and farmers’ fields.

These are called **frontline demonstrations** because the technologies are demonstrated for the first time before being fed into the main extension system. The KVKs have also been given the responsibility of conducting at least some good integrated farming system demonstration which could serve as model for extension agencies.

How to Improve Land to Lab

- ▶ Research output in the university laboratories cannot be directly transferred to the companies, and in India that gap is huge.
- ▶ **A system** needs to be created where the workable models of research output can be presented to companies.
- ▶ **Indian traditional knowledge to be used for onsite implementation of lab innovations.**
- ▶ **Improve KVKs to take better initiatives on field research.**

► **Other measures being:**

- Set up Core Groups at State, District and Block levels for coordination.
- Issue letter to District Collector, Line Departments and Banks about the implementation of the initiative.
- Identification of nodal persons in each department.
- BDO to be trained as the Chief Block Coordinator.
- Initiation meeting with stakeholders at the block level to be chaired by District Collector.
- Orientation of officials, PRIs, SHGs, community resource institutions / persons on thematic issues.
- Finalization of objectives, actions, indicators, targets with PRA.
- Sharing of action plan with CRPs and the community.
- Setting up of a community radio.
- Use of Cultural troops.

Conclusion

‘Per drop, more crop’ is our mission statement’ so there is need for taking scientific research to fields and suggested setting up of radio stations by agri-colleges and universities to create awareness among farmers.

The farm growth target cannot be achieved unless farmers’ income is increased, government’s policies therefore should focus in this direction.

So, there is need to address the challenge of taking farm research from ‘Lab-to-Land’ by making efforts to convince farmers about efficacy of new farm techniques in simple ways.

Pesticide Management Bill

Context

In the cotton belt of Maharashtra's Yavatmal district, pesticide poisoning through inhalation has caused 21 deaths in three months.

Parliament is going to table Pesticide Management Bill, 2017, which is expected to address existing lacuna in old Bill.

Previously, the Pesticide Management Bill, 2008, Bill was proposed as a step towards promoting safe use of pesticides, it seeks to regulate the manufacturing, inspection, testing and distribution of pesticides.

Introduction

Pesticides are substances that are meant to control pests (including weeds).

The term pesticide includes all of the following: herbicide, insecticides (which may include insect growth regulators, termiticides, etc.) nematicide, molluscicide, piscicide, avicide, rodenticide, bactericide, insect repellent, animal repellent, antimicrobial, fungicide, disinfectant (antimicrobial), and sanitizer.

Effects of Pesticide on Health

- ▶ **Acute effects:** Acute health problems may occur in workers that handle pesticides, such as abdominal pain, dizziness, headaches, nausea, vomiting, as well as skin and eye problems.
- ▶ **Cancer:** Many studies have examined the effects of pesticide exposure on the risk of cancer. Associations have been found with: leukemia, lymphoma, brain, kidney, breast, prostate, pancreas, liver, lung, and skin cancers.
- ▶ **Neurological:** Evidence links pesticide exposure to worsened neurological outcomes.
- ▶ **Reproductive effects:** Strong evidence links pesticide exposure to birth defects, fetal death and altered fetal growth. Agent Orange, has been associated with bad health and genetic effects in Malaya and Vietnam.
- ▶ **Fertility:** Pesticides including di-bromo-chlorophane and 2,4-D has been associated with impaired fertility in males. Pesticide exposure resulted in reduced fertility in males, genetic alterations in sperm, a reduced number of sperm, damage to germinal epithelium and altered hormone function.

Highlights of the Pesticide Management Bill

- ▶ The Pesticide Management Bill, 2008 Bill meant to replaces the Insecticides Act, 1968. **“It defines a pesticide as a substance used to destroy or control the spread of pests in agricultural commodities or animal feed. The Bill sets criteria by which a pesticide is to be classified as misbranded, sub-standard, or spurious.”**

- ▶ The Bill establishes a Central Pesticides Board to advise the government on matters related to pesticide regulation, manufacture, use and disposal. It establishes a registration committee to register pesticides.
- ▶ No pesticide can be registered unless tolerance limits for its residues on crops and commodities are specified under the Food Safety and Standards Act, 2006.
- ▶ The Bill establishes a procedure to give licence to manufacturers, distributors and retailers of pesticides, to be administered by state governments.
- ▶ Government has decided to bring forth the PESTICIDE MANAGEMENT BILL, 2017 as replacement to Insecticides Act, 1968 due to many issues with respect to pesticides.

Key Issues and Analysis

- ▶ The Bill defines a pesticide as any substance used to destroy or control pests in agricultural commodities or animal feeds. Pesticides used for non-agricultural purposes, such as health care, are thus excluded from this definition. The Parliamentary Standing Committee has recommended that a broader definition be used.
- ▶ The tolerance limits for pesticides are to be specified according to the provisions of the Food Safety and Standards Act, 2006. However, the relevant provisions of the Food Safety and Standards Act have yet to be brought into force.
- ▶ Pesticides registered under the Insecticides Act, 1968, are automatically deemed to be registered under the Bill. Tolerance limits have not been specified for some of these pesticides.
- ▶ The Bill does not specify penalties for pesticide inspectors or analysts who misuse their powers. The Standing Committee has recommended that penalties be imposed on such government officers along the lines of similar provisions in the Drugs and Cosmetics Act, 1940 or the Food Safety and Standards Act, 2006.

SOME OF THE PESTICIDES THAT ARE BANNED OR RESTRICTED IN INDIA

- ▶ Aldrin
- ▶ Benzene Hexachloride
- ▶ Calcium Cyanide
- ▶ Chlordane
- ▶ Copper Acetoarsenite
- ▶ Bromochloropropane
- ▶ Endrin
- ▶ Ethyl Mercury Chloride
- ▶ Ethyl Parathion
- ▶ Heptachlor

Way forward

The Bill should contain various provisions such as:

- ▶ Steps need to be taken to impose ban on manufacturing and selling of pesticides with toxic substances which are banned in India.
- ▶ Farmers must be given awareness regarding the usage of pesticides. Many deaths are caused due to misuse of pesticides.

- ▶ Inspections to be made periodically on the sale of pesticides. Many farmers are affected by unbranded cheaply available pesticides.
- ▶ Imprisonment and fine can be imposed on companies who manufacture pesticides with banned toxic substances.
- ▶ More funds are to be allocated to researcher's in order to bring developments with regard to bio-pesticides.
- ▶ Indian agricultural system still uses old traditional techniques so awareness and loan facilities can be provided to boost up farmers to incorporate modern instruments which has adequate protection materials like masks to safeguard from toxic chemicals while usage of pesticides.

Conclusion

The Indian farmers are facing a lot of agricultural productivity crisis due to failure of monsoon and climatic change. Adding to this now the farmers lives are ruined by pesticides and this seems to be a serious concern. So, Government should take necessary measures to implement the Bill as earlier as possible. We Indians living in a agricultural country should have the responsibility to safeguard our environment from evils in any form.

Sunset Clause and its Significance in Policies



Sunset clauses have been frequently used in India in fiscal and tax laws, like tax holidays and exchange control regulations. The main purpose of sunset reviews is to provide a built-in process to evaluate the effectiveness of an agency or a piece of legislation.

What is Sunset Clause?

- ▶ **Sunset clause**, also called **sunset provision**, a legal provision that provides for the automatic termination of a government program, agency, or law on a certain date unless the legislature affirmatively acts to renew it.
- ▶ **Means** such clauses require that certain provisions or laws will cease to be effective from a pre-determined date unless they are reauthorized. Such a policy measure could help in tackling legislative inertia that leads to accumulation of unwanted laws over the years.

Need of such Clause

- ▶ The government at different points has taken small steps like making pre-legislative scrutiny of Bills mandatory through public feedback to design better laws but these processes are not data-driven or systematic. But, these steps are not proving enough for government to become more effective and transparent.
- ▶ As **laws have become more and more specific**, there is a greater need to have a mechanism in place to check both how the law has performed in handling the situation and, whether and how, the circumstances around that situation have changed.
- ▶ Today in 21st century the society and its needs are changing continuously. So it becomes very important for state to become dynamic in the sphere of legislation. One of the policy tools that must be used to tackle this problem is “sunset clause” or “periodic review”.
- ▶ Such provisions are an admission by the lawmakers that the law is not made for eternity and a recognition that circumstances change over time whether it is one year or five years. Its best example is that our Constitution itself provides for a **10 year sunset for reservations** to Parliament and legislative assembly seats (Article 334).
- ▶ There is a need to extend this learning to other areas of law by admitting that social circumstances and institutional behaviour (like economic situations) do also change over time with the consequent need to revisit the laws.

Benefits of the Sunset Review Process

- ▶ Sunset laws are a key tool the legislature uses in asserting itself against an executive branch that often dominates state government.

- ▶ According to some political theorists the sunset laws are a way to diminish interest-group power over government programs and to promote more active legislative oversight.
- ▶ Most laws do not have sunset clauses and therefore remain in force indefinitely, and hence increasing executive and financial burden on government.
- ▶ Having a fixed tenure for review in effect may actually ensure certainty of law. If the review process may find that the statute is performing as expected and is valuable then the status quo will be maintained.
- ▶ In the long run, this, more than anything else, would allow the present government to deliver on its electoral promise of “good governance.”
- ▶ This has even more importance in the Indian context where the parties in power could swing widely, leading to either implementation of unviable electoral promises or mindless reversal of laws passed by previous government.

Lessons from Other Countries

- ▶ Among European countries, the U.K. required laws to be reviewed within three to five years of enactment. These reviews are conducted by existing departmental select committees on the basis of a memoranda provided by a government department.
- ▶ In Germany, ex-post evaluation is systematic and based on a standardised methodology set out in guidelines for public administrators.
- ▶ France requires mandatory periodic evaluation, which is enshrined within the law itself.

Challenges

- ▶ Sunset provisions can be used as a bargaining chip to gather votes in favour of controversial legislation. The presence of a sunset provision can persuade a wavering legislator (or that legislator’s public) of the temporary nature of a controversial law.
- ▶ It can also be used to reduce the projected costs of a new program or tax reduction. Public statements can be based on estimates that only forecast costs out to the sunset date, even if it is expected that the program will eventually be renewed or have its sunset provision repealed.

Way Forward

- ▶ Like all other policy tools, it is the implementation that is critical to the success of this tool. The mechanics of review must be well laid out (in the law itself) so that the review process is transparent and effective.
- ▶ Objective of the intervention, listing out the stakeholders whose inputs must necessarily be considered in the review process and the manner of taking the inputs on record all these things should be clearly defined in law.
- ▶ Ex: In GST, there is a sunset clause that National Anti-profiteering Authority (NAA) will exist only for a period of 2 years from the date of its setting up. The idea is that it should not be permanent body.

Conclusion

- ▶ Insisting on sunset clauses would be a significant structural improvement in the function and efficiency of government at all levels, and would protect citizens from an ever-spreading snarl of outdated laws and regulations, administered by a government incompetent enough to allow them to accumulate in the first place.

E-Way Bill



E-way Bill is an electronically generated document which is required to be generated for the movement of goods of more than Rs. 50,000 from one place to another.

This document is required to be generated online for transportation of goods irrespective of whether such transportation is inter-state or intra-state. Under the GST Regime, generation of the E-way bill is compulsory from 1st Feb 2018.

Hereby, discussing the concept of E-way Bill and concerns related to it.

Introduction

In order to monitor bulk trade, – which necessarily takes place through trucks – it was mandated under VAT that each such consignment shall be accompanied by a ‘Delivery Note’ which were issued from the VAT offices to the taxpayers. At the end of every month the taxpayer had to submit an utilization statement of the forms issued. The intention of the tax office was that to control the tax evasion being done by few of the tax payers. The taxpayer was also put to a great deal of hardship while seeking the blank Delivery Notes. He/she would have to make several visits to the tax office. At check-posts the trucks, would get detained for a long time on frivolous grounds. Thus, it was a lose-lose situation for the trade as well as the government. A new idea/system was introduced. In the new system, the taxpayer could upload the details of each transaction to the departmental ‘Server’ through the internet, and once uploaded the ‘Server’ would automatically generate a Delivery Note with a unique number, then this unique number could accompany the goods vehicle as a proof of having uploaded the transaction. Such a system would by itself ensure that once the Delivery Note is issued there could be no possibility of tax evasion.

E-Way Bill under GST

E-way bill is an electronic document generated on the GST portal evidencing movement of goods. It has two Components - Part A comprising of details of GSTIN of recipient, place of delivery (PIN Code), invoice or challan number and date, value of goods, HSN code, transport document number (Goods Receipt Number or Railway Receipt Number or Airway Bill Number or Bill of Lading Number) and reasons for transportation; and Part B comprising of transporter details (Vehicle number). As per Rule 138 of the CGST Rules, 2017, every registered person who causes movement of goods (which may not necessarily be on account of supply) of consignment value more than Rs. 50,000/- is required to furnish above mentioned information in part A of e-way bill. The part B containing transport details helps in generation of e-way bill.

An e-way bill can be generated by a supplier, recipient or transporter. Those generating the e-way bill can enter the vehicle number, and the same can be updated in case of vehicle breakdown. An e-way bill with consignment should have the latest vehicle

number which is carrying the said consignment. A quick response (QR) code would also be provided on the e-way bill to facilitate quick verification.

Cases when E-Way Bill is not Required

In the following cases it is not necessary to generate E-Way Bill:

- ▶ The mode of transport is non-motor vehicle.
- ▶ Goods transported from port, airport, air cargo complex or land customs station to Inland Container Depot (ICD) or Container Freight Station (CFS) for clearance by Customs.
- ▶ Transport of specified good.

The major benefits are as follows:

- The traders need not visit tax offices to collect and submit the Way Bill forms as used to be done in VAT regimes in some states.
- Average waiting time at mobile squad reduces drastically – As the verification of the E-Way Bill is done with the common portal, it will speed up the process of verification and allowing the vehicle to pass faster.
- Self-policing by traders - A trader while uploading gives the identification of the buying trader who will also account the transaction automatically.
- Environment friendly – The need of the paper form of the multiple copies of way bill is eliminated. Hence, tons of paper are saved per day.
- Generation of GSTR-1 returns – GSTR-1 return of the supplier is auto prepared, hence he need not have to upload the same.
- Officials saved of monotonous work collecting and matching the manual way bill with the returns of the taxpayers.

Way forward

Digitisation of the documentation process will ensure accountability and easier verification. For all of this to come about though, the government will have to take care of the technological aspects such as internet coverage and e-literacy. The transition from pen and paper to online documentation will have to be done in phases with ample scope for necessary changes. And most importantly, the government will also have to factor in unavoidable delays (say due to natural or man-made calamities) and list out the rules for expired e-way bills in such cases.

If implemented wisely, e-way bills have the potential to reshape the logistics industry and make transport of goods easier and faster.

Conclusion

Both GST and demonetization were to formalize the economy and expand the tax base, but considering the fact that India has a large expanse of micro, small and medium enterprises that generate a significant portion of employment, these moves have affected these clusters' existence, leading to job losses. In some of these clusters, tax arbitrage was the reason for their competitiveness and existence, and with GST attempting to formalize these sectors through processes like invoice matching, e-way bill and reverse charge, there will be some collateral damages in the interim. But it will act as necessary evil.