

# OFFICERS'

# Pulse

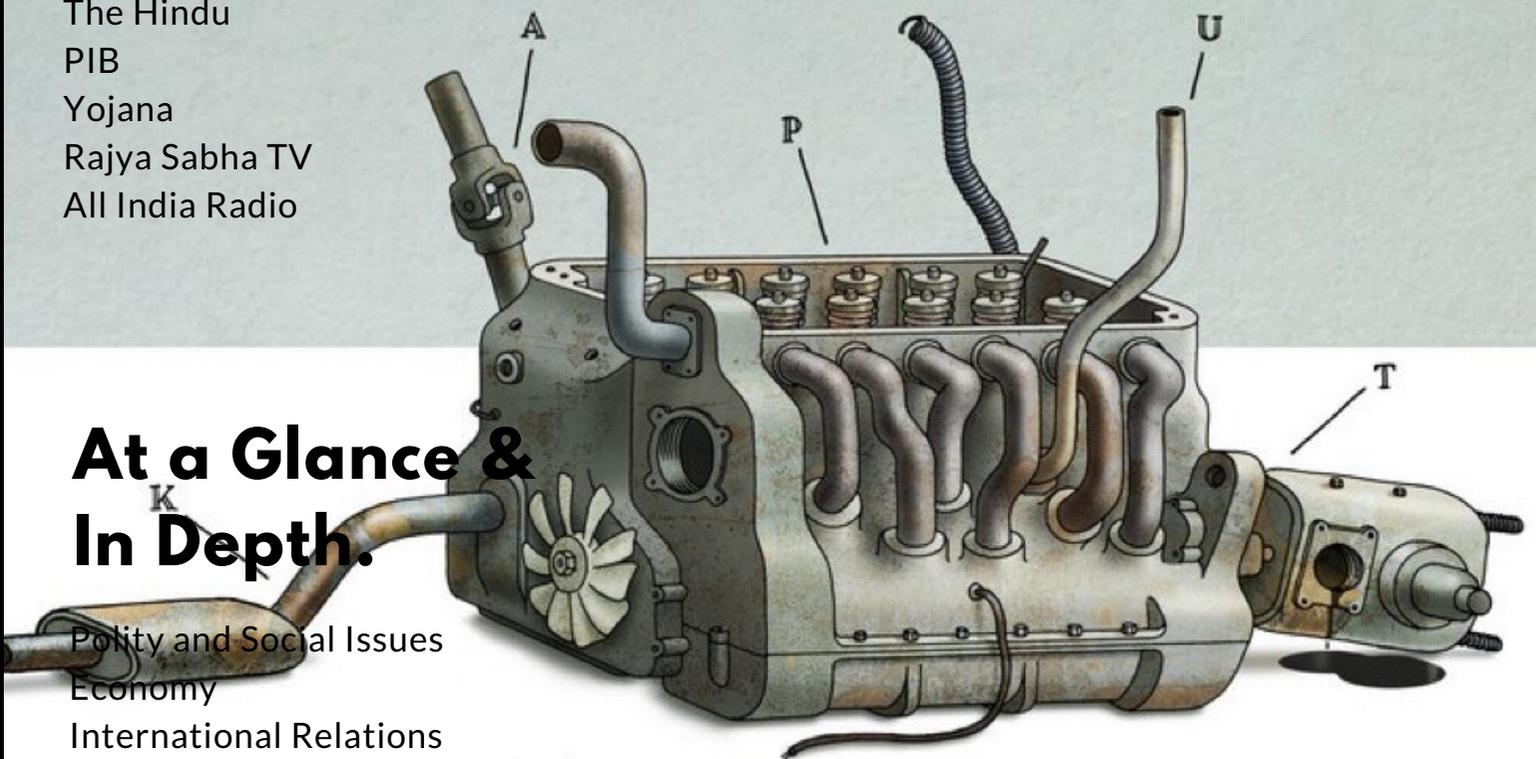
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## Coverage.

The Hindu  
PIB  
Yojana  
Rajya Sabha TV  
All India Radio

## At a Glance & In Depth.

Polity and Social Issues  
Economy  
International Relations  
Environment  
Science and Tech  
Culture..



## CURRENT AFFAIRS WEEKLY

THE **PULSE** OF UPSC AT  
YOUR FINGER TIPS.



# News @ a glance

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# News @ a glance

## Polity & Social Issues

### Revenue Village

#### What is a Revenue Village?

- Revenue village is a concept introduced during the British Indian administration. It is designed as the lowest administrative unit in the settlement hierarchy. It was designed to improve revenue collection mechanism and to regulate the process and not for village planning and development.
- One revenue village may contain many hamlets. Each revenue village is headed by a "Village Administrative Officer" (VAO).

#### Who are the Vantangiya ?

- 'Tangia' is a distortion of the word for the Burmese technique of shifting hill plantation, Taungya, under which the space between the planted trees was used for growing seasonal crops by the labourers. Inspired by the Burmese, this was introduced to UP by the British around 1922 to offset the huge loss of trees due to expansion of the railways.



- Landless labourers, mostly from backward and Dalit castes, were deployed in these forests as settlers, earning them the name Vantangiya.
- The Vantangiya system continued after 1947 but in the 1980s, after the Forest Cooperation took shape, the forest working planning was scrapped and the Vantangiya were served eviction notices and asked to give up all claims to the forest. However their claim to the land was later supported by the Forest Rights Act, 2006

#### Why in News?

- 23 Vantangiya villages in Uttar Pradesh have been declared as revenue villages by the state government, opening the doors of development in these neglected

settlements for the first time since Independence.

#### Impact

- As they earlier fell under the Forest Department, these villages and their residents were deprived of basic government schemes and could not even get basic facilities, including BPL cards, employment guarantee projects, healthcare, education, electricity connections etc.
- After being declared a revenue village it has been electrified with solar connections, seven water tanks and three hand-pumps have been established, and ration cards issued.

### WHO report on alcohol intake

#### Why in News?

- Per capita alcohol consumption in India has more than doubled from 2005 to 2016, according to a report by the World Health Organisation (WHO).



#### Background

- The harmful impact of alcohol is one of the leading risk factors for populations worldwide and has a direct impact on many health-related targets of the Sustainable Development Goals (SDGs), including those for maternal and child health, infectious diseases (HIV, viral hepatitis, tuberculosis), non-communicable diseases and mental health, injuries and poisonings.

#### Highlights of the Report-

1. The total alcohol per capita consumption (15+ years) is expected to increase in half of the WHO regions by 2025 and the highest increase is expected in the South-East Asia Region.

2. An increase of 2.2 litres is expected in India alone which represents a large proportion of the total population in this region.
3. The second-highest increase is projected for the populations of the Western Pacific Region, where the population of China is the largest, with an increase in per capita consumption of 0.9 litres of pure alcohol by 2025.
4. In 2016, the harmful use of alcohol resulted in some three million deaths (5.3% of all deaths) worldwide and 132.6 million disability-adjusted life years (DALYs).
5. Mortality resulting from alcohol consumption is higher than that caused by diseases such as tuberculosis, HIV/AIDS and diabetes.

## Ayushman Bharat

### About Ayushman Bharat

- Ayushman Bharat - Pradhan Mantri Jan Arogya Abhiyan (AB-PMJAY) is a new Centrally Sponsored Scheme having central sector component under Ayushman Bharat Mission anchored in the Ministry of Health and Family Welfare (MoHFW)
- It is an umbrella of two major health initiatives, namely Health and wellness Centres and National Health Protection Scheme.

### Why in News?

- Prime Minister recently rolled out the Centre's flagship scheme — Pradhan Mantri Jan Arogya Abhiyan, also known as Ayushman Bharat or the National Health Protection Mission (AB-NHPM).

### Health and Wellness Centres

- Under this 1.5 lakh, existing sub-centres will bring health care system closer to the homes of people in the form of Health and wellness centres.
- These centres will provide comprehensive health care, including for non-communicable diseases and maternal and child health services.

### National Health Protection Mission (AB-PMJAY)

- AB-PMJAY will have a defined benefit cover of Rs. 5 lakh per family per year. This cover will take care of almost all secondary care and most tertiary care procedures.
- To ensure that nobody is left out (especially women, children and elderly) there will be **no cap on family size** and age in the scheme.

- The benefit cover will also **include pre and post-hospitalisation** expenses. All pre-existing conditions will be covered from day one of the policy. A defined transport allowance per hospitalization will also be paid to the beneficiary.
- Benefits of the scheme are portable across the country and a beneficiary covered under the scheme will be allowed to take cashless benefits from any public/private empanelled hospitals across the country.
- AB-PMJAY is an entitlement-based scheme with entitlement decided on the basis of deprivation criteria in the SECC database.
- The beneficiaries can avail **benefits in both public and empanelled private facilities**.
- One of the core principles of AB-PMJAY is to **co-operative federalism and flexibility** to states. There is provision to partner the States through co-alliance. States will be free to choose the modalities for implementation. They can implement through insurance company or directly through Trust/ Society or a mixed model.
- For giving policy directions and fostering coordination between Centre and States, it is proposed to set up **Ayushman Bharat National Health Protection Mission Council (AB-NHPMC)** at apex level Chaired by Union Health and Family Welfare Minister.
- In partnership with NITI Aayog, a robust, modular, scalable and interoperable IT platform will be made operational which will entail a paperless, cashless transaction.
- To control costs, the payments for treatment will be done on package rate (to be defined by the Government in advance) basis.
- To ensure that the funds reach SHA on time, the transfer of funds from Central Government through Ayushman Bharat - National Health Protection Mission to State Health Agencies may be done through an escrow account directly.

## Sexual Assault Evidence Collection Kits

### Sexual Assault Evidence Collection Kits (SAECK)

- The Sexual Assault Evidence Collection Kits (SAECK) or 'rape investigation kits' are designed to carry out immediate medico-

legal investigation and aid in furnishing evidence in sexual assault and rape cases.

- Police and medical officers will be given training on how to use the kits in the event of any sexual assault and rape case happening in their area of jurisdiction.
- These kits also contain instructions on a collection of evidence from the crime scene. The SAECKs would be sent to the closest laboratory and within two months the results would be out.
- The 'rape investigation kits' will be procured by the respective states with financial support under the central government's '**Nirbhaya Fund**', which was named after the 2012 Delhi gang-rape victim.
- The cost of the project would be shared between the central government (from the Nirbhaya Fund) and respective states in the ratio of 60:40.

#### Why in News?

- Police stations in the country will soon have special kits to collect blood and semen samples, besides other evidence, to carry out an immediate investigation into sexual assault cases.

#### Nirbhaya Fund

- The Ministry of Finance, Government of India had set up a dedicated fund called Nirbhaya Fund in 2013, for implementation of initiatives aimed at enhancing the safety and security for women in the country. It is a non-lapsable corpus fund.

### Paid News

#### What is Paid News?

- The Election Commission has accepted a definition that the Press Council of India came up within 2010. According to the Press Council's report, the paid news is "any news or analysis appearing in any media (print & electronic) for a price in cash or kind as consideration".

#### Why in News?

- The Election Commission of India has moved the Supreme Court challenging the May 2018 Delhi High Court order that set aside the disqualification of an MLA from Madhya Pradesh on the grounds of Paid News.

#### Election Commission's Stand

- Repeated publication of propaganda lauding the achievements of a candidate in

an election is nothing but "paid news", the Election Commission of India has told the apex court.



#### Steps Taken by Election Commission

- Starting with June 2010, ECI has issued instructions to state and district officers to scrutinize, identify and report cases of Paid News.
- The Commission has appointed a Media Certification & Monitoring Committee (MCMC) at District and State level for checking Paid News.
- The Committee has Officers from Ministry of I&B and State DIPR.
- The Committee will scrutinise all media within its jurisdiction to identify political advertisement in the garb of news.
- MCMC shall also actively consider paid news cases referred to it by the Expenditure Observers.
- Once the cases are decided as paid news, the print media cases should be sent to ECI for referring it to Press Council for action against the concerned Media House.
- Paid News cases related to electronic media are to be referred by the Commission to National Broadcasters Association for consideration by National Broadcasting Standards Authority (NBSA).

#### Electoral Reforms proposed By ECI on Paid News

- It has proposed to amend the Representation of the People Act, 1951, (RPA) to include "paid news" in electoral offences with a minimum two-year jail term for publishing or abetting the publishing of paid news.
- The EC's views found resonance in the report of the Law Commission of India on electoral reforms, which was submitted in March 2015. The report recommended that RPA should be amended to regulate paid news and political advertisements.

## Fake news & WhatsApp

### What is Fake News?

- Fake news is a type of yellow journalism or propaganda that consists of deliberate disinformation or hoaxes spread via traditional print and broadcast news media or online social media.
- Fake news is written and published with the intent to mislead in order to damage an agency, entity, or person, for financial or political gain.

### Why in News?

- WhatsApp has appointed a grievance officer for India and outlined a process for users to flag concerns and complaints.



### Background

- India is WhatsApp's biggest market with more than 200 million users. The government has been pressing WhatsApp to develop tools to combat fake or false messages, which triggered mob killings.
- Earlier this year WhatsApp limited message forwards to five chats at a time and had also removed the quick forward button placed next to media messages to discourage mass forwarding. It has also introduced a 'forward' label to help users identify such messages.

### Steps Taken

- The Ministry of Information and Broadcasting (I&B) has constituted a 10-member committee to regulate online portals, including news websites, entertainment sites and media aggregators.
- The committee will look to bring online information dissemination under regulation. It will propose policy for foreign direct investment (FDI) in this media his media. It will to look at international best practices on such existing regulatory mechanism. It will cover print and electronic media as well as entertainment sites.
- The central government is drafting new guidelines to make the social media platforms, more responsive to blocking

fake news, as part of Section 79 of IT Act that will bind social media companies to respond to complaints about fake news content within a few hours.

- The Gauba Committee in its report to the Home Minister who heads a group of ministers (GoM) looking into cases of lynching across various states — and the role of fake news and internet platforms in the episodes.
- Has recommended 'criminal proceedings' against India heads of global internet and social media giants in case their platforms are found spreading fake news and other 'sinister' campaigns that lead to lynching and riots in the country.
- International Measures-A global alliance of tech industries and academic organisations have unveiled \$14-million The News Integrity Initiative to combat the spread of "fake news" improve public understanding of journalism, promote news literacy and build trust in journalism.

## Severe Acute Malnutrition

### What is Severe Acute Malnutrition (SAM)?

- Severe acute malnutrition is the most extreme and visible form of undernutrition. Children with severe acute malnutrition have very low weight for their height and severe muscle wasting.

### Why in News?

- The National Technical Board on Nutrition (NTBN) has approved guidelines proposed by Ministry of Women and Child Development for severe acute malnutrition.

### Recent Recommendations of the Panel

- The measures are part of the community-based health management of children suffering from SAM. The government had, till now, only put in place guidelines for the hospitalisation of severely wasted children who develop medical complications. Those norms were made public in 2011.
- The panel has recommended that severely malnourished children must be fed freshly cooked food prepared from locally available cereals, pulses and vegetables, and distributed by Anganwadi centres, as part of the country's first-ever guidelines for nutritional management of children suffering from severe acute malnutrition (SAM).

- The guidelines outline the role of Anganwadi workers and auxiliary nurse midwives (ANMs) in identifying severely wasted children, segregating those with oedema or medical complications and sending them to the nearest health facility or nutrition rehabilitation centres.
- The remaining children are enrolled into “community based management”, which includes provision of nutrition, continuous monitoring of growth, administration of antibiotics and micro-nutrients as well as counselling sessions and imparting of nutrition and health education.
- The government has also revised the method to be used to measure wasting and advised calculating weight based on the height of children instead of the mid-upper arm circumference.



#### **National Technical Board on Nutrition (NTBN)**

- The government decided to constitute National Technical Board on Nutrition (NTBN) under Dr Vinod Paul member of NITI Ayog to make technical recommendations on policy-relevant issues on Nutrition

#### **Terms of Reference**

1. To make technical relevant issues on policy-relevant issues on nutrition concerning women and children.
2. To advice State/UTs on preventive measures, including behaviour change and management of SAM children.
3. To coordinate the compilation of existing scientific research, identify gaps and make recommendations for the research agenda.
4. To provide technical guidance on the design of nutritional surveys proposed by States/UTs other sectors institutions and their coherence with ongoing National Health and other surveys.
5. Formulation of India specific growth indicators including stunting

6. Any other issue which may be referred to the board by the Ministry of Women and Child Development.

## **Tobacco Helpline**

### **Tobacco Helpline**

- India is the fourth country in Asia after Thailand, Malaysia and Singapore to have this government helpline for those looking at quitting tobacco. At least 46 countries have quit-line numbers as part of health warning labels on tobacco product packaging.

### **Why in News?**

- India has become the first and only SAARC country to have a quit-line number on tobacco products.

### **Pictorial Warning**

- The current pictorial warnings on both sides of packages of cigarettes, bidis and all forms of chewing tobacco products in India came into effect from April 2016, following the direction of the Rajasthan High Court and subsequently the Supreme Court. They have been in effect for almost two years.
- India’s current international ranking for package warnings is number three in the world, as outlined in the October 2016 Canadian Cancer Society’s ‘Cigarette Package Health Warning International Status Report’, that ranked 205 countries worldwide

### **The Global Adult Tobacco Survey (GATS)**

1. It is a global standard for systematically monitoring adult tobacco use (smoking and smokeless) and tracking key tobacco control indicators.
2. GATS is a nationally representative survey, using a consistent and standard protocol across countries including India. GATS enhances countries' capacity to design, implement and evaluate tobacco control programs.
3. It will also assist countries to fulfil their obligations under the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) to generate comparable data within and across countries. WHO has developed MPOWER, which is a package of selected demand reduction measures.

### **WHO Framework Convention on Tobacco Control (WHO FCTC)**

- The FCTC is the world’s first public health treaty under the World Health

Organisation (WHO). The WHO FCTC was developed in response to the globalization of the tobacco epidemic and is an evidence-based treaty that reaffirms the right of all people to the highest standard of health.

- The Convention represents a milestone for the promotion of public health and provides new legal dimensions for international health cooperation.

## Preventing Lynching

### Why in News?

- The Centre recently assured the Supreme Court that message against mob action will be run on TV and radio within a week.

### Background

- On July 17, the Supreme Court had directed the Centre and the State governments to disseminate using radio, television and other media platforms, including the official websites of the Home Department and through State police, the message that “lynching and mob violence of any kind shall invite serious consequences under the law”.

### Other Directions Given by the Supreme Court-



### Preventive Steps

1. The apex court had denounced sweeping incidents of lynching as an affront to the rule of law and called for the law to deal with such horrendous acts of mobocracy.
2. It stated that the state governments shall designate a senior police officer in each district for taking measures to prevent incidents of mob violence and lynching.
3. The state governments were asked to immediately identify districts, subdivisions and villages where instances of lynching and mob violence have been reported in the recent past.
4. The nodal officers were to be given the responsibility of bringing to the notice of the DGP any inter-district co-ordination issues for devising a strategy to tackle lynching and mob violence related issues.

5. The state and centre were asked to Curb and stop dissemination of irresponsible and explosive messages, videos and other material on various social media platforms. Register FIR under relevant provisions of law against persons who disseminate such messages.

### Remedial Steps

- Ensure that there is no further harassment of the family members of the victims.
- State governments shall prepare a lynching/mob violence victim compensation scheme.

### Punitive Steps

1. Cases of lynching and mob violence shall be specifically tried by designated court/fast track courts earmarked for that purpose in each district. The trial shall preferably be concluded within six months.
2. To set a stern example in cases of mob violence and lynching, the trial court must ordinarily award maximum sentence upon conviction of the accused person.
3. If it is found that a police officer or an officer of the district administration has failed to fulfil his duty, it will be considered as an act of deliberate negligence.

### Steps Taken by the Government

- Union Government had created Group of Ministers (GoM) headed by the Home Minister and high-level committee to deliberate and make recommendations for a separate penal provision on incidents of mob violence.

### Report of the High-Level Committee (Gaubha committee)

- Members of the committee were of the view that all possible steps need to be initiated to ensure that social media platforms do not become a means for spreading rumours and messages that lead to social disharmony.
- The committee has also sought the appointment of the superintendent of police (SP) in each district as the nodal officer to deal with cases of lynching while suggesting that criminal action be initiated collectively against the group/mob engaging in the lynching.
- The top government committee has recommended ‘criminal proceedings’ against India heads of global internet and social media giants in case their platforms are found spreading fake news and other

'sinister' campaigns that lead to lynching and riots in the country.

## On criminalisation of politics

### Background

- The verdict by the five-judge Bench led by Chief Justice of India referred to the Law Commission reports which pointed out that political parties have been chiefly responsible for criminalisation of politics. Though the Representation of the People Act disqualifies a sitting legislator or a candidate on certain grounds, there is nothing regulating the appointments to offices within the party.

### Why in News?

- The Supreme Court recently directed political parties to publish online the pending criminal cases of their candidates and urged Parliament to bring a "strong law" to cleanse political parties of leaders facing trial for serious crimes.

### SC Judgement

- A five-judge Constitution Bench, led by Chief Justice of India observed that Rapid criminalisation of politics cannot be arrested by merely disqualifying tainted legislators but should begin by "cleansing" political parties.

### Highlights-

- First, while filing their nominations, the candidates must declare if there are pending criminal cases against them in courts.
- Second, political parties are also responsible for putting up details of criminal cases filed against their candidates on their websites.
- Third, Parliament must legislate on the matter to ensure that candidates with criminal antecedents do not enter public life or become lawmakers.
- Fourth, while filling the nomination forms, candidates must declare their criminal past and the cases pending against them **in bold letters**.
- Lastly, political parties should publicise the background of their candidates via the electronic media and issue declarations.

### Vohra panel report

- The **N.N. Vohra Committee** submitted its report in October 1993 after its study of the problem of criminalisation of politics and the nexus among criminals, politicians and bureaucrats in India.

- The committee had concluded that agencies, including the CBI, IB, RAW, had unanimously expressed their opinion that the criminal network was virtually running a parallel government.
- The committee report mentioned how money power was first acquired through real estate and then used for building up contacts with bureaucrats and politicians.



### Key Recommendation

- Setting up of a Parliamentary Committee on Ethics as distinct from the Committee of Privileges which would act as a guardian on the activities of members of Parliament.
- Adoption of a Code of Conduct at the level of political parties to ensure a cleaner public life, e.g., not to give party tickets to persons having a criminal record.
- All political parties should have open audited accounts which must be published annually.
- Giving more teeth to the Nodal Group set up as a consequence of the recommendations of the Vohra Committee Report.
- Changes in the legal system, simplification of the procedure and dispensation of quick justice.

## Legislators practicing law

### Why in News?

- A bench headed by Chief Justice of India said that the Bar Council of India Rules does not prohibit legislators from practising as lawyers.

### Background

- A PIL was filed in the SC seeking to bar lawyer-lawmakers (MPs, MLAs, and MLAs) from practising in courts during their tenure in the legislature.
- It stated that while a public servant cannot practice as an advocate, legislators are practising in various courts which were a violation of Article 14 of the Constitution. It had also said that the MPs had the power of voting on the impeachment of judges of the Supreme Court and the high courts, and if legislators were allowed to practice as

lawyers it would lead to a conflict of interest.

### Supreme Court Verdict

- The apex court said there was no express provision either under the Rules and the law regulating the profession of the lawyers to restrict them from practising on becoming members of Parliament, state assemblies or state councils.
- The apex court said that although the legislators are deemed to be public servants, their status is unique and certainly not one of a full-time salaried employee of any person, government, firm, corporation or concern as such.
- Similarly, the conferment of power on the legislators (MPs) to move an impeachment motion against the judge(s) of the Constitutional Courts does not per se result in conflict of interest or a case of impacting constitutional morality or for that matter institutional integrity

## 158th in Human Capital

### What's in News?

- India ranks 158th in the world for its investments in education and healthcare, according to the first-ever scientific study ranking countries for their levels of human capital.

### Background

- The study, conducted by **the Institute for Health Metrics and Evaluation (IHME)** at the request of the World Bank, is the first of its kind to measure and compare the strength of countries' "human capital".
- The study underscores that when a country's human capital score increases, its economy grows.
- The findings show the association between investments in education and health and improved human capital and GDP.

### India's Rank

- The study, published in journal *The Lancet*, says that India is ranked at 158 out of 195 countries in 2016, an improvement from its position of 162 in 1990.
- It showed that India is falling behind in terms of health and education of its workforce, which could potentially have long-term negative effects on the Indian economy. The study is based on analysis of data from sources, including government agencies, schools, and health care systems.

### Highlights

- India is placed behind Sudan (ranked 157th) and ahead of Namibia (ranked 159th) in the list.
- The U.S. is ranked 27th, while China is at 44th and Pakistan at 164th.
- South Asian countries ranking below India in this report include Pakistan (164), Bangladesh (161) and Afghanistan (188).
- Countries in the region that have fared better than India in terms of human capital include Sri Lanka (102), Nepal (156), Bhutan (133) and Maldives (116).
- The study places Finland at the top. Turkey showed the most dramatic increase in human capital between 1990 and 2016; Asian countries with notable improvement include China, Thailand, Singapore, and Vietnam. Within Latin America, Brazil stands out for improvement.
- All these countries have had faster economic growth over this period than peer countries with lower levels of human capital improvement.

## Aadhar, a reasonable restriction on privacy

### Why in News?

- The Supreme Court, in a majority opinion on Wednesday, upheld Aadhaar as a reasonable restriction on individual privacy that fulfils the government's "legitimate aim" to provide dignity to a large, marginalised population living in abject poverty.

### SC Judgement

- Upholding the passage of the Aadhaar Act as a Money Bill, the Supreme Court said neither were individuals profiled nor their movements traced when Aadhaar was used to avail government benefits under Section 7 of the Aadhaar Act of 2016.
- The statute only sought "minimal" biometric information, and this did not amount to invasion of privacy.
- The majority opinion upheld the PAN-Aadhaar linkage, but declared linking Aadhaar with bank accounts and mobile SIM cards unconstitutional.
- The court insulated children from the Aadhaar regime. The card was not necessary for children aged between six and 14 under the Sarva Shiksha Abhiyan as right to education was a fundamental right. Statutory bodies like CBSE and UGC cannot

ask students to produce their Aadhaar cards for examinations like NEET and JEE.

- The court further directed the government and the Unique Identification Authority of India (UIDAI) to bring in regulations to prevent rightfully entitled people from being denied benefits.
- It read down Section 33 (1), which allowed the disclosure of Aadhaar information on the orders of a District Judge. This cannot be done now without giving the person concerned an opportunity to be heard.
- The Supreme Court struck down Section 33(2), which allowed the disclosure of Aadhaar information for national security reasons on the orders of an officer not below a Joint Secretary.
- The court has struck down Section 47, which allows only the UIDAI to file criminal complaints of Aadhaar data breach.
- Finally, it quashed that part of Section 57 of the Act which permits private companies from using Aadhaar data to authenticate a person. It said a mere contract between a private entity and an individual was not enough to demand Aadhaar from the latter.

#### Dissenting Opinion

- Justice D.Y. Chandrachud, who wrote the lone dissenting opinion declaring Aadhaar unconstitutional, held that the unique identity scheme **reduces a person to a 12-digit number**.
- The judge held the passage of the Aadhaar Act as a Money Bill unconstitutional. Passing of the Aadhaar Act as a Money Bill by superseding the Rajya Sabha was a "fraud on the Constitution."

### Aadhaar is Money Bill

#### Why in News?

- The majority judgement of the Constitution bench held that Aadhaar was a Money Bill.

#### Background

- The Aadhaar Act, 2016 was passed as a Money Bill. A Money Bill only needs to be passed by Lok Sabha, while Rajya Sabha may make non-binding recommendations on it. In case of the Aadhaar Act, Rajya Sabha made some recommendations that were rejected by Lok Sabha.
- It has been argued before the courts that the Aadhaar Act does not qualify as a Money Bill because it contains provisions unrelated to government taxation and expenditure.

#### SC Judgement

- The majority view justified that Aadhaar was vital to ensure that government aid reached the targeted beneficiaries, and hence, the Act was validly passed as a Money Bill.

#### Dissenting Opinion

- In the Minority judgement it was held that -A Money Bill must deal with the declaring of any expenditure to be expenditure charged on the Consolidated Fund of India. Section 7 of the Act does not declare the expenditure incurred to be a charge on the Consolidated Fund.
- It only provides that in the case of such services, benefits or subsidies, Aadhaar can be made mandatory to avail of them.
- It also pointed out that the other sections of the Aadhaar Act which dealt with several aspects relating to the Aadhaar numbers were alien to the scope of Article 110 of the Constitution which defined a Money Bill.
- The Lok Sabha cannot introduce and pass a legislative measure in the garb of a Money Bill, which could otherwise have been amended or rejected by the Rajya Sabha. Bicameralism is a founding value of our democracy.
- It is a part of the basic structure of the Constitution. Introduction and passing of a Bill as a Money Bill, which does not qualify to be a Money Bill under Article 110(1) of the Constitution, is plainly unconstitutional

#### What is a Money Bill?

Article 110 of the Constitution deals with the definition of Money Bills. It states that a Bill is a Money Bill if it contains "**only**" the provisions dealing with all or any of the following matters-

1. The imposition, abolition, remission, alteration or regulation of any tax.
2. The regulation of the borrowing of Money by the Union Govt.
3. The custody of the Consolidated Fund of India or the contingency fund of India, the payment of money into or the withdrawal of Money from any such fund.
4. The appropriation of Money out of the Consolidated Fund of India
5. Declaration of expenditure charged on the Consolidated Fund of India or increasing the amount of any such expenditure.
6. The receipt of Money on account of the Consolidated Fund of India or the Public account of India.

- Any matter incidental to any of the matters specified above.

### Points to Remember-

- If any question arises whether a Bill is a Money bill or not the decision of the Speaker of the Lok Sabha is final. Her decision cannot be questioned by any court or in either House of Parliament or even the President.
- It can only be introduced in the Lok Sabha.
- It can be introduced only by the Minister, on the recommendation of the President.
- It cannot be amended or rejected by the Rajya Sabha.
- It can only be detained by the Rajya Sabha for a maximum period of 14 days.
- It is sent for President's assent even if it is approved only by the Lok Sabha. There is no provision for Joint Sitting in case.
- It can be rejected or approved by the President but cannot be returned for consideration by the President.
- Its defeat in the Lok Sabha leads to the resignation of the government.

## Open Court System

### What is an "Open Court System"?

- The open court system of judicial administration entails court proceedings to be open to public and media at large. Such proceedings are common feature US, Canada and Australia. The open court system is found to be a necessary condition for a fair trial, which is a fundamental principle of rule of law.

### Why in News?

- The Supreme Court upheld the plea for live-streaming of its proceedings, observing that the use of technology is to "virtually" expand the court beyond the four walls of the courtroom.

### Rationale

- i) Live-streaming of court proceedings has the potential of throwing up an option to the public to witness proceedings which they otherwise could not have due to logistical issues and infrastructural restrictions.
- The live-streaming would be the true realisation of the "open court system" in which courts are accessible to all.

### Conditions

- Prior consent of parties required.
- The focus of the cameras in the courtroom will be directed only towards two sets of

people – the judges and the arguing lawyers from the front side.

- The Supreme Court must retain copyright over the broadcasted material and have the final say in respect of the use of the coverage material.
- Reproduction, re-broadcasting, transmission, publication, re-publication, copying, storage of the original broadcast of court proceedings should be prohibited.



## SC/ST quota in promotions

### Why in News?

- A Constitution Bench of the Supreme Court modified a 2006 judgment requiring the State to show quantifiable data to prove the "backwardness" of a Scheduled Caste/Scheduled Tribe community in order to provide quota in promotion in public employment.

### The Indira Sawhney Verdict

- The SC had held that the test or requirement of social or educational backwardness cannot be applied to SC/STs, who fall within the expression "backward class of citizen".
- The Indira Sawhney Supreme Court judgment in 1993 had directed the Union government to identify a creamy layer for caste reservations, however, this was to be confined to Other Backward Classes only and was not applicable in the case of Scheduled Tribes and Scheduled Castes.

### The Nagaraj Verdict

- In the Nagaraj verdict, the Supreme Court had held that the state was not bound to provide reservation in promotions to SCs/STs. But in case any state wished to make such a provision, it was required to collect quantifiable data showing backwardness of the class as well as its inadequate representation in public employment.
- Additionally, the state was also required to ensure that the reservation does not breach the 50 per cent ceiling. The ruling also said

that the 'creamy layer' concept cannot be applied to SCs and STs for promotions in government jobs.

#### What is the issue?

- The Centre and various state governments had sought reconsideration of the 12-year-old verdict on various grounds, including that the members of the SC/ST communities were presumed to be backward and considering the stigma attached to their caste, they should be given reservation even in job promotions.

#### The following are the recent judgements :-

##### 1. Reservation in Promotion

- The apex court reversed the finding in Nagaraj judgment that states required to collect quantifiable data to prove backwardness, saying it was contrary to the decision in Indira Sawhney case.
- The judgement will provide a huge fillip for the government's efforts to provide "accelerated promotion with consequential seniority" for Scheduled Castes/ Scheduled Tribes (SC/ST) members in government services.

##### 2. Creamy Layer Framework

- The apex court also turned down the Centre's plea that overall population of SC/ST be considered for granting quota for them. It upheld that Nagaraj's direction that creamy layer applied to SC/ST in promotions.
- It said that when a court applies the creamy layer principle to Scheduled Castes and Scheduled Tribes, it does not in any manner tinker with the Presidential List under Articles 341 or 342 of the Constitution of India.
- However, the judges said that Parliament will have "complete freedom" to include or exclude persons from the Presidential Lists based on relevant factors.

##### 3. What is the "Creamy Layer"

- The Supreme Court introduced the framework of the "creamy layer" in reservations for Scheduled Castes and Scheduled Tribes. The creamy layer is a concept that puts an income ceiling on people availing of caste-wise reservations in government jobs and education.
- Till now, this was only applicable for reservations under the Other Backward Classes quota. SC/STs excluded since it was argued that their backwardness was based

purely on untouchability for which economic improvement was not a remedy.

#### What is "President's List" under Articles 341 or 342?

1. Constitution does not define as to who are the persons who belong to scheduled castes and scheduled tribes. However, Articles 341 and 342, empower the President of India to draw up a list of these castes and tribes.
2. Scheduled castes and scheduled tribes and those castes or tribes as the President may by public notification specify.
3. If such a notification is related to a state, then also President will notify the same. However, it can be done after consultation with the governor of the state.
4. Any inclusion or exclusion from the presidential notification of any caste, race, or tribe can be done by Parliament by Law.
5. If any question arises whether or not a particular tribe is a tribe within the meaning of this article one has to look at the public notification issued.

#### Doctrine of eminent domain

##### What is the Doctrine of eminent domain?

- Eminent domain is a legal strategy that allows a federal or local government to **seize private property for public use**. The seizing authority must pay fair market value for the property seized.

##### Why in News?

- The Supreme Court is scheduled to pronounce a judgment on whether to refer the question if a "mosque as a place of prayer is an essential part of Islam" in the Ramjanmabhoomi-Babri Masjid appeals to a Constitution Bench.

##### What is the issue?

- The bone of contention is an observation made by a Constitution Bench of the Supreme Court in the 1994 judgment in the Ismail Faruqui case. It had stated that "a mosque is not an essential part of the practice of the religion of Islam and namaz (prayer) by Muslims can be offered anywhere, even in open".



### Background

- The issue whether the mosque is integral to Islam had cropped up when the three-judge bench headed by CJI was hearing the batch of appeals filed against the Allahabad High Court's 2010 verdict by which the disputed land on the Ram Janmabhoomi-Babri Masjid area was divided into three parts

### Recent Judgment

- The Supreme Court turned down the plea to send the 1994 Ismail Faruqui case to a larger Constitutional Bench.
- The Majority judgment held that the power of acquisition is available for a mosque like any other place of worship. Places of worship of all religions are liable to be acquired by the government under the Doctrine of Eminent Domain.
- The latest ruling by the SC implies that now the title suit will have to be heard purely as a property dispute devoid of any religious connotations.

## Section 497

### What is Section 497 of IPC?

- Section 497 of the Indian Penal Code criminalises Adultery. This section penalizes sexual intercourse of a man with a married woman without the consent of her husband. The crime does not amount to rape but entails a punishment of up to five years in jail or fine or with both for the man. The woman in such case is not punished as an abettor.

### Why in News?

- The Supreme Court unanimously struck down Section 497 of the Indian Penal Code that makes adultery a punishable offence for men.

### Background

- A petition seeking the repeal of Section 497 IPC was filed, which termed the 158-year-old law enacted by the Britishers as "unjust, illegal and arbitrary and violative of citizens' fundamental rights". Questioning

the gender bias in the provision drafted by Lord Macaulay in 1860, it also challenged Section 198(2) of the CrPC.



### SC Judgement

- The five-judge bench of the Supreme Court said the 158-year-old law was unconstitutional and fell afoul of Article 21 (Right to life and personal liberty) and Article 14 (Right to equality).
- The apex court also declared Section 198(1) and 198(2) of the CrPC, which allows a husband to bring charges against the man with whom his wife committed adultery, unconstitutional.
- The apex court held that section 497 was a clear violation of fundamental rights granted in the Constitution and there was no justification for the continuation of the provision. It said while adultery could be a ground for civil issues, including dissolution of marriage, it could not be a criminal offence.

## Model Code of Conduct

### What is the Model Code of Conduct?

- The Model Code of Conduct for the guidance of political parties and candidates is a set of norms which has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code and also binds them to respect and observe it in its letter and spirit.

### Why in News?

- The model code of conduct came into force in poll-bound Telangana following an Election Commission directive that henceforth the guidelines would be implemented immediately after the early dissolution of a Legislative Assembly. Earlier, the restrictions came into force only after the announcement of the election schedule by the Commission.

### Election Commission Directive

- The provisions of Part-VII of the model code of conduct, which is for the party in power, will apply on the caretaker State government as well as on the Central government in so far as matters relating to that State are concerned.
- The Commission has drawn on legal backing for the directive from the Supreme Court's observation in the landmark S.R. Bommai and Others Vs. Union of India and Others (1994) judgment that the caretaker government should merely carry on day-to-day work and desist from taking any major policy decision.

#### **What is applicability of code during general elections and bye-elections?**

- During general elections to House of People (Lok Sabha), the code is applicable throughout the country.
- During general elections to the Legislative Assembly (Vidhan Sabha), the code is applicable in the entire State.
- During bye-elections, the code is applicable in the entire district or districts in which the constituency falls.

#### **What is the role of Election Commission in the matter?**

- The Election Commission ensures its observance by political party/ies in power, including ruling parties at the Centre and in the States and contesting candidates in the discharge of its constitutional duties for conducting the free, fair and peaceful elections to the Parliament and the State Legislatures under Article 324 of the Constitution of India.
- It is also ensured that official machinery for the electoral purposes is not misused. Further, it is also ensured that electoral offences, malpractices and corrupt practices such as impersonation, bribing and inducement of voters, threat and intimidation to the voters are prevented by all means. In case of violation, appropriate measures are taken.

## **Lokpal**

### **Background**

- The Lokpal and Lokayuktas Act, which envisages the establishment of anti-graft body Lokpal at the Centre and Lokayuktas in States to look into cases of corruption against certain categories of public servants, was passed in 2013.

- The SC has clarified that the appointment of the Lokpal need not be stalled merely due to the absence of the Leader of the opposition who is a member of the Lokpal Selection committee as per the Lokpal Act 2013.

#### **Why in News?**

- The Centre constituted an eight-member search committee, to be headed by former Supreme Court judge to recommend the chairperson and members of the anti-corruption ombudsman Lokpal.

#### **Salient Features of the Lokpal and Lokayukta Act 2013**

- The Lokpal is to consist of a chairperson with a maximum of 8 members of which 50% shall be judicial members.
- The Selection of the Chairperson and members of the Lokpal shall be through a selection committee consisting of the-
  - a) Prime Minister
  - b) Speaker of the Lok Sabha
  - c) The leader of Opposition in the Lok Sabha
  - d) The Chief Justice of India or a sitting supreme court judge nominated by the CJI
  - e) An eminent jurist to be nominated by the President of India on the basis of the recommendation of the first four members of the selection committee.
- A search committee will assist the selection committee in the process of selection.
- The Lokpal will cover all categories of public servants, including the Prime Minister. But the armed forces do not come under the ambit of Lokpal.
- The Act also incorporates provisions for attachment and confiscation of property acquired by corrupt means, even while the prosecution is pending.
- The States will have to institute Lokayukta within one year of the commencement of the Act.

#### **What are the powers of Lokpal?**

- The Lokpal will have the power of superintendence and direction over any investigation agency including CBI for cases referred to them by the ombudsman.
- As per the Act, the Lokpal can summon or question any public servant if there is a prima facie case against the person, even before an investigation agency (such as vigilance or CBI) has begun the probe.
- Any officer of the CBI investigating a case referred to it by the Lokpal shall not be

transferred without the approval of the Lokpal.

- An investigation must be completed within six months. However, the Lokpal or Lokayukta may allow extensions of six months at a time provided the reasons for the need of such extensions are given in writing.
- Special courts will be instituted to conduct trials on cases referred by Lokpal.
- The Lokpal can award fine up to Rs. 2 lakh for “false, frivolous or vexatious” complaints.

## Sabarimala open to women

### Why in News?

- The Supreme Court, in a majority opinion of 4:1 on Friday, lifted the centuries-old practice of prohibiting women from the age of menarche to menopause to enter the Lord Ayyappa temple at Sabarimala in Kerala.

### Background

- Ayyappan’s temple called Sabarimala is located in the Periyar Tiger Reserve, Kerala. It is one of the most important pilgrimage sites for Hindus and as per records the second largest seasonal pilgrimage in the world to Mecca in Saudi Arabia.



### Distinct Creed

- The worshippers of Lord Ayyappa together constitute a religious denomination. They are designated by a distinctive name wherein all male devotees are called “Ayyappans”; all female devotees below the age of 10 and above the age of 50 are called “Malikapurams”.
- A pilgrim on his maiden trip is called a “Kanni Ayyappan”. The devotees are referred to as “Ayyappa Swamis”. A devotee has to observe the “vratham” and follow a code of conduct, before embarking upon the “Pathinettu Padikal” to enter the temple.

### What is the Issue?

- Kerala High Court in 1991 gave out a ruling against the Travancore Devaswom Board under which it banned the entry of women in the age group of 10-50 claiming that such a practice of not allowing women of that age group was very much prevalent in the past and that it was according to the traditional practices.
- The Kerala High Court directed the Government of Kerala to use all the measures required to implement the ruling of the High Court.
- Critics and women’s rights activist were fighting against this as they believe that the practice of not allowing women of 10-50 age groups in the temple is discriminatory and is actually infringing on the rights of women to profess and practice their religion freely.

### Arguments in favour of the ban

- The religious bodies defending this ban have put forth Article 26 of the Indian Constitution which has given power to every religious denomination to manage their religious affairs as a fundamental right.

### SC judgement

- 'Right to pray' in the temple for women between 10 and 50 years of age won over the 'right to wait' campaign as the Supreme Court condemned the prohibition as "hegemonic patriarchy". The SC stated that Patriarchy cannot trump freedom to practice religion.
- The majority view declared Rule 3(b) of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Act of 1965, which mandates the prohibition in Sabarimala temple, as ultra vires the Constitution.
- It said that exclusion on grounds of biological and physiological features like menstruation was unconstitutional. It amounted to discrimination based on a biological factor exclusive to gender. It was violative of the right to equality and dignity of women.

### Dissenting Opinion

- Issues of deep religious sentiments should not be ordinarily be interfered by the court. The Sabarimala shrine and the deity are protected by Article 25 of the Constitution of India and the religious practices cannot be solely tested on the basis of Article 14.
- What constitutes essential religious practice is for the religious community to

decide, not for the court. India is a diverse country. Constitutional morality would allow all to practise their beliefs. The court should not interfere unless if there is any aggrieved person from that section or religion.

## Bhima Koregaon Violence

### Background

- Being the 200th anniversary, that gathering in Bhima Koregaon this year was much larger than usual. Many Dalit and Bahujan groups collectively organised a big public conference in the name of Elgar Parishad at Shaniwar Wada, which was the seat of the Peshwas until 1818.
- The agenda of this conference was evidently against Hindutva politics which was powerfully manifested by projecting Hindutva politics as the neo-peshwai (new Peshwas).
- Subsequently, five activists associated with the Bhima Koregaon protests were arrested. The police alleged all of them have Maoist links and described the five as "**Urban Maoist sympathisers**",

### Bhima-Koregaon

- Bhima Koregaon in Pune, Maharashtra, the seat of unrest now, is a tiny village, but is associated with an extraordinary phase of Maratha history.
- Two hundred years ago, on January 1, 1818, a few hundred Mahar soldiers of the East India Company, led by the British, defeated the massive Peshwa army, led by Peshwa Bajirao II, in Koregaon. This battle has, since, attained legendary stature in Dalit history.
- Over the years, as the battle came to be seen as a victory of the Mahars against the injustices perpetuated by the Brahminical Peshwas, thousands of Ambedkarites have been gathering in Bhima Koregaon on January 1 to pay their respect at the **Vijay Sthamb** (victory pillar). The pillar was erected by the East India Company in memory of those who fought the battle and includes the names of the Mahar soldiers

who unknowingly brought an end to the Peshwa rule in 1818.



### Why in News?

- The Supreme Court, in a majority opinion held that the pan-India crackdown and arrests of five activists in the Bhima-Koregaon violence case on August 28 was not an attempt to silence dissent.

### SC Judgement

- The majority opinion dismissed the writ petition filed by historian Romila Thapar and four others alleging that the arrest of poet Varavara Rao, lawyer Sudha Bhardwaj and activists Arun Ferreira and Vernon Gonsalves and Gautam Navlakha were made under questionable circumstances.
- The court rejected the plea for a SC-monitored Special Investigation Team (SIT) to probe the allegations against the activists. **It extended their house arrest of for another four weeks and asked them to seek relief from the lower courts.**
- The petition had stated that the arrest was an exercise of mala fide powers by the police without any legal evidence to link the activists with the crime under investigation.

### What is Writ Petition?

- A writ petition can be filed in the High Court (Article 226) or the Supreme Court (Article 32) of India when any of your fundamental rights are violated. The jurisdiction with the High Courts (Article 226) with regards to a writ petition is wider and extends to constitutional rights too.

# Economy

## Liquidity Crisis

### What is a Liquidity Crisis?

- This refers to a situation where an individual, a business or a government is unable to gather enough cash to meet its payment obligations to lenders.

### Why in News?

- There are concerns over short-term liquidity in the market for commercial papers raised by NBFCs

### Background

- As the world marked the 10th anniversary of the collapse of Lehman Brothers which triggered the global financial crisis in September 2008, India's leading infrastructure finance company IL&FS defaulted on payments to lenders triggering panic in the markets.
- IL&FS Financial Services, a group company, defaulted in payment obligations of bank loans (including interest), term and short-term deposits and failed to meet the commercial paper redemption obligations due on September 14.
- On September 15, the company reported that it had received notices for delays and defaults in servicing some of the intercorporate deposits accepted by it. Consequent to defaults, rating agency ICRA downgraded the ratings of its short-term and long-term borrowing programmes.
- The defaults also jeopardised hundreds of investors, banks and mutual funds associated with IL&FS. The defaults sparked panic among equity investors and NBFCs.

### What is NBFC?

- A Non-Banking Financial Company (NBFC) is a company registered under the Companies Act, 1956 of India, engaged in the business of loans and advances, acquisition of shares, stock, bonds, hire-purchase insurance business or chit-fund business but does not include any institution whose principal business includes agriculture, industrial activity or the sale, purchase or construction of immovable property.
- The working and operations of NBFCs are regulated by the Reserve Bank of India (RBI).

### What is a Commercial Paper?

- Commercial Papers emerged as a source of short-term finance in India in the early nineties. It is an unsecured money market instrument issued in the form of a promissory note and transferable between Primary Dealers (PDs) and the All-India Financial Institutions (FIs).
- Individuals, banking companies, other corporate bodies (registered or incorporated in India) and unincorporated bodies, Non-Resident Indians (NRIs) and Foreign Institutional Investors (FIIs) etc. can invest in Commercial Papers. However, investment by FIIs would be within the limits set for them by Securities and Exchange Board of India (SEBI) from time-to-time.
- Its regulation comes under the purview of the Reserve Bank of India (RBI).

### Open Market Operations

#### What is OMO?

- The Open Market Operations refers to the sale and purchase of government securities and treasury bills by the central bank of the country with a view to regulating the supply of money in the economy.
- When the central bank wants to increase the money supply in the economy, it purchases the government securities, i.e., bills, and bonds. On the other hand, the central bank sells the government bonds and securities if the money supply is to be curtailed. To reduce the inflationary pressure, the RBI may sell securities in the open market.

#### Why in News?

- The Reserve Bank of India to announced that it will conduct a open market operation (OMO).

#### Background

- The liquidity crisis at IL&FS, the quarter-end rush to dress up balance sheets by banks and redemption pressure on mutual funds (MFs) have all combined to trigger a liquidity deficit in the system which has led to short-term rates on commercial papers (CPs) increasing up to 50 basis points (bps) within a week.
- This prompted the Reserve Bank of India to announce that it will conduct an open market operation (OMO).

#### Impact of OMO on Credit

- The sale of government securities will affect both the supply of and demand for credit.
- **Supply of credit gets adversely affected** - When the commercial bank buys the government bonds and securities, their cash reserves reduces (as the money is transferred from the commercial bank to the central bank ). This further reduces their credit creation capacity and as a result, the flow of credit to the society reduces
- **Demand for credit** - when the central bank sells the government bond and securities, their prices go down, and the rate of interest goes up. As a result, there is an upward shift in the interest rate structure. With an increased rate of interest the demand for credit decreases.
- On the other hand, if the central bank decides to increase the money supply will buy back the government securities, then the money will flow out from the central bank account to the people's account with the commercial banks.
- As a consequence, the deposits and the reserves of the commercial banks increases. This enhances their credit capacity and as a result, the flow of credit from the banks to the public also increases.

### Liquidity Coverage Ratio

#### What is the liquidity coverage ratio (LCR)?

- The liquidity coverage ratio requires banks to hold enough high-quality liquid assets (HQLA) , such as short-term government debt that can be sold to fund banks during a 30-day stress scenario designed by regulators.
- The LCR was introduced as part of the Basel III reforms following the 2008 global financial crisis and was finalised by the Basel Committee on Banking Supervision in January 2013.

#### Why in News?

- RBI decided to allow banks to dip into their statutory liquidity ratio (SLR) reserves by another two percentage points to meet liquidity coverage ratio (LCR) norms.

#### What is the issue?

- Following the fund crunch triggered by the crisis at infrastructure financier IL&FS at the beginning of the month, rates on short-term papers rose by more than 100 bps (basis points) with mutual funds becoming

reluctant to lend to the non-banking finance companies.

- To ease the situation, the central bank had been infusing liquidity through open market operations.

#### What is SLR?

- Statutory Liquidity Ratio (SLR) is the proportion of funds that banks have to maintain as cash or government securities out of the total deposits that they hold.
- SLR should be in the form of:
  1. Cash,
  2. Gold valued at a price not exceeding the current market price, or
  3. Unencumbered investment in any of the following instruments, namely: -
  4. Dated securities of the Government of India or
  5. Treasury Bills of the Government of India; or
  6. State Development Loans (SDLs) of the State Governments
- The deposit and unencumbered approved securities required to be made with the Reserve Bank by a banking company incorporated outside India;
- Any balance maintained by a scheduled bank with the Reserve Bank in excess of the balance required to be maintained by it under section 42 of the Reserve Bank of India Act.

#### Which institutions are required to keep SLR?

- All Commercial Banks (Scheduled and non-scheduled), Primary (Urban) Co-operative Banks (UCBs), State and Central Cooperative Banks.

#### Significance of SLR -

- If the RBI reduces SLR it can free up banks' funds, which if deployed for lending can boost investment cycle. If the RBI wants to reduce money supply, it can raise SLR thus leaving banks with lesser funds to lend.
- Reserve requirements primarily ensure that banks always have enough liquidity (cash and cash equivalent securities) to honour depositor's demands and that they don't lend away all their funds.
- Lowering Inflation -Whenever the RBI hikes the SLR rate, a lot of excess liquidity is sucked out of the markets. Banks have lesser cash available with them to deploy as loans. Consequently, to maintain their profit margins, they have to increase the lending rates at which they disburse loans.

- As loan rates go up, consumers tend to borrow less and eventually spend less. Thus the demand for goods and services goes down. All inflated prices start coming down due to the decrease in demand. And as prices start moving downwards, inflation starts coming down.
- As the SLR is a statutory requirement and banks prefer to keep their SLR in the form of interest-earning securities, the government can easily sell its bonds to the banks. This means SLR has facilitated the government's debt management programme.

## Current Account Deficit

### What is CAD?

- The current account measures the flow of goods, services and investments into and out of the country. It includes net income, including interest and dividends, and transfers, like foreign aid.
- Current Account Deficit is a measurement of a country's trade where the value of the goods and services it imports exceeds the value of the goods and services it exports.

### Why in News?

- Centre released a list of 19 categories of items on which it would be hiking import duties, including white goods such as air-conditioners, refrigerators and washing machines as well as non-essential items such as gems, travel bags and aviation turbine fuel (ATF).

### Rationale behind the Move

- The government raised import duties on 19 items, so as to check the widening current account deficit resulting from high crude oil prices and the rupee dipping to a historic low.

### Critical Analysis

- Former Deputy Chairman of the erstwhile Planning Commission has said that increasing customs duties is not the solution to tackle the increasing current account deficit (CAD).
- CAD is a macroeconomic phenomenon and should be tackled by controlling aggregate demand or by improving supplies.

### Consequences

- In the short-run, a current account deficit is helpful to the debtor nation. Foreigners are willing to pump capital into it. That drives economic growth beyond what the country could manage on its own.

- In the long run, a current account deficit reduces economic vitality. Demand weakens for the country's assets, including the country's government bonds.
- As foreign investors withdraw funds, the national currency loses value relative to other currencies.

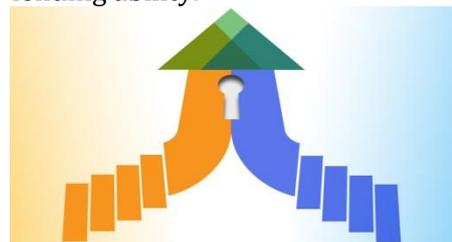
## Consolidation of Banks

### Background

- The government had announced the consolidation of public sector banks in 2016 owing to mounting non-performing assets. The plan was to cut down the number of PSBs by half from 21 to about 10-12 banks.
- The announcement to merge the three banks was made after the latest meeting on 'alternative mechanism'. The meetings were initiated last year to consider consolidation in the banking sector. After the process, Dena Bank, which is under the Reserve Bank of India's (RBI) Prompt Corrective Action (PCA) framework, is expected to function as a regular bank.

### Why in News?

- The Government of India's plan to merge three public sector banks, Bank of Baroda, Vijaya Bank and Dena Bank, will be credit positive which will help improve the quality of corporate governance for the banks.
- The merged entity, which will be the third largest bank in the country after State Bank of India and HDFC Bank making the banks stronger and sustainable and increase their lending ability.



### Alternative Mechanism Panel

- The Union Government had constituted Alternative Mechanism Panel headed by Union Finance Minister. This alternative mechanism has been set up by the government to fast-track consolidation among public sector banks to create strong lenders. The mechanism will oversee the proposals coming from boards of PSBs for consolidation.

### Salient features

- The salient features of the approval Framework for Consolidation of Public Sector Banks are as follows:
  1. The decision regarding creating strong and competitive banks would be solely based on commercial considerations.
  2. The proposal must start from the Boards of Banks.
  3. The proposals received from Banks for in-principle approval to formulate schemes of amalgamation shall be placed before the Alternative Mechanism (AM).
  4. After in-principle approval, the Banks will take steps in accordance with law and SEBI's requirements.
  5. The final scheme will be notified by Central Government in consultation with the Reserve Bank of India.

#### Prompt Corrective Action

- RBI has issued a policy action guideline (in the form of Prompt Corrective Action (PCA) Framework) if a commercial bank's financial condition worsens below a mark. The PCA framework specifies the trigger points or the level in which the RBI will intervene with corrective action. These trigger points are expressed in terms of parameters for the banks.
- The parameters that invite corrective action from the central bank are:
  1. Capital to Risk-weighted Asset Ratio (CRAR)
  2. Net Non-Performing Assets (NPA)
  3. Return on Assets (RoA)
  4. Leverage ratio

#### Applicability

- The PCA framework is applicable only to commercial banks and not extended to co-operative banks, non-banking financial companies (NBFCs) and FMIs.

### Total Expense Ratio

#### What is Total Expense Ratio (TER)?

- Total expense ratio or TER is associated with the total costs involved in managed funds like mutual funds (MF). These costs include fund management fees, operational expenses, administrative expenses and distributor commission.
- The aggregate of these costs as a proportion of the total assets under

management of a fund is what constitutes TER.

#### Why in News?

- Securities and Exchange Board of India (SEBI) announced changes to **total expense ratio** (TER) of mutual funds.

#### Background

- Mutual funds are investments where an investor entrusts his/her money with an investment manager (of an asset management company) to manage the money smartly and efficiently.
- This money management comes at a cost, which is usually charged as a percentage of the investment. SEBI which is the official regulator of mutual funds has laid down rules on how much an asset management company can charge an investor to manage their funds.

#### What are the changes made by SEBI now to TER?

- SEBI has, lowered the TER that a fund house can charge its investors. The reduction is higher for larger funds and lower for smaller funds, larger and smaller being a measure of how much money a fund manages.
- In general, mutual fund investors should see a marginal reduction in the fee they were paying, which would mean they would see an increase in the returns they were getting.

### Project Kalpavriksha

#### About the Project

- 'Project Kalpavriksha - Double Coconut Farmer's Income' was established by a Consumer products company Marico on **World Coconut Day** on September 2, 2017. It is aimed at creating a positive impact on coconut farmers' income, making a difference to their lives.
- This initiative supports coconut farmers to increase their yield by training them on all aspects of farm management like nutrient management, pest management, disease management and water management.

#### Why in News?

- A Project called **Kalpavriksha** offers guidance to coconut farmers free of cost.



## Financial Inclusion Index

### About Financial Inclusion Index

- Department of Financial Services (DFS), Ministry of Finance will release an Annual Financial Inclusion Index (FII) which will be a measure of access and usage of a basket of formal financial products and services that includes savings, remittances, credit, insurance and pension products.
- The index will have three measurement dimensions-
  1. Access to financial services
  2. Usage of financial services and
  3. Quality.

### Why in News?

- The government has launched a Financial Inclusion Index to rank States.

### Significance

- The single composite index gives a snapshot of level of financial inclusion that would guide Macro Policy perspective. The various components of the index will also help to measure financial services for use of internal policy making.
- Financial Inclusion Index can be used directly as a composite measure in development indicators. It enables fulfilment of G20 Financial Inclusion Indicators requirements. It will also facilitate researchers to study the impact of financial inclusion and other macro-economic variables.

## Declining NPA

### What are NPA's?

- NPAs are loans made by a bank or finance company on which repayments or interest payments are not being made on time. Thus, NPAs are any asset of a bank which is not producing any income and are also called non-performing loans.
- The loan is considered to be an NPA once the borrower fails to make interest or principal payments for 90 days. In case of Agriculture/Farm Loans, the NPA varies for of Short duration crop loan (interest not paid for 2 crop seasons), Long Duration Crops (interest not paid for 1 Crop season).

### Why in News?

- The Finance Minister recently said that NPA of PSU is declining.

### Present Scenario

- The Insolvency and Bankruptcy Code and NCLT proceedings were having a positive effect on recoveries and prompting promoters to pay their dues before the legal process begins.
- The Public sector banks are also expecting stronger credit growth this financial year on the back of stronger growth in the economy.

## State of working in India 2018

### What's in the News?

- A new study titled "**State of Working India 2018**" was released by Azim Premji University's Centre for Sustainable Employment.



### Highlights

- The divergence between growth and jobs had increased over time. During the 1970s and 80s, when GDP growth was around 3-4%, employment growth was about 2% ; Currently, the **ratio of GDP growth to employment growth is less than 0.1**, which implies that 10% increase in GDP results in a **less than 1% increase in employment**.
- The study uses government data to show that **total employment actually shrank by seven million between 2013 and 2015**, and cites private data to posit that an absolute decline has continued in the years since.
- **Unemployment has risen to more than 5% overall**. In geographic terms, the north Indian States are the most severely affected, while in demographic terms; young people with higher education levels suffer an unemployment rate as high as 16%.
- In the organised manufacturing sector, though the number of jobs has grown, there has also been an increase in the share of

contract work, which offers lower wages and less job security.

- **Labour productivity in the organised manufacturing sector is six times higher than it was 30 years ago**; however, managerial and supervisory salaries have only tripled in the same period, while production workers' wages have grown 1.5 times.
- **Women's participation in the paid workforce is still low**, but the situation is unequal across States. In Uttar Pradesh, only 20 women are in paid employment for every 100 men, while that figure jumps to 50 in Tamil Nadu and 70 in Mizoram and Nagaland.
- With regard to earnings, the caste gap is actually larger than the gender gap. Dalits and Adivasis are over-represented in low-paying occupations and severely under-represented in higher-paying ones. They earn only 55-56% of upper caste workers' earnings.

## Generalised System of Preferences

### What is GSP?

- **The Generalized System of Preferences (GSP)** is a U.S. trade program designed to promote economic growth in the developing world by providing preferential duty-free entry for up to 4,800 products from 129 designated beneficiary countries and territories.
- It is a preferential tariff system which provides for a formal system of exemption from the more general rules of the World Trade Organization (WTO).
- Specifically, it is a system of exemptions from the most favoured nation principle (MFN) that obliges WTO member countries to treat the imports of all other WTO member countries no worse than they treat the imports of their "most favoured" trading partner.
- In essence, MFN requires WTO member countries to treat imports coming from all other WTO member countries equally, that is, by imposing equal tariffs on them.

### Why in News?

- U.S. did not grant India eligibility under the generalised system of preferences (GSP), which would allow duty-free entry of 1,937 products from India to the U.S.

### India's GSP eligibility Review

- The US had announced eligibility review of India based on concerns related to its compliance with the GSP market access criterion. Petitions filed by the US dairy industry and the US medical device industry had requested a review of India's GSP benefits citing that Indian trade barriers were affecting the US exports in those sectors.
- Subsequently, the U.S. made several requests relating to market access in India, in exchange for GSP eligibility, including India not extending price caps on medical devices and allow firms to withdraw products from the market if they do not choose to sell at government-determined rates.

## Securities Appellate Tribunal

### Securities Appellate Tribunal (SAT)

- Securities Appellate Tribunal is a statutory body established **under the provisions of the Securities and Exchange Board of India Act, 1992** to hear and to dispose of appeals against orders passed by the Securities and Exchange Board of India or by an adjudicating officer under the Act.
- SAT also hears and disposes of appeals against orders passed by the Pension Fund Regulatory and Development Authority (PFRDA) under the PFRDA Act, 2013, Insurance Regulatory Development Authority of India (IRDAI) under the Insurance Act, 1938, the General Insurance Business (Nationalization) Act, 1972 and the Insurance Regulatory and Development Authority Act, 1999

### Composition of SAT

1. A Presiding Officer &
2. Two other members

### Appointment

- The Presiding officer of SAT shall be appointed by the Central Government in consultation with the Chief Justice of India or his nominee.
- The two members of SAT shall be appointed by the Central Government.

### Qualifications

#### Presiding Officer

1. A sitting or retired judge of the supreme court or
2. A sitting or retired Chief Justice of the High Court or

3. A sitting or retired Judge of a High court, who has completed at least 7 years of service as a Judge in a High Court.

#### Members

1. He is a person of ability, integrity and standing and
2. He has shown capacity in dealing with problems relating to securities market and has qualification and experience of corporate law, Securities laws, Finance, economics or accountancy.

#### Powers of SAT

- The SAT shall have, for the purpose of discharging their functions under this Act, the same powers as are vested in a civil court under the code of civil procedure 1908 while trying a suit, in respect of the following matters namely-
  1. Summoning and enforcing the attendance of any person and examine him on oath.
  2. Requiring the discovery and production of documents.
  3. Receiving evidence on affidavits.
  4. Issuing commissions for the examination of witnesses or documents
  5. Reviewing its decisions.
  6. Dismissing an application for default
  7. Setting aside any order or dismissal of any application for default or any order passed by it ex-parte
  8. Any other matter which may be prescribed.

#### Why in News?

- The Supreme Court wants the government to quickly fill the vacancies at the **Securities Appellate Tribunal (SAT)**.

### New telecom policy

#### Features of the policy

- Provide universal broadband connectivity at 50 Mbps to every citizen, 1 Gbps connectivity to all Gram Panchayats by 2020 and 10 Gbps by 2022.
- Attract investments in the Digital Communications Sector.
- Train manpower for building New Age Skill.
- Expand Internet of things (IoT) ecosystem.
- Establish a comprehensive data protection regime.

#### Impact

- The 'Customer focused' and 'application driven' NDCP-2018 shall lead to new ideas and innovations, such as 5G, IOT, Machine-to-machine (M2M), etc. which shall govern the telecom sector of India.

#### The policy advocates

- Establishment a National Fibre Authority;
- Establishing utility corridors in all new city and highway road projects;
- Creating a collaborative institutional mechanism between Centre, States and Local Bodies for Common Rights and standardization of costs and timelines;
- Facilitating development of Open Access Next Generation Networks.

#### What is in News?

- Union Cabinet approved the National Digital Communications Policy-2018 replacing the existing National Telecom Policy-2012.

#### What is the meaning of IoT?

- A thing, in the Internet of Things, can be a farm animal with a biochip transponder, an automobile with built-in sensors to alert the driver when tire pressure is low or any other natural or man-made object that can be assigned an IP address with the ability to transfer data over a network.
- IoT has evolved from the convergence of wireless technologies, micro-electromechanical systems (MEMS) and the widespread use of internet.

#### Government of India and IoT

- The Union government is coming up with a regulatory framework for IoT to promote the sector with roadmap, to put regulators and develop standards for users and manufacturers on the same page.

### Window dressing & Stock Manipulation

#### What is window dressing?

- This refers to the phenomenon wherein companies engage in accounting and other business practices **that help them hiding their true liabilities** and projecting a better picture of their financial performance during a period.

#### What is stock manipulation?

- The practice of trying to influence the price of shares by buying or selling in order to give the impression that the shares are widely traded. Manipulation can be used to both increase and decrease prices,

depending on the investor's needs. Manipulation is illegal under the Securities Exchange Act of 1934.

#### What is in News?

- Due to guidelines issued by the RBI in April 2017, banks were expected to disclose the divergence between the NPA number disclosed by them and that assessed by the RBI to which Yes bank showed divergence.
- Yes Bank has denied the charges of window-dressing, ever greening of loans and manipulation of stock prices in a response to a query by the National Stock Exchange (NSE).

### Impact of Iranian sanctions

#### What is in News?

- US sanctions on Iran, estimates around \$500 million decline in earnings for Indian state-owned oil refiners. They will be forced to replace cheap Iranian crude from other oil producing nations.

#### How it will impact India?

- Indian refiners account for nearly 95% of the installed refining capacity in the country.
- The sanctions on Iranian oil are credit negative for Indian refiners, which believe that refiners' exposure to oil price volatility will also increase if they turn to the spot market.
- Besides, National Iranian Oil Company (NIOC) also subsidised the freight costs for crude oil delivery and offered extended payment terms to the Indian buyers whereas buying crude from the U.S will increase transportation cost.
- Every dollar increase in oil prices will push up the import bill and affect trade deficit.

#### What is trade deficit?

- It is the amount by which the cost of a country's imports exceeds the value of its exports.

#### What is spot market?

- In finance a spot contract, spot transaction or simply spot is a contract of buying and selling a commodity, security or currency for settlement both payment and delivery on the spot date, which is normally two business days after the trade date. the settlement price is called the spot rate and the market involving it is called spot market.

#### Why is Iran's oil cheap?

- Iran has its willingness to slash the relative cost of exports as Asian buyers are under pressure from US to halt purchase from Islamic republic.
- It came after US's withdrawal from Iran's nuclear ambitions, forcing the country to negotiate a new nuclear agreement and curb its influence in Middle East.

### Merchant Discount Rate

#### What is Merchant Discount Rate (MDR)?

- MDR is the fee that a merchant has to pay to a bank for every transaction that is split between the bank which issued the card, the payment service providers, and payment gateways (PayUbiz and PayUMoney)

#### What's in News?

- The Payments Council of India (PCI) has said that reimbursement of merchant discount rates from banks to service providers is yet to be received.

#### Background

- In December 2017, the Ministry of Electronics and Information Technology had said that MDRs would be reimbursed by the government on transactions up to ₹2,000 made through debit cards, BHIM UPI or Aadhar enabled payments systems. From banks even after nine months.
- PCI, the representative body of non-banking merchant aggregators and acquirers, have raised serious concerns over non-receipt of reimbursements of MDR and the industry feared that banks would only pass on a small proportion to merchant aggregators and acquirers, while retaining the bulk which can impact the operating ability of merchant aggregators and efforts to promote digital payments.

#### What is PCI?

- The Payments Council of India was formed under the aegis of Internet and Mobile Association of India in the year 2013 catering to the needs of the digital payment industry.
- The council works with all its members to promote national goal of 'Cash to Less Cash Society' and 'Growth of Financial Inclusion' which is also the Vision Shared by the RBI and Government of India.

#### Who are Merchant Aggregators?

- Merchant Aggregators or Payment Aggregators are service providers through which e-commerce or mobile payments

merchants can process their payment transactions.

## **Fed rate hike**

### **What is the Federal Reserve?**

- The US Federal Reserve was created by the US Congress in 1913 as an independent organisation to study and implement monetary policy.

### **What is fed rate and its importance?**

- The federal funds rate or the fed rate is the interest rate that is applicable to the overnight loans between banks and credit institutions.
- It means the fed rate sets the short-term benchmark in the financial sector and will also affect the payments to be made by the foreign companies and governments on their borrowings.

### **Rate hike means?**

- Increasing the interest rates on the funds that can be borrowed from Federal Reserve.

### **Why in news?**

- The U.S. Federal Reserve raised interest rates and left intact its plans to steadily tighten monetary policy, as it forecast that the U.S. economy would enjoy at least three more years of growth.
- This marked the end of the era of "accommodative" monetary policy, by lifting the benchmark overnight lending rate by a range of 2.00% to 2.25% above the Fed's estimated "neutral" rate of interest, at which rates neither stimulate nor restrict the economy.

### **What is meant by 'accommodative monetary policy'?**

- Accommodative monetary policy is also known as "easy monetary policy" or "loose credit policy."
- When the economy slows down, the Federal Reserve can implement an accommodative monetary policy to stimulate the economy.
- It does this by making the cost of borrowing cheaper thereby encouraging more spending from consumers and businesses through the lowering of short-term interest rates.
- Converse to an accommodative monetary policy, a tight monetary policy involves increasing interest rates to constrain borrowing and to stimulate savings.

### **What is meant by 'rates near neutral'?**

- The neutral (or natural) rate of interest is the rate at which real GDP is growing at its trend rate, and inflation is stable. It neither boosts nor slows the economy. The neutral rate provides an important benchmark for policymakers to compare with the market rate.

### **How the rate Hike affects US economy?**

- Whenever there is a rise in the interest rate, US dollar will appreciate. US imports would become cheaper and exports expensive which in turn makes dollar more stronger leading to the increase in the loan and deposit.

### **How does the federal rate hike impact India?**

- It would encourage foreign investors to pull out their investment from India and invest in the US market as they can derive more interest.
- This will increase pressure on Indian rupee to which RBI might use forex reserves to keep the rupee from falling further.
- As the dollar strengthens our import will increase that in turn would increase inflation and corporates with external commercial borrowings will face pressure of repayment.

## **Revenue Deficit**

### **What is revenue deficit?**

- A revenue deficit occurs when realized net income is less than the projected net income. It signifies that government's own earning is insufficient to meet normal functioning of government departments and provision of services hence results in borrowing.
- Revenue deficit = Total Revenue expenditure - Total Revenue receipts.

### **What is in News?**

- 30th Goods and Services Tax (GST) Council Meeting focused on two main items on the agenda: a review of the revenue position, and the Kerala government's request for an additional GST rate to finance the relief and recovery efforts in the State following the recent devastating floods.

### **What does the report say?**

- To provide relief to the Kerala flood victims by raising revenue collection in the state.
- The average revenue shortfall of States due to the GST has fallen to 13% up to August 2018, from 16% in 2017-18.

- Emphasized the need to maintain revenue neutrality. While only 6 states -- Mizoram, Arunachal, Manipur, Nagaland, Sikkim and Andhra Pradesh are facing revenue surplus in current fiscal, 25 states have revenue shortfall and have to be compensated by the Centre.

#### GoM for Kerala rate

- GST Council had agreed to set up a seven-member Group of Ministers (GoM) including representatives from North-east, hilly states and coastal states as they are hit by calamities most, to look into whether it should be levied only on Kerala's taxpayers, or on the entire country and whether it would be applied on all goods or only on the sin and luxury goods.

#### What entitles the provision?

- Article 279(A)(4)(f) of the GST Act has a provision that a special rate can be imposed to raise additional resources during any natural disaster
- There are rules that specify what kinds of natural disasters would qualify for the special rate under budgetary allocations to the National Disaster Relief Fund and State Disaster Relief Fund every year.

### Bandhan Bank

#### What is Bandhan Bank?

- Bandhan came into being on 23 August 2015 and is headquartered in Kolkata. Prior to starting operation as commercial bank, Bandhan was **World's largest Non-Deposit-accepting Microfinance Institution (MFI)** and India's largest microfinance companies.
- It was founded by **Chandra Shekhar Ghosh**. The microfinance company lends money to small-scale business, low income women entrepreneurs and Self-Help Groups (SHGs). As a bank, it will also offer services like savings, remittance and insurance services.

#### Why in News?

- RBI has communicated that since the bank was not able to bring down the shareholding to 40% as required under the licensing condition, permission to open new branches stands withdrawn and the bank can open branches only with prior

approval of RBI and the remuneration of the MD & CEO of the bank stands frozen.

#### What was the violation?

- Bandhan Bank was listed at following an Initial Public Offering (IPO). It was aware of the RBI's licensing conditions but failed to have timed its IPO accordingly.

#### What is IPO?

- When an unlisted company makes either a fresh issue of securities or an offer for sale of its existing securities or both for the first time to the public, it is called Initial Public Offering or IPO.

### Doha Development Agenda

#### Doha Development Agenda (DDA)

- DDA is the trade-negotiation round of the WTO which commenced in November 2001.
- Its objective was to lower trade barriers around the world and thus facilitates increased global trade.
- The most significant differences are between developed nations led by the European Union (EU), the United States (US), Canada, and Japan and the major developing countries represented by India, Brazil, China, and South Africa that are overseen by the Trade Negotiations Committee (TNC).

#### What's in the news?

- Commerce Minister has approved the constitution of a high-level advisory group (HLAG) to examine the prevailing international trade dynamics to facilitate future trade policies.

#### The terms of reference (ToR)

- to examine the prevailing international trade dynamics, the rising protectionist tendencies
- Non-engagement by some countries on commitments, including the Doha Development Agenda.

#### What is a Protectionist Tendency?

- It is the economic policy of restricting imports from other countries through methods such as tariffs on imported goods, import quotas, and a variety of other government regulations thereby limiting unfair competition from foreign industries.

# International Relations

## H-1B Visa

### What is a H1-B visa?

- The H-1B visa is a non-immigrant visa that allows US companies to employ graduate level workers in specialty occupations that require theoretical or technical expertise in specialized fields for a certain period of time.

### What's in the news?

- The Donald Trump administration is moving ahead to end work permits and discontinue Employment authorization document (EAD) for spouses of H-1B workers in the United States. The Department of Homeland Security (DHS) is to announce the new regulation within the next three months.
- The uncertainty over their legal status has stalled the job prospects of hundreds of H-4 visa holders. When the necessary revisions are incorporated, USCIS will return the proposed rule for final clearance.



### What's the H-4 EAD Lawsuit?

- Family members (spouse and children below 12 years of age) of the H-1B worker are admitted to US under H-4 Category. H-4 family members could undertake studies, have bank account and driver's license but could not engage in any form of employment.
- While the H4 visa holders were promised work permit in 2005, under Obama government, Trump government does not support the same. Spouses can only obtain H4 visa, which does not allow them to earn a living, known as 'Prisoner Visa'.

### Why do US want to tighten the regulation for H-1B visa?

- Save Jobs USA' (an organization comprised of IT workers claim to have lost their jobs to H-1B workers) filed its lawsuit against

Department of Homeland Security (DHS) before the rule.

### USCIS Policy Memorandum

- According to the new rules, the US Citizenship and Immigration Services (USCIS) will not consider computer programmer under the 'specialty occupation', which is a mandatory category for people to apply.

### How has Indian IT Companies been benefitted from H-1B scheme.

- It helps Indian IT companies like Wipro, TCS and Infosys to place skilled workers in US helping them increase their revenues .US accounts for 60% of all technology exports from India.

### Why does it matter to Indians?

- It will decrease the Indian IT growth in business and will lower the foreign exchange earnings impacting the Current account deficit, hitting the demand across the allied sector.

## Maldives Election

### Why in News?

- The results of Maldives' presidential elections came as a surprise to observers in the Maldives and outside as the Election Commission announced the victory of Ibrahim Mohamed Solih of the Maldivian Democratic Party, who secured 38,484 more votes than the current president, Abdulla Yameen.

### Background

- Maldives has been in turmoil since its first democratically-elected leader, Mr. Nasheed, was forced out of office following a police mutiny in 2012, followed by the controversial election of Mr. Yameen whose presidency saw the democratic underpinnings of the nation. Yameen also fostered closer ties with China and Saudi Arabia, ignoring India and even pulling the Maldives out of the Commonwealth in 2016.

### Why Maldives Election is important for India?

- The new government in the Maldives will make resolving the problems of Indian job-holders awaiting work-visas. Earlier this year, the Yameen government had refused to renew their visas.

- With the victory of the “pro-India” candidate, India is assured greater engagement with its Indian Ocean neighbour which indirectly means a lessening of China’s influence.
- The northernmost tip of the Maldives is just 70 nautical miles from the southernmost point of India’s own Lakshadweep archipelago, where the Indian navy has a base that will help cater better security concerns.
- There are 25,000 Indian nationals living in Maldives .Indian tourists also account for close to 6% of tourists Maldives receives every year. India is also a preferred destination for Maldivians for education, medical treatment, recreation and business. All these put together will be beneficial to the economy of both the countries.

#### Who is Mr. Solih?

- Solih is a senior politician in the Maldives and was the joint presidential candidate for an opposition alliance of the Maldivian Democratic Party (MDP), the Jumhooree Party and the Adhaalath Party.

#### Who is Yameen?

- Abdulla Yameen Abdul Gayoom is a Maldivian politician who has been the 6th President of the Maldives since 2013. Yameen not only fully endorsed China’s ambitious Maritime Silk Road initiative but also made Maldives the second country in South Asia, after Pakistan, to enter into an FTA with China.

## South-South Cooperation

#### What is south-south cooperation?

- South-South Cooperation (SSC) is about developing countries working together to find solutions to common development challenges. India has contributed additional \$1 million to India-UN Development Partnership Fund with other developing countries in south towards achieving 17 sustainable development goals (SDGs) of 2030 Agenda.
- The term “South “or “Global South” refers to developing countries, which are located primarily in the Southern Hemisphere. The Global South includes Asia (with the exception of Japan, Hong Kong, Macau, Singapore, South Korea and Taiwan), Central America, South America, Mexico,

Africa, and the Middle East (with the exception of Israel)

#### Why in news?

- The meeting’s focus areas are climate change, digital infrastructure, and sustainability and South-South cooperation.
- External Affairs Minister Sushma Swaraj hosted her counterparts of Brazil, Germany and Japan at a meeting of the G4 nations of the 73rd session of the UN General Assembly.
- Sushma Swaraj also launched a blistering attack on Pakistan for providing safe haven to terrorism.
- Ms Swaraj voiced India’s commitment to regional cooperation, saying it attaches highest priority to the development and prosperity of the region, under the government’s ‘Neighbourhood First’ policy.



#### America’s disinterest

- With the U.S. rolling back its interest in global security and development they rejected the idea of globalism over patriotism.

#### What is the UN reform that is propounded by India?

- Members from G4 countries reaffirmed need for reforms of UNSC including expansion of both permanent and non-permanent categories of membership to enhance its legitimacy, effectiveness, and representativeness in order to safeguard international peace and security in a process known as intergovernmental negotiations (IGN).

#### What are G4 nations

- It Comprises of Brazil, Germany, Japan and India which support each other’s bids for permanent seats to UNSC. They have grown comparable to five permanent members P5:US,china,Russia,UK and France.

#### What is ‘Neighbourhood First’ policy?

- India will give political and diplomatic priorities to her immediate neighbours and Indian ocean island states to promote greater connectivity and integration for the

free flow of goods and services, people and capital and establish an India led regionalism in the neighbourhood.

## India-Uzbekistan Ties



### What's in the news?

- India will be invited to help with a rail link in Afghanistan, during the visit of Uzbekistan's President Shavkat Mirziyoyev.

### What is the Afghan Rail project mentioned here?

- The rail link of approximately 650 km, connecting the Afghan cities of Mazaar-e-Sharif and Herat, which may extend to Kabul, is a major project agreed to by President Ashraf Ghani and President Mirziyoyev.
- The project, for which Uzbekistan has already committed \$500 million, could become another major regional connectivity project for India, after its construction of the Zaranj-Delaram Highway in Afghanistan and the Shahid Beheshti port in Chabahar, Iran.
- The rail route to Herat, would also link India's air corridor, allowing trade, especially dry fruits and agricultural produce along the routes from India to Central Asia in much shorter time.
- India is also committed to building another rail route, from Chabahar to Zahedan on the Iran-Afghan border, and President Mirziyoyev is keen to join the transit trade agreement signed by India, Afghanistan and Iran.
- India would be involved in construction, because of its proven record and experience, and because of its contribution to bringing peace to Afghanistan.

### India-Uzbekistan Relations

- Relations between Uzbekistan and India have their roots deep in history. There are frequent references to Kamboja, which is stated to include parts of present-day Uzbekistan, in Sanskrit and Pali literature. Prime Minister, Shri Lal Bahadur Shastri

passed away in Tashkent in 1966 after signing the Tashkent declaration with Pakistan.

- Trade relations between India and Uzbekistan are governed by the Agreement on Trade and Economic Cooperation signed in May 1993. The Andijan Region of Uzbekistan and India have inked agreement for cooperation in pharmaceutical industry.
- India and Uzbekistan have inked 17 agreements including for cooperation in the fields of tourism, national security, training of diplomats against trafficking and visa free travel for diplomatic passport holders after delegation level talks after Prime Minister Narendra Modi and Uzbekistan's President Shavkat Mirziyoyev in New Delhi.

## Bullet train project

### What is the Bullet train project?

- The Shinkansen high-speed trains of Japan are generally known as bullet trains for their appearance and speed above 250 kmph.
- India's first bullet train will run in the Mumbai and Ahmedabad high-speed rail corridor, whose construction began in September 2017 and is expected to be completed by 2022. It is a 508 km long high-speed rail corridor and the train will run at a speed of 320kmph.

### Why in news?

- Japan has granted a loan of ₹5,500 crore for the Mumbai-Ahmedabad bullet train project along with boosting the Kolkata East-West Metro Project with a fresh cash infusion.

### Features and possible impacts

- Mumbai-Ahmedabad High Speed Rail (MAHSR) is to develop a high-frequency mass transportation system using Japan's Shinkansen technology (Bullet Train), thereby enhancing mobility.
- The Kolkata East-West Metro Project (III) including an underwater section will mitigate traffic congestion, pollution and road accidents.
- The two projects are part of a 'Diamond Quadrilateral' of high-speed trains connecting Delhi, Mumbai, Chennai and Kolkata.

- It will give stimulus for Make in India thereby increasing employment.
- Japan's decision to give virtually free finance for Modi's pet programme is part of its broader push back against China's involvement in infrastructure development in South.

#### Agencies involved:

- The National High-Speed Rail Corporation Limited (NHSRCL) is the Executing Agency of the MAHSR Project.
- The Japan international Cooperation Agency (JICA), the funding body in charge of the bullet train project.
- The Executing Agency for the Kolkata East-West Metro Project (III) is Kolkata Metro Rail Corporation Limited (KMRCL).



# Science & Technology

## Organophosphorus pesticide

### What are Organophosphorus pesticide?

- Organophosphorus pesticides are used to control insect vectors which are found in food and commercial crops, infestations in buildings, man or domestic animals. It can be absorbed by all routes, including inhalation, ingestion, and dermal absorption.
- The main target organs are the nervous system, respiratory tract and cardiovascular system.

### What is in news?

- Presence of pesticides in parts per billion in apples, tomatoes can be detected using **metal-organic framework (MOF)** has been able to detect organophosphorus pesticides. It has been found that the ability to detect the pesticides was unaffected by the presence of surfactants as they are used to dissolve pesticides in water.

### Drawbacks of currently available methods for pesticide detection

- They have challenges such as complicated procedure to prepare samples, longer time to analyse samples, need for sophisticated instruments and lack of portability for use infield use.

### About MOF

- MOF is synthesized by mixing cadmium chloride and organic ligand in methanol and water at room temperature. After seven days, a single crystal of MOF is formed which were used for the study.
- The MOF was found to emit intense luminescence at 290 nanometres when excited by light at 225 nanometre. Traces of pesticides in samples were detected by looking for reduction in the intensity of luminescence based on energy and electron transfer from MOF to pesticides.



## Smart trains, Black Boxes & Painted Rails

### What are the specialties of the 'Smart Trains'?

- Smart Trains have coaches equipped with **sensors that can detect defects** on bearings, wheels, and the railway track, giving constant inputs to improve the safety, security and boost efficiency.
- 6 cameras installed in the coach will provide live recording advantageous for law enforcers.
- An **emergency talk-back system** will enable communication between passengers and the guard during a crisis.
- Smart coaches are also laden with **water-level indicator technology**.
- In the version 2.0 of these coaches will introduce **video analytics with face detection feature**; unusual occurrence feature; fire-and-smoke detection unit; and an energy-metering module.
- The Passenger Information and Coach Computing Unit (PICCU) will monitor the coach maintenance and passenger interface.
- A Wi-Fi hotspot information system is another innovative feature.

### Black box

- The black box has a powerful multi-dimensional communication interface to provide information on passengers and coach condition on real-time basis. GPS-based announcement triggers, emergency intercom for commuters, digital destination boards, train reservation display modules, and CCTVs with remote monitoring.

### Why in news?

- The Indian Railways are set to launch their 'Make in India' smart coaches with new features like black box and artificial intelligence (AI)-powered CCTVs, matching international standards.

### What is AI?

- Artificial intelligence (AI) is an area of computer science that emphasizes the creation of intelligent machines that work and reacts like humans. Some of the activities computers with AI are designed for include: Speech recognition, Learning, Planning and Problem solving.

### Painted rails set to counter corrosion

### Why in news?

- The Railways is looking into the feasibility of introducing painted rails to overcome corrosion, which has been a perennial problem in maintaining desired standards.

### Advantages attached

- The painted rails will give more life compared with conventional rails and will help avoid the premature renewal required due to the corrosion of rails and save crores of money.



### Fact

- The lower longevity of rails in Kerala is mainly due to the two monsoons in the State, fluctuations in temperature, and water-logging.
- Steel Authority of India (SAIL), which is the main supplier of rails to the Indian Railways, does not produce painted rails. But Jindal Steel and Power Limited, the first private company to supply long rails to the Railways, has the necessary technology for it.
- Anti-corrosive painting of rails is carried out in corrosion-prone locations such as coastal, industrial and station areas, and tunnels and cuttings in the approaches to major towns

### What is corrosion?

- Corrosion is defined as the **degradation of a material** caused by its environment. A common type of corrosion is rust, which is found on iron and steel structures.
- In this the iron reacts with oxygen from air or water to form iron oxide compounds converting the reactive metal surface into a more stable form, namely its oxide, hydroxide, or sulphide.
- When metal structures suffer from corrosion, they become unsafe leading to accidents, such as collapses. Corrosion requires repairs and maintenance.

### How does painting reduce corrosion?

- Paint or plating prevents the H<sub>2</sub>O molecules from reaching the surface of the

metal so it can't get the oxygen required for the formation of oxides over the metal surface which is rust.



## New battery may help cut carbon emissions

### What's in the news?

- Researchers at Massachusetts Institute of Technology (MIT) have developed a new battery made partly from carbon dioxide captured from power plants.

### How it works?

- The battery is made from lithium metal, carbon and an electrolyte that the researchers designed.
- In ordinary lithium-carbon-dioxide batteries, which use the gas as a reactant during discharge, the low reactivity of carbon dioxide has typically required the use of metal catalysts. These remain expensive, poorly understood, and the reactions are difficult to control.
- By incorporating the gas in a liquid state the researchers found a way to achieve electrochemical carbon dioxide conversion using only a carbon electrode. The key is to pre-activate the carbon dioxide by incorporating it into an amine solution, which can increase the discharge voltage and allow for sustained conversion.
- This battery could continuously convert carbon dioxide into a solid mineral carbonate as it discharges. The researchers believe that the new battery formulation could help reduce the emission of the greenhouse gas into the atmosphere.

## Science Monitor: RSTV

### 6th Bangalore space expo

- 6th Bengaluru Space Expo(BSX) 2018, an International Exhibition on Space, Satellites, Launch Vehicles and its Technologies, & Servicess organised by Confederation of Indian Industry (CII) in association with the Indian Space Research Organisation (ISRO) and its commercial

arm, the Antrix Corporation Limited (ANTRIX) is scheduled from 6 - 8 September at BIEC, Tumkur Road, Bengaluru.

- BSX 2018 with focused theme - "**Creating Dynamism in Indian Space Ecosystem**" enabling New Space in India, is aiming towards building a stronger and vibrant eco system for manufacturing of satellites, space technology and applications.
- Bengaluru Space Expo 2018 will have participation from over 16 ISRO Centres, 90 exhibitors, 56 speakers, and 600 delegates from 15 countries including Belgium, France, Germany, Japan, Malaysia, Singapore, Russia, Lithuania, Thailand, UK, USA etc.
- ISRO unveiled details of its first indigenous human space mission dubbed as Gaganyaan to be launched in 2022.
- GSLV Mk-III launch vehicle will be used to launch Gaganyaan as it has necessary payload capability for this mission.

#### **CO2 Refrigeration system-**

- Synthetic refrigeration system uses CFC, HFC and HCFC which affects the environment and the ozone layer.
- IIT Delhi has developed new refrigeration system using CO2 using modified ejectors and internal heat ejector.
- It is a part of Indo-Norwegian project.
- Co2 is widely available in environment and is eco-friendly.

#### **Vidyarthi Vigyaan Manthan-**

- Vidyarthi Vigyan Manthan (VVM) is a national program for educating and popularizing science among school students of VI to XI standards.

- VVM also endeavours to identify the bright minds among the student community, who are keen on subjects related to science.
- Vidyarthi Vigyan Manthan (VVM) is initiated by Vijnana Bharati (VIBHA) in collaboration with Vigyan Prasar, an autonomous organization under the Department of Science and Technology, Government of India and National Council of Education Research and Training (NCERT) an institution under the Ministry of Human Resource Development, Govt. of India.

#### **UNNATI (UNISpace Nanosatellite Assembly & Training by ISRO)**

- Indian Space Research Organisation (ISRO) of Department of Space (DOS), Government of India has offered to conduct capacity building programme on Nano satellite development for the participants from other countries who are interested in developing their space programme.
- The announcement of the programme was made at Vienna on June 18, 2018 by Dr.K.Sivan, Chairman, Space Commission/ Secretary, DOS during the Symposium to commemorate the 50th Anniversary of the First United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE+50).
- It will be conducted by ISRO's U.R. Rao Satellite Centre (URSC) at Bengaluru every year for next 3 years, starting from January 2019.
- **It is recognized as one of the UNISPACE+50 initiatives.**
- The programme provides an excellent opportunity for the participant countries to strengthen their capabilities in assembling, integrating and testing Nano satellites.

# Environment

## Rhinos and Elephants

### What's in the news?

- On World Rhino Day, an animal rescue centre near Kaziranga National Park took up an “elephantine” project to produce digestible milk that makes excretion easier for elephant calves.

### Information about elephant milk

- Rescued calves who are deprived of mother's milk tend to be lactose-intolerant. Dairy milk has much more fat and carbohydrate content than a calf can tolerate as compared to its mother's milk.
- The heads of Centre for Wildlife Rehabilitation and Conservation (CWRC) have decided to produce milk suitable for elephant calves and trying to get ingredients such as protein, fat, casein and water.



### Apt for rhinos

- Compared to elephants, rhino do not take Lactogen easily and some have suffered from diarrhoea. Some calves take more than 15 days to defecate .The survival of a calf depends on its digestive system and accepts the nipple of a customised feeding bottle containing Lactogen which is a challenge.
- The shallow muddy trenches in the rhino section help stimulate the lower abdomen and genital areas of the calves to make them poop. Pooping isn't much of an issue for elephant calves, which defecate 20-22 times a day.

### About World Rhino Day

- World Rhino Day celebrates all five species of rhino: Black, white, greater one-horned, Sumatran and Javan rhinos on September 22.
- It was first announced by WWF-South Africa in 2010 and the following year, World Rhino Day grew into an

international success uniting nearly every corner of the world, encompassing both African and Asian rhino species.

### About Kaziranga National Park

- Kaziranga national park is located in the Indomalaya ecozone in Golaghat and Nagaon districts of Assam with a home to two-thirds of the world's great one-horned rhinoceroses, listed as vulnerable on the IUCN Red list of Threatened Species.
- It was designated with National Park status in 1968 and was declared UNESCO World Heritage Site in 1985. It is also recognized as an Important Bird Area by Birdlife International for conservation of avifaunal species.
- It is home to the highest density of tigers and was declared a Tiger Reserve in 2006. It has a vast expanse of tall elephant grass, marshland, and dense tropical moist broadleaf forests, criss-crossed by four major rivers, including the Brahmaputra and a frequently flooded variant of the terai -duar.

### What is Lactogen?

- It is a polypeptide placental hormone that stimulates the production of milk. Its structure and function is similar to that of growth hormone that modifies the metabolic state of the mother during pregnancy to facilitate the energy supply of the foetus.

## Indian hornbills

### About Hornbills

- Hornbills are large and wide-ranging birds and most species are dependent on tropical forest habitats that contain large and tall trees. They are called as '**farmers of the forest**' as they disperse the seeds of many tropical trees and keep the forest alive.
- India is home to **nine species** of hornbills
  - a) Great Hornbill (IUCN- Near Threatened)
  - b) Rufous-necked Hornbill (Vulnerable)
  - c) Wreathed Hornbill (Least Concern)
  - d) Narcondam Hornbill (Endangered)
  - e) Malabar Pied Hornbill (Near Threatened)
  - f) Oriental Pied Hornbill (Least Concern)

- g) White-throated Brown Hornbill (Near Threatened)
- h) Malabar Grey Hornbill (Least Concern)
- i) Indian Grey Hornbill (Least Concern)



### Issues in conservation

- Hornbills face significant threats from hunting in parts of India and from habitat loss across their range in India.
- As these birds are relatively rare and widely distributed, it is a difficult task to design systematic studies to understand changes in their distribution.

### Why in News?

- Hornbill Watch, a citizen science initiative, was aimed at bridging this information gap.
- The **Hornbill Watch initiative** ([www.hornbills.in](http://www.hornbills.in)) is an interactive web interface that allows a person to report on hornbills anywhere in India. People can record the observation of a live hornbill, note its call or report a dead, hunted or captive bird.
- The data on presence of hornbills would be crucial in identifying and protecting their habitats from possible threats and development projects.

## What caused floods in Kerala?

### What's in the news?

- A recent study by an IIT Professor identifies **four factors** that led to the extreme flooding across Kerala this year.
- **Above normal seasonal rainfall:** The summer monsoon rainfall in Kerala from May to August this year was 2,290 mm, which was 53% above normal.
- The State witnessed few **extreme rainfall events** covering almost the entire State. These extreme rainfall events have very low probability of recurrence in any given year.
- Kerala received 1634.5 mm rainfall during the period May 1 to August 7, which is more

than the average rainfall (1619.37 mm) during the summer monsoon period (June-September). As a result, six of the seven major reservoirs in the State had **over 90% storage** even before the onset of extreme rainfall events.

- **Unprecedented extreme rainfall in the catchment areas:** The catchment areas of major reservoirs in the State received extreme rainfall never before witnessed in the State.

## e-wastes

### What is e-Waste?

- Electronic waste, or e-waste, is a term for electronic products that have become unwanted, non-working or obsolete, and have essentially reached the end of their useful life.
- India ranks fifth in the world in generating e-waste, according to the UN's Global E-Waste Monitor, 2014. E-waste is growing at a compound annual growth rate (CAGR) of about 30% in the country.



### What are the e-Waste rules brought by the centre?

- In 2017, the Centre brought into effect the **e-Waste Rules**, which require companies that make or sell electronic equipment to collect a certain percentage of e-waste generated from their goods once they have reached their end-of-life.
- It is based on **Extended Producer Responsibility (EPR)**, which put the onus on the producer for the management of the final stages of the life of its product, in an eco-friendly way.

### Why in News?

- The Environment Ministry during its recent checks conducted at registered e-waste recyclers found that many of them are only dismantling and not processing trash.
- A number of transgressions were found committed by the recycling facilities such as adopting non-environmentally sound methods of storage, handling and processing of e-waste, non-compliance with guidelines of the Central Pollution

Control Board. Certain recycling facilities were found inadequate to handle the capacity of e-waste.

## Disappearing Wetlands



### What is in news?

- Wetlands are disappearing at an alarming speed amid urbanisation and agriculture shifts. Conservationists have called for urgent action to halt the erosion which has the potential devastating impact on climate change.

### The Report:

- Wetlands are disappearing three times faster than forests according to the Global Wetland Outlook report and the Ramsar Convention said wetlands remain “dangerously undervalued”. Animals and plants who call wetlands home are particularly vulnerable, with a quarter at risk of extinction.

### What are wetlands?

- A wetland is a place where the land is covered by water. Marshes, ponds, the edge of a lake/ocean, the delta at the mouth of a

river, low-lying areas that frequently flood —are wetlands. Wetlands of international importance are also known as Ramsar sites.

- Wetlands provide a livelihood for more than one billion people, are a vital source of food, raw materials and genetic resources for medicines.
- Directly or indirectly, they provide almost all of the world’s consumption of freshwater and more than 40% of all species live and breed in wetlands. Even though they store twice as much carbon as the world’s forests but also produce 20-25 per cent of global methane emissions and increase greenhouse gases, particularly in permafrost regions.

### What is Ramsar Convention?

- The Ramsar Convention on Wetlands was signed in Ramsar, Iran, in 1971. It is an intergovernmental global treaty ratified by 170 countries to protect wetlands and promote their wise use, which provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.
- Since coming into force in 1975 it has designated more than 2,300 sites of international importance.

### Ramsar sites in India

| Name                   | Location (State) | Name                                       | Location (State) |
|------------------------|------------------|--|------------------|
| Ashtamudi Wetland      | Kerala           | Nalsarovar Bird Sanctuary                  | Gujarat          |
| Bhitarkanika Mangroves | Orissa           | Point Calimere Wildlife and Bird Sanctuary | Tamil Nadu       |
| Bhoj Wetland           | Madhya Pradesh   | Pong Dam Wetland                           | Himachal Pradesh |
| Chandertal Wetland     | Himachal Pradesh | Renuka                                     | Himachal Pradesh |
| Chilika Wetland        | Orissa           | Ropak                                      | Punjab           |
| Deepor Beel            | Assam            | Rudrasagar Wetland                         | Tripura          |
| East Calcutta Wetland  | West Bengal      | Sambhar Wetland                            | Rajasthan        |
| Harika Wetland         | Punjab           | Sasthankotta Wetland                       | Kerala           |
| Hokera Wetland         | Jammu & Kashmir  | Surinsar - Mansar Wetland                  | Jammu & Kashmir  |
| Kanjli                 | Punjab           | Tsomoriri                                  | Jammu & Kashmir  |
| Keoladeo National Park | Rajasthan        | Upper Ganga River                          | Uttar Pradesh    |
| Kolleru Wetland        | Andhra Pradesh   | Vembanad Wetland                           | Kerala           |
| Loktak Wetland         | Manipur          | Wular Wetland                              | Jammu & Kashmir  |

# Culture

## Tileswari Barua

### Who is Tileswari Barua?

- Tileswari Barua was a heroic, courageous girl who was shot at the age of 12 by the British on September 20, 1942, during the Quit India Movement when she and some freedom fighters tried to hoist the national flag atop of police station.
- The tragic incident happened in Dhekiajuli, Assam, in which 17 persons including Tileswari, attained martyrdom.



### Why in News?

- Of the 17, only 13 find a mention on the plaque in the Dhekiajuli memorial for the Quit India martyrs. Two of them — a monk and a beggar — are unnamed.
- After 76 years, efforts are on to identify these two martyrs along with four others who succumbed to injuries during the firing, to ensure they find a place in the history of India's freedom struggle.

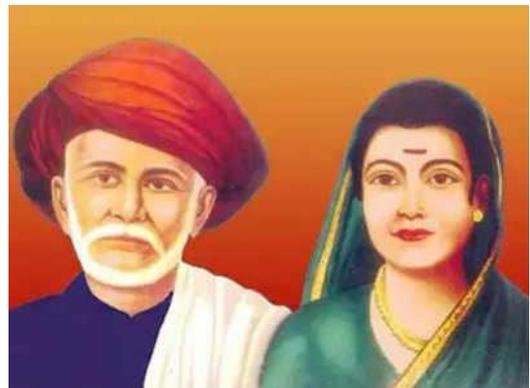
### About Quit India Movement

- The Quit India Movement, also known as August Movement, was launched at the Bombay session of the All India Congress Committee (AICC) by Mahatma Gandhi on August 8, 1942.
- Gandhiji in his speech at Gowalia Tank Maidan gave the famous slogan '**Do or Die**'. The protest was initiated to demand an end to the British rule in India.
- Within hours of the speech, Gandhiji and other Congress leaders were imprisoned without trial. The arrest of the leaders led to mass demonstrations throughout India. The British swiftly suppressed many of these demonstrations by mass detentions. More than 100,000 people were imprisoned, thousands were killed and injured.

## Jyotirao Phule and Savitribai Phule

### Savitribai Phule

- Savitribai Phule was the wife of Jyotirao Phule. She was the first woman to speak up for the rights of women, in-fact the first woman whose poems got noticed in the British Empire. She started Mahila Seva Mandal for raising women's consciousness and the first infanticide prohibition home.
- As a tribute to her sheer courage and pioneering efforts the prestigious University of Pune was renamed to Savitribai Phule Pune University in 2014. India Post also had released a stamp in honour of Savitribai in 1998.



### Jyotirao Phule

- Mahatma Jyotirao Govindrao Phule was one of the prominent social reformers of the 19<sup>th</sup> century India. He was the first Hindu to start an orphanage for the unfortunate children and encouraged free and compulsory primary education—up to the age of 12 including Dalits and girl child, technical education for the lower classes, better living conditions for Bombay mill workers and farmers.
- He dedicated his book **Gulamgiri** (slavery) to the African American movement to end slavery. It is believed that he first used the term 'Dalit' for the depiction of oppressed. He was bestowed the title of Mahatma by Vithalrao Krish Vnadjaji Ekar, a social reformer from Bombay.
- After his death in 1890, Savitribai Phule carried on legacy of his Satya Shodhak Samaj.

### Satya Shodhak Samaj

- In 1873, Jyotiba Phule formed the Satya Shodhak Samaj (Society of Seekers of Truth). The purpose of the organization

was to liberate the people of lower-castes from the suppression of the Brahmins.

#### What is in News?

- The 84th PEN (Poets, Essayists, Novelists) International Congress in Pune, conceptualized to set up a Global Language Park (BHASHA VAN) on the premises of the **Savitribai Phule Pune University (SPPU)**. This park will have about **80 'language trees.'**, each symbolising a major or minor

language tree thereby representing 6,000 languages of the world. The event had Saplings planted and participation of Writers from across the world.

#### The Audio tour

- Set to open in January 2019, each plant will be equipped with an audio guide and a microphone to aid visitors with samples of songs, poems, folk tales, sayings, and jokes drawn from different world languages.

## Miscellaneous

### India's 100th airport

#### What's in the news?

- Prime Minister Narendra Modi inaugurated the first airport in Sikkim; with this inauguration, the number of functional airports in the country went up to 100.
- The airport at **Pakyong**, about 30 km from Gangtok and surrounded by mountains, is a major boost to connectivity in the mountainous State. It lies at some 60 km from the Indo-China border.
- The airport would be linked to the UDAN (Ude Desh Ka Aam Nagrik) regional connectivity scheme and the airfare for about an hour would come to ₹2,500.

#### Strategic Importance of Pakyong airport

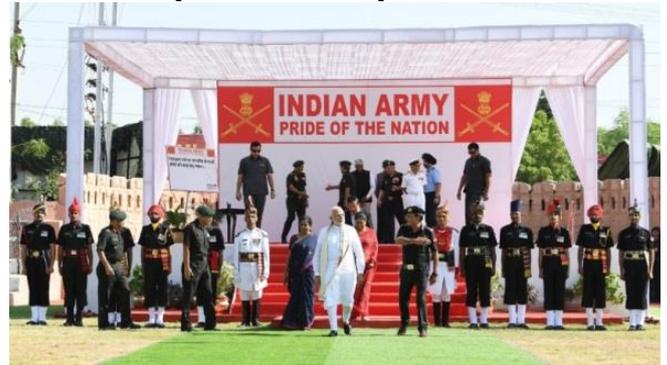
- Pakyong is strategically located near the Indo-China border at a distance of 60 km thereby giving a major boost to the movement of armed forces and defence equipment
- As Sikkim is devoid of railways, this airport will be subsistence for highways. It will boost tourism as the travelling time is reduced by 5 hours.
- It is situated at a height of 4,500 feet from the sea level & is flanked by deep valleys at both ends of the runway which is 1.75 km long



### 'Parakram Parv' to be celebrated

#### What is it?

- It is a three day event planned by the government to mark the second anniversary of the "surgical strikes" against terror camps and to showcase the courage, valour and sacrifice of Armed Forces.
- The main event is planned at India Gate Lawns, Rajpath in New Delhi. Similarly, 53 locations in 51 cities across the country will be showcasing the events highlighting valour of Indian Armed Forces in general and Special Forces in particular.



#### About Surgical strikes

- A surgical strike is defined as a military attack intended to inflict damage on a specific target, with little or no collateral damage to civilians and surrounding areas.
- The Indian Army conducted surgical strikes on terror launch pads across the Line of Control on September 29 two years ago.

# News in-depth

## The Hindu Editorials

### The Primary Anchor of a Health-Care Road Map & Long Road Ahead (AB)

#### Introduction

- Towards achieving the target of providing Universal health Coverage (UHC), India took a giant leap forward by launching **Ayushman Bharat- Pradhan Mantri Jan Arogya Yojana (AB-PMJAY)**.
- This is the world's largest government funded healthcare program targeting more than 50 crore beneficiaries.

#### PMJAY has two components:

- Ayushman Bharat (AB) - 1.5 lakh sub-centres are being converted into health and wellness centres (HWCs).
- National Health Protection Mission (NHPM) – aims to provide health cover of ₹5 lakh per family, per annum, reaching out to 500 million people.
- AB, rolled out as a health protection scheme, will provide guaranteed access to treatment that is free at the point of delivery to about 40% of the population.
- These beneficiaries are selected based on Socio-Economic census indicators.
- This is the first step on the road to achieve UHC.

#### Universal Health Coverage

- Best health care at the lowest possible cost should possess the following features –
  1. Inclusive
  2. Accountable health care providers
  3. Achieve a reduction in disease burden
  4. Eliminate catastrophic health expenditure for consumer
- Health care programmes like PMJAY cannot bring these changes overnight.
- They can be achieved over a period of time only if accommodated by good governance practices in health care sector.

#### The Inclusion Factor

- The Vajpayee government in 2003, commissioned the IHS, to develop a family welfare linked insurance policy, to make it inclusive.
- The Director of the IHD delivered a broad-based Family Health Protection Plan (FHPP) open to all individuals.

- All steps taken towards UHC get blocked by the size of the population to be catered.
- This solution through FHPP recommended that good governance lies in aligning the income lines for health and housing.
- Its motto is to delink entitlement to health care from the poverty line and link it with housing.

#### What Change Does it Make?

- By linking that way, the income lines for housing which gets updated from time to time could be simultaneously applicable for health entitlement.
- The health premium subsidy will similarly be scaled in line with housing categories which are –
  1. Economically weaker sections are entitled to 75-90% subsidy
  2. Lower income are entitled to 50% subsidy
  3. Middle income are entitled to 20% subsidy
- But the lack of the political will to progress through this 2003 experiment still makes the UHC a daunting task.

#### Challenges Ahead

- Centre identified through Socio-Economic Caste Census data, that 10.74 crore families will be given an annual ₹5 lakh cover under PMJAY, which comes under the insurance part of the AB.
- To avail the services, the individuals who are already insured, State should make services available within reasonable time frame.
- The allocation of ₹2000 crore during the current year cannot provide the promised cover to the large population to be sought.
- The challenge of funding remains as not all the States and Union Territories are able to raise their own share and a few have not even joined the scheme.
- Adequate budgetary commitments are needed to ensure smooth and successful functioning of the AB to achieve UHC.

#### Neglecting Primary Care

- The need of access to primary care for eligible households is disregarded under NHPM.
- The NHPM is pushing for hospitalization at secondary and tertiary level private hospitals.
- Without improving the access to and quality of primary health care, direct hospitalization is a high-cost solution.

#### **Build in Accountability**

- Government assures that PMJAY would help improve availability, accessibility and affordability for the needy 40% of the population.
- But one additional requirement highlighted by the Prime Minister of the country was maintaining “Credibility”.
- This raises serious doubts as public sector health capacities are constrained at all levels.
- Progress can be made only through partnerships and coalitions with private sector service providers and which will be credible only if they are made accountable.

#### **Need of Private Players**

- The National Health Policy 2017 proposed “strategic purchasing” of services from secondary and tertiary hospitals for a fee.
- Care should be taken in roping in or contracting-in these public and private health-care providers.
- They should be competent enough to provide all care for all the medical conditions specified.
- One important condition is to accept and abide by standard treatment protocols and guidelines notified, as this will rule out potential for unnecessary treatment.
- Another is that they should be comfortable with the AB-NHPM financial compensation package.

#### **Role of Service Providers**

- The motto of private players should be “mission” and not “margin”.
- The number of health-care providers, both public and private, recognized under the AB-NHPM should not have any upper limit in a given district.
- The annual premium for each beneficiary would be paid to those service providers or hospitals, for up to one year only, as selected by beneficiaries or patients.
- This results in competition which would enhance quality and keep costs in check.

- Government hospitals in districts, if upgraded to government medical colleges and teaching hospitals, will enhance capacities at the district level.
- Service providers will become accountable for cost and quality if they are bound to the practices of good governance.

#### **Cost Issue**

- Health-care access guaranteed using private or public facilities has to undergo tight cost control.
- This has to be achieved using defined treatment packages for which rates are prescribed.
- Many private for-profit hospitals see the government’s proposal as unviable as packages announced by Centre does not attract private care-providers.
- Costs are a contested area between the care-providers and the Centre, which reduces the impact of every policy.

#### **Needed Transformation**

- To eliminate catastrophic health expenditure for the consumers, sustained effort to modernise and transform primary care is essential.
- All relevant inter-sectoral actions which links health and development should be clubbed to ensure universal availability of the following –
  1. Clean drinking water
  2. Sanitation
  3. Garbage disposal
  4. Waste management
  5. Food security
  6. Nutrition
  7. Vector control
- Even the Swachh Bharat programme if incorporated in the PMJAY will reduce the disease burden to a great extent.

#### **Health and Wellness Clinics**

- AB is a progression towards promotive, preventive, curative, palliative and rehabilitative aspects of UHC.
- It achieves the above through access of 1.5 lakh ‘Health and Wellness Centres’ (HWCs) at the primary level.
- Here registered households would be provided access to district-specific, evidence-based, integrated packages of community health care.
- Early detection and treatment should be the purpose of HWCs.

#### **Faulty Lines**

- The AB administration is focussing on review of rates for health care services without any adequate preparation regarding the size of the project.
- So far the Central government lost most of its tenure in persuading State governments to regulate hospital sector under the Clinical Establishments (Registration and Regulation) Act, 2010.
- This law provides for standardisation of facilities and reasonable rates for procedures.
- But fear of frauds in the private sector pushed the AB administrators to announce that some key treatments should be availed through public sector institutions.
- Neglected for long time, Public health care facilities are not prepared and capable enough to provide such services.

### Leaving no Stone Unturned

- A public education media campaign could highlight the merits of personal hygiene and healthy living.
- Success of high-performing PHC systems in addressing a majority of community/individual health needs have already been demonstrated by Kerala and Tamil Nadu.
- Effective delivery of preventive, clinical and diagnostic health-care services will result in early detection of cancers, diabetes and chronic conditions, mostly needing long-term treatment and home care.
- This minimizes the demand for hospitalisation and thus investing in PHC

## Governor's Discretion

### Introduction

- A Supreme Court (SC) Bench led by Justice Ranjan Gogoi recently dismissed a writ petition filed by A.G. Perarivalan.
- He is one of the seven convicts in the assassination of former Prime Minister, Rajiv Gandhi.

### SC's Directive

- The Bench while disposing the petition recorded that the petitioner had filed an application before the Tamil Nadu Governor.
- It stated that the Governor will be at liberty to decide the application to release them if it deemed fit.

would very quickly reduce the overall cost of health care for the state and for the consumer.

- This can take cue from Vajpayee-era FHPP whose features include –
  1. Providing ambulatory primary care
  2. Out-patient consultation
  3. Clinical examination
  4. Curative services and referrals

### Need of the Hour

- It is essential to reduce the pressure on secondary and tertiary hospitals for expensive treatments.
- This can be achieved by simply investing in preventive and primary care facilities.
- The proposed 1.5 lakh Health and Wellness Centres under Ayushman Bharat- National Health Protection Mission can play a valuable role.

### Way

### Forward

- With the advent of technology and innovation, costs towards achieving UHC are reducing further.
- Artificial Intelligence powered mobile applications will soon provide high-quality, low-cost, patient-centric, smart wellness solutions.
- The interoperable IT platform getting readied for the AB is promising and encouraging.
- With integrating prevention, detection and treatment of ill-health, Good governance will be the last point to deliver the goals of UHC.

- The Tamil Nadu Cabinet, following this directive, adopted a resolution recommending the Governor to release seven convicts under Article 161.

### Article 161

- The Constitution, under Article 161, provides the Governor of a State the powers to pardon the convicts in certain cases.
- He shall have the power to grant pardons, reprieves, respites or remissions of the punishment.
- Or he shall have the powers to suspend, remit or commute the sentence of any person convicted of any offence.

- The offence committed should be against any law relating to a matter to which the executive power of the State extends or simple it should be a State subject.
- The Governor's decision is subjected to judicial review under the Constitutional Courts.

### Governor's Response

- Governor's office issued a press release that the case involves 'examination of legal, administrative and Constitutional issues'.
- It further stated that necessary consultation may be carried out, when required, in due course.
- It gives an impression that the Governor is seriously assessing the merits of the issue at hand.
- The important question is that it does not mention whether the Governor's office is vested with any such powers to exercise his discretion or not.

### The Question of Discretion

- Article 161 grants the Governor of a state with pardoning powers in certain cases.
- Article 163 provides for a Council of Ministers with Chief Minister at the head to aid and advice the Governor in the exercise of his functions.
- It further states that, he has to abide by such advice rendered by Council of Ministers, only when he is required to do so, under the laws of Constitution.
- Any questions on the matter, whether it falls under Governor's discretion or not, lies entirely with the decision of the Governor.
- Thus the validity of anything done by the Governor shall not be called in question on the ground that he ought to or not ought not to have acted in his discretion.

### Excerpts from SC's Judgements

- SCs from time and again have spoken against the Governor acting in the capacity of an 'all-pervading super-Constitutional authority'.
- In *Nabam Rebia and Bamang Felix v. Deputy Speaker* (2016) judgement, it said

## Rethinking Disaster Management

### Introduction

- The recent flooding of Kerala due to Monsoon storms created massive response from people of all walks of life.

that the discretionary power of the Governor is extremely limited and entirely amenable to judicial review.

- In *Samsheer Singh v. State of Punjab* (1974), it held that the Governor must exercise his discretion only in harmony with his Council of Ministers.
- This makes the Governor not to act against the wishes of the elected Council of Ministers.

### Bizarre Scenario

- The current case of the pardoning of Rajiv Gandhi Convicts has been undergoing a strange phase, which is very much against our Constitution.
- It is almost that the Governor under Article 161 is trying to act against the recommendation of the Council of Ministers.
- Such a decision will result in a tragic violation of the Constitution and its founding principles such as federal structure, Cabinet responsibility and Accountable governance.
- On the other hand, it can also be seen as the Governor has lost his faith in the State machinery.

### Spirit of the Constitution

- Whether to act against the recommendations of the Council of Ministers or the Governor losing faith in them, it is important for him to act in the true spirit of the Constitution.
- He should desist from conferring discretionary powers to his office where there are none.
- The official release stating consideration of the legal, administrative and constitutional difficulties in pardoning the convicts exposes this case.

### Way Forward

- To stay in line with the spirit of the Constitution is the critical and vital role of the office of the Governor.
- There is a steady loss of faith in the Constitutional machinery and the role of Governor and other Constitutional bodies is to stop such trends.
- Help poured from nook and corner of the country but what stood unique is the spirit of the people of Kerala.
- They did not act as victim affected by the ravaging floods but themselves helped each other and stood up for their dignity even in such a disastrous situation.

## Not Unique Phenomena

- Disasters can always help in learning a lot from their cause and effects and the imprint left over by them.
- It is time for us to stop thinking of the extreme weather events which we experience now a day most often as events of mystery or uncertainty.
- It will also be a mistake to think that disasters of huge magnitude such as Kerala Monsoon floods as “once in a hundred year” events.
- Due to lack of early warning systems and coordinated approach towards climate change, disasters and extreme weather phenomena are looked through magnifying lenses.

## Human Intervention

- Weather disasters are being affected by climate changes that are mainly caused by Humans.
- Failure of Governments and Businesses to invest in building strong disaster resistant infrastructure led to large scale devastations.
- Kerala floods, Hurricane Harvey which occurred in U.S in 2017 and Typhoon Haiyan in Philippines, 2013 taught that response to disaster must be proactive and not just reactive.

## Climate Change

- It is the change in climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere.
- This is in addition to the variation in the natural climate observed over comparable time periods.
- Major characteristics of climate change includes the following –
  1. Rise in average global temperature (Global Warming)
  2. Melting of ice cap
  3. Changes in rainfall pattern
  4. Increase in ocean temperature or Rise in Sea Level

## Climate Proofing

- It is an approach aimed at incorporating issues of climate change into development planning.
- It enables development measures to be analysed with regard to the current and future challenge and opportunities presented by climate change.

- Climate proofing in Kerala calls for structures to be built with wind and water resistant materials.
- By avoiding repairs, higher costs for such climate proofing in construction of better and resilient building can be managed.

## Towards Safe Locations

- People need to relocate out of harm’s way.
- Distances from coastline that were considered safe for settling were extended after the super typhoon Haiyan hit the Philippines.
- The unrestricted urban development in Chennai paid huge amount of price during the 2015 floods.
- This is one of the important lesson is ensuring life and property’s safety form natural hazards of any magnitude.

## Early Warning Systems

- They are vital and very important in reducing the magnitude of the damages to be caused by any kind of natural and weather disaster.
- Because of investments in these systems, Cyclone Phailin in 2013, claimed less than 40 lives in Odisha, whereas a super cyclone in 1999 in the same state had killed 10,000 people.
- In Kerala, there was no timely forecast from the weather services and it needs a reliable flood forecasting.

## Implement Existing Laws

- Laws checking logging and mining in forest and fragile ecosystems exist for a long time.
- But a tougher and reliable implementation of such laws in fragile ecosystem is a necessary one.
- A number of incidences where laws are being violated and development projects taking place over biological hotspots can be spotted.
- Deforestation worsened the effects of Kerala’s floods and mudslides, as the report of the Western Ghats Ecology Expert panel 2011 had warned.
- Implementation of existing laws would have prevented or at least minimised the above effects.

## Climate Conundrum

- Extreme weather phenomena is also one of the issues which enjoined with the climate change led to massive devastation in Kerala.
- Wayanad, which just saw record rainfall, is expecting a severe drought.

- The carbon footprint of Kerala is very small but it can have a voice in helping one of the world's largest carbon emitters reduce its carbon footprint.

### Global Ramifications

- The economic damage from global warming has global ramifications.
- The 2011 floods in Thailand's economic heartland disrupted both national and global manufacturing value chains.
- Globalisation makes sure that effects of good or bad events at any part of the world reach the entire world economies.
- And Kerala with its vibrant Diasporas in the Gulf and other parts of the world, made sure its role in economic and political significance of the Country is acknowledged.

### Bolstering Resilience

## Editing Our Genes

### What is a Gene?

- The basic physical and functional unit of heredity which are made up of DNA molecules and are located in chromosomes.
- They normally do not code for proteins but some acts as instructions to make molecules called proteins.
- Every person has two copies of each gene, one inherited from each parent.
- Most genes are the same in all people with only a small number differing between people.
- Alleles are forms of the same gene with small differences in their sequence of DNA bases and these contribute to each person's unique physical features.

### Gene Editing

- It is a technique used to precisely and efficiently modify DNA within a cell.
- Cuts at specific DNA sequences are made with enzymes called 'molecular scissors' or 'engineered nucleases'.
- Modifications can be addition, removal or alter the DNA of the genome.
- The characteristic of a cell or an organism can also be changed by editing the genome.

### Applications

- In research it can be used to understand the working of a gene under various internal and external conditions.

- The Kerala floods are estimated to have used around 2.2% of the State's GDP.
- When budgetary shortage to redevelopment projects occurs, finance through multilateral agencies like World Bank and Asian Development Bank are always available.
- But knowledge solutions to tackle climate disasters are crucial to strengthen the ability to withstand the disasters, which is central to recovery.

### Way Forward

- Kerala had been applauded for its participatory approach to relief and rehabilitation and stood as a model for rest of the states.
- Similarly new climate reality on the disasters and its preparedness is raising the bar on disaster resilience.

- In finding cure against a simple bacterial infection to complex genetic and congenital disorders.
- In Biotechnology, it has been used in varying fields like agriculture, medicine, poultry, cattle and so many to improve their resistance towards disease and disasters.

### Crispr-Cas9

- **Clustered Regularly Interspaced Short Palindromic Repeats** is a gene editing tool which uses the natural defence mechanisms of bacteria to alter an organism's genetic code.
- Similar to a pair of molecular scissors, it employs a cut-and-paste technology.
- It can snip the two DNA strands at a specific location and modify gene function.
- Enzymes like Cas9 cuts the two strands of the DNA at a specific location in the genome so that bits of DNA can then be added or removed.
- A piece of pre-designed RNA sequence called guide RNA (gRNA) guides the Cas9 to the right part of the genome.
- Thus the intended change to the genome is effectively performed using this technology.

### Limitations of CRISPR

- It has a lot of potential as a tool for treating a range of medical conditions that have a genetic defect, including cancer, hepatitis B or even high cholesterol.

- Many of the proposed applications involve editing the genomes of somatic or non-reproductive cells only.
- There has been a serious debate about employing gene editing of germline or reproductive cells.
- Any changes made to germline cells will be passed from one generation to the other, which raises ethical concerns.
- Currently gene editing is carried out vastly in somatic cells, which helps to treat humans from some life-threatening cases.

### Around the World

- Researchers in China used a variation of Crispr and tried to correct Marfan syndrome, an inherited disorder, which affects connective tissue.
- In 2017, American Biologist Mitalipov used Crispr to repair a genetic mutation that could cause a deadly heart condition.
- It was done on embryos in such a way that the faulty gene would not be passed to their next generations.
- In the Chinese case, two out of eighteen embryos showed unexpected results and so all were destroyed after the experiment.
- Crispr has transformed medical research and settled the question of modifying a faulty gene at the embryonic stage.
- But to guarantee the accuracy of the process in early stage embryos is another challenge.

### Ethical Concerns

- Bioethicists expressed concerns over the clinical application of such research.
- Evolution should follow the traits of nature and it would be unethical for us to control

### Opacity in the name of Privacy

- The Supreme Court declared the right to privacy a fundamental right on August 24, 2017.
- It is meant to protect citizens from arbitrary surveillance of the State and the Corporate.
- But the larger fear is that it might be used to shield authorities from scrutiny by citizens.

### Sri Krishna Committee

- A committee was constituted in August, 2017 to examine issues related to data protection, recommend methods to address them and draft a data protection Bill.

or dictate it through technological intervention.

- With emergence of this technology we will have the potential to edit out genes that cause fatal diseases.
- One day we might have the potential to use the very same mechanisms to edit out undesirable traits in human beings.
- This sounds similar to Eugenics, which is a movement aimed to improve the genetic composition of the human beings.
- Simply they want to develop a superior race by means of selective breeding, which will be disastrous to a diverse world.

### Fear of Abuse

- Researchers are only beginning to understand the power and the negative sides of gene editing.
- Bioethicists fear abuse of gene editing both by the Government and the Private Sector.
- Government of certain nations are trying to create a 'superior' race and if employed it will have serious consequences on world political order.
- Parents now a day desires to have a perfect child which the private sectors are feeding on.

### Way Forward

- For now all the above concerns are not considered seriously as the process needs more time to evolve.
- But silencing or bypassing the debate is not going to provide a solution to the problem.
- The risk of this knowledge cannot be handled by science alone and the government must involve all the stake holders to formulate an efficient policy in harnessing the technology.

- With Justice B.N. Sri Krishna has its head, the Committee of Experts on Data Protection Framework for India submitted its report and draft Bill to the IT Ministry.
- It tabled the Bill alongside a report entitled "**A Free and Fair Digital Economy – Protecting Privacy, Empowering Indians**".



### **Draft Personal Data protection Bill, 2018**

- The draft on the whole deals with –
  1. Definition of Personal Data
  2. Setting up a regulatory framework to process such data
  3. Consent of the Individuals in processing their data
  4. Relationship between the service provider and the individuals
  5. Offences and Penalties and others

### **Personal Data**

- Any data from which an individual may be identified or identifiable, either directly or indirectly.
- It also distinguishes sensitive personal data from personal data as its processing could result in greater harm to the individual.
- Sensitive data is related to intimate matters like caste, religion and sexual orientation of the individual.

### **Matter of Consent**

- Consent of the Individuals must be treated as a pre-condition for processing personal data.
- For certain vulnerable groups like children, and for sensitive personal data, a data protection law protecting their interests must be in place.
- Sensitive personal information should require explicit consent of the individual.
- Consent may not be obtained in some cases due to situations, where a processing of data without consent is permitted.
- Four criteria for non-consensual processing identified are –
  1. Where processing of data is relevant for the state to discharge its welfare functions
  2. To comply with the law or with court orders
  3. When necessitated by the requirement to act necessarily due to the situation
  4. In employment contracts

### **Regulatory Framework**

- The bill provides for the establishment of a Data Protection Framework and a Data Protection Authority.
- The Authority is empowered to –
  - a) Take steps to protect the interests of individuals
  - b) Prevent misuse of personal data
  - c) Ensure service provider's compliance with the bill
- Orders of the Authority can be appealed to an Appellate Tribunal established by the Central Government and appeals from the tribunal will go to the Supreme Court.

### **Ensuring Balance**

- The regulatory framework has to balance the interests of the individuals with regard to his personal data and the interests of the entity such as a service provider who has access to this data.
- The service provider processing the data is under an obligation to deal fairly with the individuals personal data and use it for the authorised purposes only.
- Since the individual is dependent on the service provider to obtain a service, the relationship must be viewed as a fiduciary relationship.
- Such relationship is where one party places special trust, confidence and reliance on the other party, who has a fiduciary duty to act for the benefit of the party.
- To prevent abuse of power by service providers, the law should establish their basic obligations including –
  - a) Obligation to process data fairly and reasonably
  - b) Obligation to give notice to the individual at the time of collecting data to various points in the interim

### **Transfer of Data**

- Personal data except sensitive ones may be transferred outside India under certain conditions like –
  - a) Transfer of data to a particular country is permissible
  - b) When Regulatory Authority approves in a situation of necessity
- Exemptions from compliance to the provisions of the Bill includes certain conditions where data involves matters of –
  - a) State security
  - b) Prevention, investigation or prosecution of any offence
  - c) Personal, domestic or journalistic purposes

## Penalties and Amendments

- The fiduciary is required to notify the Authority, breach of any personal data which is likely to cause harm to the individual.
- The authority may levy penalties for various offences by the fiduciary or the service provider including –
  1. Failure to perform its duties
  2. Data processing in violation of the Bill
  3. Failure to comply with directions issued
- Penalty ranges from an amount of ₹5 crore or 2% of the worldwide turnover of the fiduciary.
- Consequential amendments to the Information Technology Act, 2000 and Right to Information Act (RTI), 2005 are suggested.

## Amending RTI

- The clause 8.1.j of the RTI Act currently exempts the following from disclosure –
  1. Personal information which has no relationship to any public activity or interest
  2. Information which would cause unwarranted invasion of the privacy of the individual
  3. Information can be disclosed only when the Public Information Officer (PIO) is satisfied that the public interest outweighs privacy of the individual.
  4. The information which cannot be denied to the Parliament or a State Legislature cannot be denied to any person.
- The Bill suggests amending this clause to authorise PIOs to deny information containing 'personal data', if he feels the disclosure is likely to cause any harm to the individual.

## Bringing In Accountability

- The RTI Act's core aim is to bring in accountability among the members of the political class and the bureaucracy by making available their actions and records to the public.
- The amendment extends the meaning of personal data to all such information mentioned above, and simply providing a cover for them.
- The Bill defines harm expansively to include everything from blackmail and bodily injured to loss of reputation, humiliation and "mental injury".
- It ignores the key aim of RTI Act which is to "contain corruption".

## An Acid Test

- Most public records in India are not specific as bureaucrats involved in decision making are identified by their posts, or even initials and names.
- Under the proposed amendment, PIOs will have the responsibility to test public interest versus individual harm.
- For every request they receive they need to undertake the difficult task of looking at every possibility of causing harm to the individuals concerned, which they will be reluctant to do.
- As PIOs will now have a strong legal ground to play safe, most of the RTI requests will be simply rejected. With the SC already making right to Privacy an inherent one to the clause 8.1.j, it
- The only powerful provision is, PIOs can deny only that information to applicants whom they would deny to Parliament or State Legislatures.

## Abusing RTI

- In **Girish Deshpande v. Central Information Commission case**, a two-judge Bench of the SC ignored the above provision and prior precedents.
- It ruled that the assets and details about the performance of a public servant constituted personal information and were exempt from disclosure under, clause 8.1.j.
- Similarly a number of cases used the same rulings and expanded the ambit of personal information, and rejected RTI requests the same way.
- This led to misuse of clause 8.1.j rampantly and making the RTI Act useless which has been confirmed by the RTI's watchdog, the Central Information Commission (CIC).

## Way Forward

- The current Bill which is set to legalise such abuse by diluting transparency in the guise of protecting data will destroy the essence of RTI.
- The government should be addressing the alarms raised by CIC as if the Bill gets passed, amending the RTI Act, it will be a death blow to India's hard-won right to information.
- The Ministry is accepting public feedback on the Data Privacy Bill and Citizens should use this opportunity to urge the government not to amend the RTI Act.

## An Indefensible Ordinance

### What is an ordinance?

- An ordinance is a constitutionally sanctioned temporary mechanism by which President is empowered to make law without the consent of the Parliament.
- He can perform such act only when either of the houses of the parliament is not in session under Article 123.
- An Ordinance has vested in it all the powers and functions of a law passed by the legislative body, the Parliament.

### Why in News?

- The Muslim Women (Protection of Rights on Marriage) Ordinance, 2018 was promulgated by the President on September 19, 2018.
- The Union Cabinet convinced the President that there is an overpowering urgency and compelling necessity for its promulgation through ordinance route.
- The Muslim Women (Protection of Rights on Marriage) Bill, 2018 was introduced and passed in Lok Sabha on December 28, 2017.
- But it is currently pending in Rajya Sabha, which wanted certain amendments to the tabled bill.

### Contents of the Ordinance

- The Ordinance makes all declaration of talaq, including in written or electronic form, to be void and illegal.
- Talaq-e-biddat refers to the practice under personal laws of the Muslims.
- Under its pronouncement of the word 'talaq' thrice in one sitting by a Muslim man to his wife results in an instant and irrevocable divorce.
- Declaration of talaq is made a cognisable offence, attracting up to three years of imprisonment with a fine.
- A cognisable offence is one for which a police officer may arrest an accused person without warrant.
- The offence will be cognisable only if information relating to the offence is given by –
  1. The married women against whom talaq has been declared
  2. Any person related to women by blood or marriage

### Bailing and Compounding

- Under the Ordinance, the Magistrate may grant bail to the accused.

- It may be granted only after hearing the woman against whom talaq has been pronounced.
- If the Magistrate finds any reasonable grounds for granting bail, then he will grant bail to the accused.
- Compounding refers to the procedure where the two sides agree to stop legal proceedings, and settle the dispute.
- Upon the request of the woman, the offence may be compounded by the Magistrate.



### Other Features

- The ordinance allows the Muslim woman against whom talaq has been declared to seek custody of her minor children.
- She is entitled to seek subsistence allowance from her husband for herself and for her dependent children.
- The amount of the allowance and the manner of custody will be determined by the Magistrate.

### Were the Conditions Satisfied?

- Article 123 requires the President to ensure the existence of circumstances "which makes it necessary for him to take immediate action".
- The Muslim Women ordinance is pushed through stating direful conditions prevail in the country due to the use of instant triple talaq.
- But the fact is, excluding isolated cases, there is no evidence to show that the incidence of instant triple talaq had reached alarming levels to ban it through ordinance route.

### Poorly Conceived and Drafted

- The Ordinance will fail the test of judicial scrutiny on several grounds as it has been drafted poorly with several loopholes.
- Section 2(b) of the Ordinance defines talaq-e-biddat as any form of talaq "having the effect of instantaneous and irrevocable divorce."

- But Section 3 states such a pronouncement in any form whatsoever “shall be void and illegal”.
- No explanation is available to find out how the pronouncement can be “void” and have “the effect of instantaneous and irrevocable divorce” at the same time.
- Section 4 mandates a three-year imprisonment and fine whereas Section 7 declares it a cognisable and non-bailable offence.
- But it can also be non-cognisable and bailable based on the party who makes the complaint.

### **Violating Constitution**

- Parliament cannot take away the Fundamental rights enshrined the Constitution of India, except through making an amendment to the Constitution under Article 368.
- This too is subjected to the test of basic structure, where the amendments should not affect the basic structure of the Constitution.
- Article 13(2) states that, “The State shall not make any law which takes away or abridges the rights conferred by the third part of the Constitution, that is, the Fundamental Rights”.
- It further states, that any law made in contravention of the above clause shall be void.
- So when the parliament makes a law that is inconsistent to the Fundamental rights or to the Constitution, it shall be void.
- Similarly, under Article 123(3), if an ordinance makes any provision which will be inconsistent to the Constitution and its values, shall be void.

### **Challenging Fundamental Rights**

- The Ordinance arbitrarily curtails the personal liberty of a citizen without him having committed any offence.
- Article 21 states that, “No person shall be deprived of his life or personal liberty except according to the procedure established by law”.
- Article 19 empowers the citizens to move freely throughout the territory of India and to practice any profession, or to carry any occupation, trade or business.
- The ordinance violates Part III of the Constitution, especially article 21 and hence it is unconstitutional.

### **Definition of a Law**

- Supreme Court in several cases like *Maneka Gandhi v. Union of India* (1978) and in the recently settled *K.S. Puttaswamy v. Union of India* (2017), defined law.
- It clearly stated that a “law” means reasonable law and not any enacted piece.
- A procedure established by such law has to be fair, just and reasonable to avoid being struck down as unconstitutional.
- By keeping in all these verdicts, the current ordinance fails to satisfy the subject of “reasonable law”.

### **Unreasonable Law**

- The mere pronouncement of the word “triple talaq”, considered criminal violates the principle of fair justice through the judicial system.
- The ordinance disregards procedural due process or principal of fair justice by laying down an unfair and morally wrong procedure to be undertaken by the offender.
- The procedure for the offender’s imprisonment, bail, custody of his children and the amount payable as subsistence allowance to his wife despite of serving a jail sentence is morally unfair.
- The ordinance punishes with the above on a citizen despite his acceptance of the voidness of his pronouncement.
- Thus the unfairness, injustice and unreasonableness of the law are exposed quite easily.

### **Bypassing the Legislative Route**

- Article 123 empowers the President to promulgate an ordinance only when urgent situations arise during the recess of Parliament.
- No such emergency or urgency came to light after the monsoon session ended, thus making it clear, it fully political and not related to law and order.
- The triple talaq Bill passed in Lok Sabha was already being debated across the country as the Centre was not willing to amend the Bill.
- The Bill did not have the approval of the Rajya Sabha as they were not happy with the punishment and lack of clarity in usage of words.
- Despite all these, the promulgation of an ordinance knowing it will fail judicial scrutiny, simply leads to the accusation that the legislature was undemocratically circumvented.

## Making No Sense

- Article 123(2)(a) demands that all ordinances be laid before both Houses of Parliament when Parliament reassembles.
- The life of an Ordinance is thus only 6 months and 6 weeks as it expires six weeks after both the houses of the Parliament are in session.
- It has to be passed by both the houses or else, it will cease but the actions taken under the law does not cease.
- In Krishna Kumar Singh v. State of Bihar (2017), the SC ruled that tabling ordinances in Parliament is a mandatory constitutional obligation cast upon the government.
- It is the legislature which determines the need for, validity of and expediency to promulgate an ordinance.
- Failure to table an ordinance is an abuse of the Constitutional process and a serious avoidance of constitutional obligation.
- So, the Ordinance on triple talaq should also have to be tabled in the upcoming winter session, where it will have to face the opposition from Rajya Sabha.

## Aadhaar survives

### Why in News?

- Four of the five judges on a Constitution Bench ruled that the law enabling the implementation of the Aadhaar programme does not violate the right to privacy of citizens.

### Background

- Ever since a nine-judge Bench ruled unanimously last year that privacy is a fundamental right, opinion began to gain ground that the unique identification programme was vulnerable in the face of judicial scrutiny.

### About Aadhaar

- **Rationale:** Earlier, various identity proofs were required for access to government's benefits, subsidies and services, such as a ration card, driving license or voter id. However, as these proofs could be easily duplicated or forged, there was leakage of benefits and subsidies to ineligible beneficiaries. The Aadhaar project was initiated in 2009 to address these problems.

- This makes a little or no sense as the government through the ordinance have achieved nothing but criminalising instant triple talaq for a short period of time.

### A Pointless Ordinance

- The power to promulgate ordinances is subject to legislative control.
- It does not make the President or the Governor a parallel source of law making or an independent legislative authority.
- Similarly the SC in its judgement in Krishna Kumar Singh case, stated that re-promulgation of ordinances is a fraud on the Constitution.
- It is considered as a subversion of democratic legislative process.
- All the above clearly exposes the pointlessness and needlessness of the triple talaq ordinance.

### Way Forward

- From any point, the ordinance has no chance of surviving the test of judicial or legislative scrutiny.
- It will be better if the President examines the legal setbacks that the ordinance suffers from and considers withdrawing it at the earliest.

- **Legislative Backing:** In 2016, Parliament enacted the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 to provide legislative backing to the project. This Act allowed Aadhaar to be used for authentication purposes by the central and state government, as well as by private bodies and persons.
- Under its provisions, the government issued various notifications making Aadhaar mandatory for government projects, such as LPG subsidies and Mid-Day Meal scheme. In addition, in 2017, Parliament passed the Finance Act to amend the Income Tax Act, 1961, and made Aadhaar mandatory for the filing of income tax returns, and applying for PAN.

### Information Collected Under Aadhaar

- To obtain an Aadhaar number, a person is required to submit the following information to the Unique Identification Authority of India (UIDAI).
1. **Biometric information** (photograph, 10 fingerprints, scans of both irises), and

2. **Demographic information** (name, date of birth, gender, residential address) to the Unique Identification Authority of India (UIDAI).
- The Aadhaar number, the demographic and biometric information (called identity information) is together stored in the Central Identities Data Repository. In addition, every time a person's identity is authenticated using Aadhaar, information related to the authentication request is recorded as well.

### Key Legal Issues

- **Privacy:** It has been argued that the collection of identity data without adequate safeguards interferes with the fundamental right to privacy protected under Article 21 of the Constitution, which guarantees right to life and personal liberty.
- In the recent judgement the Constitution Bench ruled that the law enabling the implementation of the programme does not violate the right to privacy of citizens; instead, the project empowers marginalised sections and procures dignity for them along with services, benefits and subsidies by leveraging the power of technology.
- **Mandatory vs voluntary:** Another question before the court is whether Aadhaar can be made mandatory for those government benefits and services that citizens are entitled to under law.
- In the recent Judgement, the majority opinion has sought to limit the import of the scheme to aspects directly related to welfare benefits, subsidies and money spent from the Consolidated Fund of India. Thus, controversial circulars and rules

## Free, but not really

### Why in News?

- The Goods and Services Tax (GST) Council issued an FAQ to clarify that certain free services provided by banks will not be subject to GST.

### Background

- Introduction of Goods and Services Tax has changed the way business is done due to transformation in the indirect tax framework. Under the new GST law, the levy of tax has been shifted from the act of manufacture or sale to act of supply. GST is

making it mandatory to link mobile phone numbers and bank accounts to Aadhaar numbers have been declared unconstitutional.

- **Money Bill:** The Aadhaar Act, 2016 was passed by Parliament as a Money Bill. A Money Bill only needs to be passed by Lok Sabha, while Rajya Sabha may make non-binding recommendations on it. In case of the Aadhaar Act, Rajya Sabha made some recommendations that were rejected by Lok Sabha. It has been argued before the courts that the Aadhaar Act does not qualify as a Money Bill because it contains provisions unrelated to government taxation and expenditure.
- The Court in its recent judgment has addressed this issue by accepting the government's argument that Section 7, which enables the use of Aadhaar to avail of any government subsidy, benefit or service for which expenditure is incurred out of the Consolidated Fund of India, is the core provision in the law, and that this makes it a 'money bill'.

### Critical Assessment

- It was held that the legal framework of the Aadhaar Act creates substantive obligations and liabilities which have the capability of impacting on the fundamental rights of residents. A Bill, to be a Money Bill, must contain only provisions which fall within the ambit of the matters mentioned in Article 110. Therefore, the argument that the Aadhaar Act is "in pith and substance" a Money Bill is not correct and Introducing the Aadhaar Act as a Money Bill has bypassed the constitutional authority of the Rajya Sabha.

imposed on the supply of goods or services for a consideration. There are some activities that would still be considered as a supply even there is no consideration.

### The pre-GST regime

- Taxation of free services and sale of goods were generally not an issue in the pre-GST regime because a more precise definition with respect to the nature of the taxable event i.e. 'sale' or 'services provided' as against 'supply' in GST law reduced ambiguity.

- Barring the demand on free services in banking transactions, there was far greater clarity and certainty under the service tax regime and there have been limited instances of the tax department valuing free services. In respect of excise duty, testing samples and free samples were not exempted from excise duty, unless exempted by a specific circular.

### GST Regime-Key Issues

- The Authority for Advance Rulings (AAR) ruled that provision of canteen services by an employer for which recoveries were made from employees would be liable to GST. This was specifically exempted on the Pre-GST regime under a Service Tax Notification.
- Another issue that has arisen is applicability of GST between two branches of the same company, again an issue which didn't arise under service tax laws, since

## A Fraught Timeline: On Ayodhya Title Suit

### Introduction

- The Supreme Court (SC) Bench recently rejected the plea to set up a fresh bench stating there was no need to revisit the famous *Ismail Faruqui* judgement.
- It further set October 29, 2018 as the day for regular hearing of the Ayodhya title suit.

### Setting the Timeline

- The SC bench headed by now retired Chief Justice Dipak Misra began hearing on Ayodhya title suit in August, 2017.
- Initially it was expected that the Ram Janmabhoomi-Babri Masjid dispute would be legally decided before 2019 Lok Sabha elections.
- Some claimed that Diwali celebrations this year would be at the new Ram temple in Ayodhya.
- But the petitioners representing Muslims objected such developments and they raised concerns seeking deferment of hearing on Ayodhya dispute till the completion of 2019 elections.
- The Counsels for Muslims raised a point of law before the SC Bench by demanding re-interpretation of 1994 *Ismail Faruqui* judgement of the Court.

### Mosque – Not a place of Worship

taxable entities were considered to be different 'persons'. In the context of goods, inter-State branch transfers were exempted under CST law, and VAT laws could not tax inter-State transfers.

- The biggest concern, however, may relate to taxation powers itself. Powers of taxation between the Centre and States were meant to be mutually exclusive. However, the 101st Constitutional Amendment Act, 2016, may have left room for States by giving them the power to tax 'entertainments and amusements'.
- The concurrent exercise of taxation powers was impermissible prior to the constitutional amendment. This anomalous situation will enable a State to tax the same transaction that has already been subject to GST. The full effect of State autonomy has also not unfolded yet.

- A five-judge bench of the SC, in *Ismail Faruqui* case (1994), ruled that offering prayers in a mosque **did not constitute** an integral part of Islam.
- It further stated that, Namaz or prayers can be offered in any place and even in open places.
- The Counsel of Muslims and even Justice Abdul Naseer petitioned for reconsideration of the judgement to a seven Judge Bench.
- It believed that the matter involved the interpretation of the right to freedom of religion guaranteed by the Constitution.

### Importance of Faruqui verdict

- *Ismail Faruqui* verdict was a ruling on petitions challenging the validity of a Central law that acquired the land on which the Babri Masjid stood.
- It was demolished by a fanatic mob on December 6, 1992.
- The judgement was notable for upholding the rule of law by restoring the title suits that have been declared less importance in the Act.
- The reason for a petition to reconsider this judgement is that it may have an effect over

the outcome of the final verdict on Ram Janmabhoomi.

- But the fear had been put off by Justice Ashok Bhushan, who recognized that only valid observations have to be considered.
- Only observations made in the context of whether land on which a mosque stood can be acquired by the Government would be treated as observations.

### 2010 Verdict

- The Ayodhya title suit was decided by the Allahabad High Court in 2010.
- There were three principal parties – Ram Lalla (the infant Lord Rama), the Nirmohi Akhara (the principal challenger) and the Sunni Waqf Board (fighting for Babri Masjid).
- The High court had ordered division of the disputed land equally among the three parties.
- Many more petitioners have submitted their pleas seeking to be made parties in the suit when the Allahabad judgement was challenged in the SC.
- This is one of the issues still bothering the pace of the Ayodhya title suit.

### Current Problem

- Justice Ranjan Gogoi is now the master of roster in the SC in the capacity of the Chief Justice of India (CJI).
- As per convention, the matters pending before the outgoing CJI are heard by the new bench headed by the new CJI.
- The previous Bench consisted of Justice Dipak Misra, Justice Ashok Bhushan and Justice Abdul Naseer.
- The new Bench will have a huge task of going through volumes of documents of evidence and statements of witnesses.

## Dumping an Archaic Law

### Introduction

- Supreme Court has been busy in delivering some landmark judgements this month and it passed another remarkable decision recently.

- Evidences are sourced from scriptures like Ramayana, Ramacharitamans, Mahabharat, Quran and texts from medieval ages.
- The statements of the witnesses are contained in over 90,000 pages and the entire documents are in different languages including Sanskrit, Awadhi, Arabic, Persian and Pali.
- The new Bench will also have to decide who all can be recognised as parties in Ayodhya title suit.

### Any Further Delay!

- Current scenario mentioned above has all the possibilities for adjournment of the matter till 2019 Lok Sabha election.
- But the rejection of recent petition regarding Faruqui verdict and fixing the date for hearing at October 29 shows change in attitude.
- Arguments of similar types have been used by the petitioners in the past which had been used for political purposes.
- Serious disruption to the law and order in the State were also witnesses over the prolonged fight over the Ayodhya suit.

### Way Forward

- It is easy to say that Courts should work to their own timelines and not be influenced by elections.
- But in India, the Ayodhya dispute has gone through dark political phases and been more than a mere legal issue.
- The responsibility is on the apex court to dispose of the appeals at its convenience without giving any scope for the exploitation of religious sentiments.

- It decriminalised the offence of adultery by holding **Section 497 of the Indian Penal Code (IPC)** unconstitutional.
- It helped removing India from a list of few countries in the world that still considers adultery an offence.

## Section 497

- Adultery in common terms defines “voluntary sexual intercourse between a married person and a person who is not their spouse”.
- Section 497 of the Indian Penal Code (IPC) punishes a man when he has sexual intercourse with a married woman without her husband’s consent.
- The man could be imprisoned for five years or more and even pay a fine.
- It would not be an offence if the act takes place with the consent of woman’s husband.
- It makes the husband to be considered as ‘the victim’ of adultery making him eligible to file a case against the outsider and not his wife.

## Not a Crime

- For any act to be a crime, it has to be committed against the society.
- Section 497 considered adultery to be a criminal offence where the outsider or the adulterer should be punished for breaching the matrimonial unit.
- Here, marriage is considered as an Institution and the law should mandate severe punishment for violating such Institution.
- It involves breach of security and well-being of the society, thus making it a criminal offence.
- The SC dismissed all the above claims and observed that the issue of adultery between spouses as a private matter.
- It can act as a ground for divorce under civil law, but have no substance to get criminal sanction against any party involved.
- The state cannot penalise people with imprisonment for making intimate and personal choices.

## Women Not an Object

- The law states that the victim would be the husband alone, whose property, the wife was trespassed upon.
- Section 497 denied women their control over their identity or their sexuality and rights over their own relationship.

- Any stranger can have intimate relation with her without her consent, where he enjoys the consent of her husband.
- The law provides no remedy to erring spouses and even the women to complain if the act is against her will.
- It simply makes women an object under the control or custody of her husband, revealing the regressive patriarchal notion.

## Right to Privacy

- The court held that adultery should be made gender neutral.
- Even in that case, the matter would stay private and so any actions relating to it by the State would be a serious intrusion into the privacy of individuals.
- Also the deprivation of autonomy of women by Section 497 is seen as a violation of their right to privacy and to live with dignity.
- Simply it breaches the Article 21 of the fundamental rights which has also been interpreted in the verdict of K.S. Puttaswamy v. Union of India.

## Equality Factor

- The court observed that women were treated as passive entities, and possession of their husband.
- Section 497 erases the identity of a wife, as an individual with rights as an equal partner to the marriage.
- With making adultery an offence only in the absence of the husband’s consent, proves the inequality between the spouses.
- Marriage in a Constitutional regime is founded on the bedrock of equality of and between spouses.
- Each of them is entitled to the same liberty which the fundamental rights of the Constitution guarantees.
- Thus it completely violates the right to equality guaranteed under Article 14 of the Constitution.

## Protecting Women

- Section 497 was previously safeguarded stating that it was safeguarding women from prosecution and being prosecuted.

- Under Article 15(3) of the Constitution, the State was allowed to make laws for the benefit of women and children.
- But the law takes away the right of women to prosecute similar to her husband who has the right to proceed against the other man.
- This could not be considered beneficial and in fact was seriously discriminatory.

#### Is Adultery Legalised?

- Stating it not a criminal offence does not mean the SC had legalised Adultery.
- It is still morally wrong but the act is no more a criminal offence as it involves individual's personal choice.

### Think Big - On Import Duty Hike

#### Current Account Deficit

- It is a measurement of a country's trade where the value of the goods and services it imports exceeds the value of the goods and services it exports.
- The current account includes net income, such as interest and dividends, and transfers, such as foreign aid.
- It is also known as trade deficit and it along with the Capital Account forms a part of balance of payments.

#### Why in News?

- The Centre decided to increase customs duty or import duty on 19 "non-essential" items in order to reduce the widening Current Account Deficit.
- Import duty is the tax on goods and services purchased or imported from abroad.
- It is a form of trade barrier and is against the ideas of global economy and ease of doing business.

#### Items Included

- Import duty on a range of items including air-conditioners, refrigerators, washing machines, footwear, jewellery, furniture fittings and tableware among others were increased.
- Other items includes speakers, radial car tyres, non-industrial diamonds and lab

- The judgement has only ensured that two consenting individuals having sexual relations outside of marriage cannot be deemed criminal.

#### Way Forward

- It is surprising to see that even after the verdict many have opposed this decision of the SC.
- Most countries around the world have already done away with this practice.
- Achieving equality in other sphere is still a milestone and the scrapping Section 497 is definitely an important one to strive towards it.

grown diamonds, cut and polished coloured gem stones, etc.

- Aviation turbine fuel had been levied a tax of 5% from zero which will make operation costs costlier to the flight carriers.
- Air conditioners, refrigerators and washing machines would be costlier with their import duty increased from 10% to 20%.
- Overall the consumption of these products would likely to be costlier with the value of rupee against the dollar is getting eroded.

#### Widening CAD

- The Centre admitted that the import value of these goods constituted around 3% of the country's merchandise import bill in 2017-18.
- The deficit was not under control for the first two quarters of the current fiscal year.
- This import duty will help in containing the CAD only for a short term and only marginally.
- But it can help in creating some other desirable effects which can change the pattern of the consumers towards domestic industry.

#### Change with the Tide

- The import duty on consumer durable to 20% could seriously reduce the consumption of these products.

- With rupee performing badly in the international market, it will further make these imported goods costlier.
- It will be interesting if these events lead to create a psychological 'tipping point' that helps in altering the consumption behaviour of the consumer towards this category of imported merchandise.
- If it happens, it will help in making greater investment in the domestic production of some of these goods.

### Struggling Airlines

- There will be a rise in the cost of Aviation turbine fuel which will now attract 5% customs duty instead of nil.
- It reflects in rise in operating cost of the domestic airlines which are already burdened by the falling rupee and rising oil prices.
- This move might add additional burden to the airline operators who were enjoying profits of only wafer thin margins.

### Need Policy Intervention

- To address the widening CAD, a more strong approach to address both the imports and the exports should be devised.
- It should be good enough to boost exports and simultaneously reduce the import-intensity of the economy.
- Renewed efforts must be taken to ensure growth in exports outnumbers growth in merchandise in imports.
- It includes settling the refunds on GST to exporters in time as many small exporters have been badly hit by working capital shortfalls.

## Freedom to Pray – On Sabarimala Verdict

### Introduction

- The Supreme Court (SC) five judges Bench recently delivered a 4-1 majority verdict in *Indian Young Lawyers Association v. State of Kerala*.
- It pronounced a historical verdict opening the doors of the temple of Sabarimala to women of all ages.
- Along with assuring equality to women devotees, it also raised dissensions among

### Import Substitution

- A strategy, that involves the replacement of imports with domestically produced goods, rather than the production of goods for exports.
- It is a way to encourage the development of domestic industry of the country.
- India is growing on its thermal coal imports despite of having abundance of coal reserves.
- Under-investment in modernising the entire coal production and utilisation chain is one of the main reasons for it.
- Only addressing the above issues can help in India focussing on Coal Import Substitution.

### Other issues

- There were no signs of fall in prices in the global crude oil for the past few months.
- With the U.S. Sanctions over Iran, India had to look for other suppliers or the U.S. which will further increase fuel price.
- On the whole, the government has to act hurriedly with a concrete policy framework to address structural imbalances to keep the CAD under control.

### Way Forward

- Relief provided by the increase in import duty is only short-term and cannot be relied upon.
- It is important to keep the CAD from widening close to or even exceeding the 3% of the GDP level, to ensure a positive climate to the investors.

a section of people who want to continue the older existing practice.

### Age Old Practice

- Sources mention that the Sabarimala temple deity, Swami Ayyappa is a 'Naishkita Brahmachari' and should not be disturbed.
- The temple does not allow women of certain age groups, that is, from 10 to 50 years of age.

- Rule 3(b) of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965 further bans such entry.
- This age group is restricted as it constitutes women who will be having active menstrual cycles.
- This biological process is termed to be impure on the notions of medieval practice and hence they are not allowed to enter the temple so as to maintain the deity's celibacy.
- Girl children below 10 years and women after 50 years of age are allowed to enter the temple.

#### Previous Verdicts

- In 1991, Kerala High Court produced a verdict supporting the age old practice.
- It found that the restriction were not discriminatory under the Constitution.
- The restrictions were in place since time immemorial and so it cannot be tested under the Constitutional provisions.
- But the SC in the follow up appeals had a different view.

#### Historical Verdict

- The bench delivered four separate judgements where four concurred in allowing entry and the lone woman judge, Indu Malhotra, wrote a dissenting judgement.
- The bench stated that the devotees of Ayyappa do not constitute a separate religious denomination.
- Women are not lesser or inferior to man and the prohibition on women is not an essential part of Hindu religion.
- Biological or physiological reasons cannot be accepted in freedom for faith and Patriarchy cannot be permitted to trump over faith.
- The exclusionary practice backed by legislation, is not an integral part of the religion.

#### Contrasting Rights

- Religious freedom under Constitution is assured both to individuals and groups.
- Article 25 protects an individual's right to profess, practice and propagate a religion.

- Similarly the same is assured to every religious denomination by providing them the right to manage their own affairs.
- This opens a conflict between the group rights of the temple authorities in enforcing age old practice and the individual rights of women to offer worship there.

#### Defending the 'Practice'

- In defence of the practice, the following are stated where –
  1. Sabarimala devotees have constitutionally protected denominational rights
  2. They are entitled to prevent the entry of women to preserve the strict celibate nature of the deity
  3. Allowing women would interfere with an essential religious practice
- This was in line with the lone dissenting judge, who stated that religious practice should not be reviewed on the concepts of gender equality or individual freedom.
- She stated that Court cannot impose its morality or rationality with respect to the form of worship of a deity.

#### Individual Rights Stands Tall

- Allowing entry of women of all age groups in to the Sabarimala temple establishes the legal principle that individual freedom prevails over purported group rights.
- The dissenting judge accorded greater importance to the idea of religious freedom as being a group right rather than individual's right.
- The majority judges' view that devotees of Lord Ayyappa do not constitute a separate religious denomination upheld that individual's rights precede group's rights.

#### Clearing the Stigma

- The Court addressed the most important problem of Stigmatisation of women devotees based on menstruation as a symbol of impurity and pollution.
- The practice is justified because women of menstruating age would not be able to observe the 41-day period of abstinence before making a pilgrimage.

- This segregation of women based on biological characteristics is indefensible and unconstitutional.
- Devotion cannot be subjected to the discrimination based on gender.
- Stigma built around traditional notions of impurity has no place in the constitutional order and exclusion based on such principle is similar to 'untouchability'.

#### **Rights for Welfare**

- Fundamental rights provided by the Constitution must be accessed for the
- 

betterment of the individuals and the groups.

- Thus fundamental rights claimed by worshippers based on 'custom and usage' must yield to the fundamental right of women to practice religion.
- The decision of allowing women's entry reaffirms the Constitution's transformative character.
- Also the Constitution derives its strength from the importance it accords to the Fundamental rights.

# YOJANA SEPTEMBER 2018

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3. Employment in India: an improving picture
4. Interview: innovation and entrepreneurship
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16. Employment avenues for differently abled
17. Creating a new job ecosystem

## Employment and self employment

### Introduction:

- India is poised to be the youngest country in the world by 2022. Post independence India was primarily an agricultural economy, however the phenomenon of modernization and industrialization gained momentum. While on one hand there is a requirement of skilling the unskilled labour class, there is also a need to bring the informal sector workers into a formalised set up.
- The success of a modern economy is linked to status of employment in the country, especially the 40% youth force out of the total population of India. Indian economy has unique characteristics with formal - informal, rural -urban, agriculture - non-agricultural, skilled- unskilled components existing at the same time. Any effort to promote employment needs to address concerns of these components holistically.

### Credible employment data: Need of the hour Difficulties in the process of job creation

- 80% of employment is in the unorganized sector, which is difficult to measure.
- The efforts by government for promoting the new economy have opened up several additional employment opportunities in the unorganized sector.

- The quality of jobs on offer and the remuneration is often not in sync with the aspirations of job seekers.

### Population and job

- As per the recent India's population growth rates, about 10-12 million people enter the job market every year.
- There is a low female labour force participation of around 27-30%.
- Total number of job seekers comes to around 8 million.

### Why is there a lack of credible employment data?

- The employment -unemployment survey conducted by national sample survey office (NSSO), Ministry of statistics and programme implementation (MOPSI), was conducted for the financial year 2011-12, which is more than 6-years-old.
- The annual labour survey was last conducted for 2015-16 which is dated.
- The most recent results for the third quarter of 2017 covers only 8 sectors which cover less than 15 % of the economy which is not ideal.

### Other sources providing employment data:

- The void in government employment data has been filled by the CMIE-BSE producing

triannual employment reports which is undependable.

- The task force under the vice chairman NITI Aayog, Professor Arvind Panagariya was formed to review the scenario of employment in 2017.
- The first report of the NSSO household survey on employment is expected to be released in the first half of 2019.

#### **Employment generation is estimated under:**

- **Payroll reporting**
  1. It measures the number of formal jobs and its increase on a monthly basis.
  2. Employees' Provident Fund Organization (EPFO) combined with Employees' State Insurance Corporation (ESIC) and National Pension Scheme (NPS) data estimated 70 lakh jobs added in the economy during 2016.
  3. All India Survey on Higher Education (AISHE) highlights the total number of

#### **Employment situation in India**

- This article answers various questions with regards to the present employment situation in India which are enumerated as below.

#### **What are the challenges for creating employment opportunities for Indian youth?**

- Low levels of education
- Skills and high dropout rates
- Low employability of youth is perhaps preference by majority of the youth (85%) in general stream of education with only 12.6% for technical and professional education and only 2.4% pursuing vocational education.

#### **What are the needs?**

- To increase formal employment this presently constitutes 8% of the labour force.
- Vocational skills to be included in the school curriculum right from class 6 onwards to arrest disinterest among students towards formal school education.
- To enhance India's education System by teaching skills that are transferable across occupations and to align the national

graduates that pass out in the country each year.

- **Unorganized sector**

1. This sector constitutes 80% of the labour force in India
2. The new economy has created membership based employment like driver partners Ola/Uber, Flipkart; Amazon has created more than 2.2 million employments over the last four years.
3. Services like urban clap, Quicker have more than 2.5 million professionals registered on their portals.
4. Chartered accountants, Company secretaries, lawyers and other professionals in the work force also employ additional people as assistants, thereby generating an employment.
5. Commercial vehicles like trucks, buses, rickshaws are added each year leading to more than 2 jobs per vehicle.

educational policy with the national skills qualifications framework NSQF.

#### **What are the new emerging avenues?**

##### **Demographic facts in India's favour:**

- The national fertility rate is now at replacement levels (2.1 children per women).
- Population growth rate has declined by 1.1% a year.
- The size of young 15-24 age group is expected to increase by 2.5 million over next five years, leading to increase in education enrolment and employment participation.
- The huge investments in infrastructure sectors like roads, shipping, smart cities, renewable energy, transport and railways, airports and freight corridors are facilitating creation of jobs in the economy.
- The Atal innovation mission, focus on women entrepreneurship, MUDRA, Start-up India and Stand up India are impacting availability of jobs and livelihood opportunities.

#### **Which sectors have the potential of creating maximum employment?**

- Areas of big data analytics, artificial intelligence, and internet of things, block

chain and electric vehicles will create highly skilled and high paid jobs in the future.

- for the poorly educated and low skilled labour force, opportunities lies in apparel, textile and leather., tourism and hospitality, construction as also in the based entrepreneurship.
- Policy interventions are in viz. agriculture and infrastructure.

### Examples of employment and entrepreneurship

- Byju’s learning app started in July 2015 as a start-up became a unicorn within 3 years of its launch.
- Tele medicine consultation has been made practicable in rural and hilly areas reducing crowding in tertiary sectors, addressing shortage of doctors and specialists.

### Way forward:

- AIM will soon be launching AIM -SBIR (Small business innovation and research) initiative, boosting Make in India while reducing dependency on imports.
  - We should have an employment strategy focusing both on manufacturing and services suited to the demographic and educational /skill profile of the states/UTs addressing the three types of job deficits that India faces
1. Deficit in the overall number of jobs
  2. Deficit in number of formal jobs
  3. Deficit in number of jobs for women

### ATAL Innovation Mission

- **Ministry/ Department: NITI Aayog, Started in 2015**

## Dimensional improvement of the Indian labour market

- In the face of globalization and exposure to international markets Government of India lays great emphasis on improving the labour market conditions by various multi prolonged interventions like:

### Encouraging private investment in industry:

1. Generating employment at supply and demand side.
2. Reinforcing demand side by providing incentives to agro based industries and labor intensive industries.

### Enhancing skill base of workforce:

- AIM aims at including Self-Employment and Talent Utilization (SETU) to serve as a platform for promotion of world-class Innovation Hubs, Grand Challenges, Start-up businesses and other self-employment activities, particularly in technology driven areas.
- The Atal Innovation Mission shall have functions:
- **Atal Incubation Centre:** focuses on the establishment in underserved and unserved areas to support inclusive growth.
- **Atal Tinkering Labs (ATLs):** helps students to explore solutions to unique local problems and provide access to technologies like 3D Printing, robotics, Internet of Things (IoT) and microprocessors. It has selected 3,000 additional schools for establishment of Atal Tinkering Labs (ATLs).

Classification of centres (tier-wise)

| Population classification | Population (2001 Census) |
|---------------------------|--------------------------|
| Tier-1                    | 100,000 and above        |
| Tier-2                    | 50,000 to 99,999         |
| Tier-3                    | 20,000 to 49,999         |
| Tier-4                    | 10,000 to 19,999         |
| Tier-5                    | 5,000 to 9,999           |
| Tier-6                    | less than 5000           |

### Note:

- AIM initiatives are to incentivize job creation in both urban and tier 2, tier 3 cities.
- RBI classified cities in 6 tiers.
- NSSO survey is the “**gold standard for India**’ conducted every five years.

- National skill development Mission (NSDM) and Ministry of skills Development and entrepreneurship (MSDE) to focus on enhancing the skill base of workforce in a coordinated manner.

### Enhancing non-farm employment opportunities:

- **National food security mission:** launched to increase production and productivity of wheat, rice and pulses on a sustainable basis so as to ensure food security of the country.

- **Rashtriya krishi Vikas Yojana (RKVY):** Provides fast-track agriculture development , post-harvest infrastructure and promotion of value addition linked agri-business models.
- **Agri Clinics and Agri Business Centres (ACABC):** it takes better methods of farming to each and every farmer across the country with the help of the expertise available in the large pool of Agriculture Graduates.
- **Small Farmers' Agri-Business Consortium (SFAC):** It is a Non-Banking Financial Institution (NBFC) by Reserve Bank of India (RBI) to facilitate agri-business ventures by private investment.
- **Development of women cooperatives:** It is the association of women united voluntarily to meet their common economic, social, cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise.

#### **Modernising public employment service (PES)**

- The national career service that aims at transforming the employment services using technology.
- National portal [www.ncs.gov.in](http://www.ncs.gov.in) brings jobseekers, employers and training providers on a common platform.

#### **Labour law reforms**

- Reducing uncertainty in labour legislation by modernizing dispute resolution and systems for good governance.
- Four labour codes on wages, industrial relations, social security, welfare and working conditions have been drafted by simplifying ,amalgamating and rationalizing the provisions.

#### **Increase female labour force participation:**

- Government has amended the rules to facilitate women government employees for upbringing of their children by providing for 2 years child care leave.

### **Livelihood development and diversification**

- The Sustainable Development Goals (SDGs) bring out clearly that poverty is multi-dimensional and therefore requires a range

#### **Mainstreaming informality**

- Three social security schemes pertaining to insurance and pension sectors, namely Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY), Pradhan Mantri Suraksha Bima Yojana (PMSBY) and Atal Pension Yojana (APY).
- Social protection to all citizens in coverage of life and accident insurance, provision of -financing health insurance cum social security scheme launched for the working class Employee's State Insurance Corporation (ESIC) and Employees' Provident Fund Organisation (EPFO) and its linking to UAN.

#### **Unique identification number (UAN):**

- UAN is a 12-digit number which is provided to each member of the EPFO through which he can manage his PF accounts. It is issued by the Ministry of Employment and Labour.

#### **Allocating adequate budgetary resources to active ALMPs**

##### **ALMPs:**

- Active Labour Market Policies comes with an objective of an effective activation policy for jobseekers and other disadvantaged groups of the population is to bring more people into the labour force and into jobs. It requires:
  - ensuring that people have the motivation and incentives to seek employment
  - increasing their employability and helping them to find suitable employment
  - expanding employment opportunities for jobseekers and people outside the labour force
  - managing the implementation of activation policy through efficient labour market institutions
- Study says that employment services and skills training has the most positive impacts ,both on employment probability and earnings and the above initiatives provides sufficient evidence to arrive at credible conclusions.

of interventions. As half of manufacturing and one third of the services sector is

already part of rural economy it requires additional sources of funding that includes:

- Sharing pattern of funds for non-Himalayan states is 60:40 and 90:10 in Himalayan states .
- States contribute 40 % of Pradhan mantri gram Sadak Yojana (PMGSY) funds.
- The housing programme mobilises additional resources through extra budgetary resources (EBRs).
- Contribution by women self-help groups (SHGs).

**Few of the salient livelihood, income and employment generating initiatives:**

- Bank sakhis and bank Mitra's trained as banking correspondents from among the SHG women.
- 9 lakh solar lamps assembled by women self-help group in remote areas of UP, Bihar ,Jharkhand and Rajasthan
- Rural masons trained and certified under housing program
- The expansion of the food security act with a provision of rice at Rs 3 per kg and wheat

at Rs 2 per kg has facilitated food security in poor households.

- provision of LPG gas connection under Ujjwala Scheme ,free household electricity connection under Saubhsgya ,selection of beneficiaries under PMAY-G and Ayushman Bharat for national health protection have ensured that the benefits of development reach the most deprived in priority.
- MGNREGS (Mahatma Gandhi national rural employment guarantee scheme has provided for livelihood generating individual benefits like farm ponds ,dug wells, goat shed, poultry shed and diary shed.
- Candidates have been successfully placed for wage employment under Deen Dayal Upadhyaya Grameen Kaushalya Yojana (DDU -GKY) and self-employment under rural self-employment training institutes (RSETIs)

**Reasons to poverty**

| Poverty of households is due to  | Poverty of geographies is due to   |
|--|--|
| <ul style="list-style-type: none"> <li>• Lack of education and skills</li> <li>• Under nutrition and ill health</li> <li>• Lack of employment opportunities</li> <li>• Asset-lessness</li> <li>• Lack of safe housing</li> <li>• Limited access to public services</li> <li>• Clutches of middleman/corruption/moneylenders</li> </ul> | <ul style="list-style-type: none"> <li>• low price for produce distress</li> <li>• Violence and crimes</li> <li>• Unirrigated lands due to monsoon</li> <li>• Lack of basic infra roads, electricity internet</li> <li>• Lack of access to markets and jobs</li> <li>• Lack of non-farm opportunities</li> </ul> |

**Creating livelihood opportunities in urban areas**

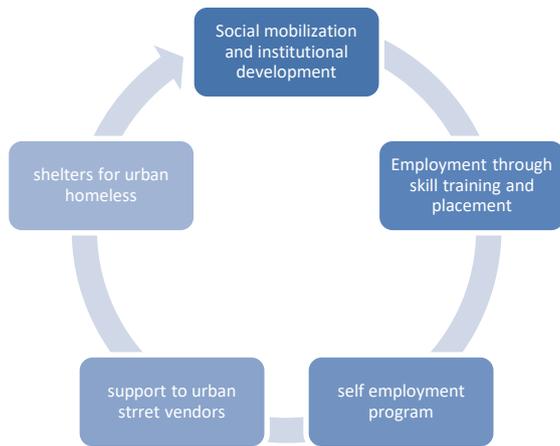
- As cities increase in number and existing cities becomes larger and denser, the pressure to support livelihoods will keep mounting. The city livelihood centres (CLCs) established under the National Urban Livelihood Mission (NULM) helps to organize the informal hyper local services under the Urban local Bodies level by

**Multi-dimensional livelihood strategies:**

- The support to the urban street vendors' component of the mission seeks to protect the livelihoods of the street vendors as per

the provisions of the street vendors act, 2014.

- The employment through skill training and placement (ESTP) component of the mission provides market relevant skill training and placement under the Skill India mission.
- (Fig shows the components of NULM).



### Self-employment programme:

- It supports individuals and groups to establish micro enterprises by facilitating bank loans @7% interest.

### Harnessing the demographic advantage

- There is a large heterogeneity among the states in their demographic profile and a clear divide exists between peninsular India (west Bengal, Kerala, Karnataka, Tamil Nadu and Andhra Pradesh) and the hinterland India (Madhya Pradesh, Rajasthan, Uttar Pradesh and Bihar).
- While the peninsular India is showing a pattern of developed economy, the hinterland states are relatively young and dynamic.

### Systemic interventions:

- a labour market information system(LMIS) has been put in place to make available both demand and supply side information including trends in wages as a one-step window to help all stakeholders .
- All training programme has been aligned with National Skills Qualifications Framework (NSQF) framework, requiring them to be industry validated.
- The PMKVY are spread across states and UT's and efforts are made to make them available in each district.
- To ensure mobility of workers, multi skill institutes are put up in terms of Pradhan mantri Kaushal Kendra's (PMKKs) in 460 districts.
- **Takshila portal** has been launched to mobilize the trainers and assessors

- Provides individual loans up to 2 lakh, group loans to Rs.10 lakh and SHG bank linkage loan.

### Formalizing the urban informal workforce: As per the data

- 81% of the total India's workforce comprises of informal/unorganized workers.
- 77% are likely to be in 'vulnerable employment' by 2019(ILO,2018)

### Improving women's participation in the urban workforce:

- To rebalance female labour force participation rate (LPFR) nearly 30 lakh women have been mobilized into SHGs and their federations. Under the skill training component, over 70% of the candidates trained are women.

capturing their profile as and mapping their pathway. The guru shishya parampara has been an age old practice for transfer of skills .

### Schemes that facilitate a self employed to become an entrepreneur:

- **Deen Dayal Antyodaya Yojana, Ajeevika Grameen express Yojana:** encourages public sector banks to help transform unemployed rural youth into confident self-employed entrepreneurs.
- **Pradhan Mantri mudra Yojana:** provides self-reliance to micro finance units with loan from RS 50000-10 lakh.
- **ASPIRE (Scheme for promotion of Innovation, Entrepreneurship and Agro- Industry):** it is a business incubator providing assistance in one time grant of 100% of cost of plant and machinery other than land and infrastructure. And under PPP ,one time grant of 50% and for technology based business quantum assistance is 50% of plant and machinery cost.

### Scheme of Fund for Regeneration of Traditional Industries (SFRUTI):

- It is to organise traditional industries and artisans into clusters to make them competitive and provide support for their long term sustainability dividing them as
  1. Heritage cluster: 1000 to 2500 artisans: 8 crore

2. Major cluster: 500 to 1000 artisans : 3 crore
3. Mini cluster: up to 500 artisans : 1.5 crore .
4. A user friendly portal: [www.apprenticeship.gov](http://www.apprenticeship.gov). in to facilitate easy processing of the entire cycle and administration and monitoring.

#### Making skill acquisition aspirational:

- For the first time graduation ceremonies are held at ITIs and skill centres to award certificates.
- The Kaushal Melas are organised for motivating the youths and communities to make skill an alternative career option.
- Also, Rojgar Melas for ensuring access to better employment opportunities.

#### Making India skill capital of the world:

- In order to facilitate mobility of Indian workers globally MSDE has been set up with MEA India international skill centre to provide skill training along with pre departure orientation and basic language skills .
- TITP : technical internship and training programme with Japan wherein technical internship are sent from India to Japanese company for three years.
- The candidates in IISCs are provided with international certification facilitating global mobility.

#### MUDRA

### MSME: New engines of growth and employment

- Currently there are 7 crore MSME that create around 12 crore jobs in the country that has a multiplier effect on other sectors of the economy.

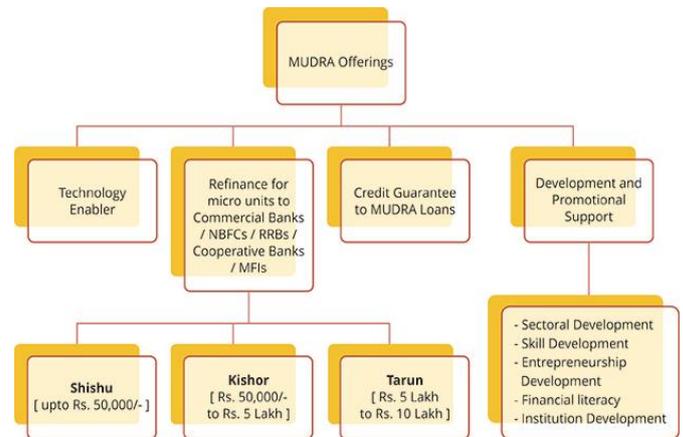
#### Action agenda:

1. Encourage growth in labour intensive Industries
2. Improve quality of training imparted in schools, colleges and universities
3. Enhance labour productivity
4. Ensure timely credit flow
5. Facilitate good market access.

#### Government initiatives towards enhancing MSME and employability:

1. **MSME Sambandh portal:** The National SC/ST Hub (NSSH) would provide professional support to the SC/ST enterprises thereby enabling them to

- MUDRA loans started by the current government are one of the major schemes which is helping entrepreneurs towards self-employment and job creation across India.



#### Reasons for its success:

- Portfolio credit guarantee has 50% loss coverage.
- Refinance comes at low lending rates.
- **Mudra card:** it is a Rupay debit card that can be used for drawing cash from ATMs on holidays and beyond banking hours.
- **Mudrapreneurs** enable contact less lending with interconnections among data collection points.
- **MUDRAMITRA** is a mobile phone application that provides information regarding banks and loan related material.

effectively participate in public procurement process.

2. **MSME Sampark portal:** This portal will act as a bridge between the talent pool and those enterprises seeking trained man power.
3. **National small industries corporation (NSIC):** The National SC/ST Hub (NSSH) would provide professional support to the SC/ST enterprises thereby enabling them to effectively participate in public procurement process.
4. **Credit Guarantee Trust Fund for Micro and Small Enterprises:** CGTMSE is a fund which provides guarantees for loans given to MSEs i.e. in case borrowers fails to give back loans, bank will get their money from

this fund. It is Central Government program to promote MSMEs.

5. **Pravasi Kaushal vikas Yojana:** PKVY will provide training and certify Indians who are seeking overseas employment in selected sectors that have high demand in the global labour market in line with international standards
6. **Mission Solar Chakra:** The Solar Charkha Mission is a Ministry of Micro Small & Medium Enterprises (MSME) initiative launched during June 2018 to be implemented by The Khadi and Village Industries Commission (KVIC). The target is to cover 50 solar clusters across the

country, whereby approx. 100,000 artisans/beneficiaries are to be covered under the various scheme components. The geographical distribution of the clusters throughout the country, with at least 10% located in the North Eastern Region (NER), J&K and hilly states, will also be kept in view.

7. **Stand-up India:** it aims to benefit at least 2.5 lakh women and SC/ST entrepreneurs.
8. **Start-up India:** Start-up India Action Plan aimed at providing incentives for the youth to become job creators rather than job seekers.

## Road development: Indirect employment opportunities

### What are National Highways?

- NH in India covers over 126,000 km of length and serves as the life line of Indian economy carrying almost 70% of the country's passenger traffic and 60% of its freight.

### What are the programs and the ministry involved in creating this lifeline of economy?

- The national highway development program (NHDP) started with **golden (north south and east west corridors) quadrilateral**.
- **Bharatmala Pariyojana** was approved by Cabinet committee on economic affairs (CCEA).
- **MoRTH:** It includes:
  - Implementation of schemes for training and upgradation of skills.
  - Recognition of prior learning (RPL) as per Pradhan Mantri Kaushal Vikas Yojana (PMKVY).
  - Scheme to set up model institutes of driving training and research (IDTR) in states /UTs
  - Training unemployed youth for driving heavy commercial vehicles.

### Effects of road development on employment:

## Creating a new job ecosystem

- India is the **third largest start-up ecosystem** in the world with 26000+ new start-ups.
- Increased digitalization and automation open opportunities for developing

- Increase in investment will increase employment opportunities like employing manpower from engineers to consultants, mechanics, technicians and semi-skilled workers.
- It envisages on use of technology such as LiDAR-Light Detection and Ranging, is a remote sensing method that uses light in the form of a pulsed laser to measure ranges (variable distances) to the Earth for more accurate project designing .
- It also creates indirect employment opportunities such as material and equipment suppliers
- It boosts local economies due to better access to urban markets.

### Way forward:

- In the past there was no systematic way to estimate the job potential in the sector.
- Now the Ministry has commissioned studies to assess the job potential from the investments in the NH sector that would help have an action plan in up gradation of human resource in road construction and transportation sector.

countries like India to enter new, fast growing sectors and catch up with more advanced economies. Example: **Robot Lakshmi** in Union bank, Chennai greets

and welcomes the customers making the front desk redundant.

- Indian society, workforce and education systems should adopt to changing global needs and support implementation efforts through **PPP models**.
- The future of jobs in India will be determined by the interplay of three primary forces-Globalization, demographic changes and adoption of **Industry 4.0 exponential technologies** by industries.

#### **Free trade agreement (FTA)**

- Free trade agreements involve cooperation between at least two countries to decrease trade barriers import quotas and tariffs and to increase trade of goods and services with each other.
- FTAs normally cover trade in goods (such as agricultural or industrial products) or trade in services (such as banking, construction, trading etc.)
- FTAs can also cover other areas such as intellectual property rights (IPRs), investment, government procurement and competition policy, etc.

#### **Industry 4.0 exponential technologies**

- Industry 4.0 is the label given to the gradual combination of traditional manufacturing and industrial practices with the increasingly technological world around us. This includes using large-scale Machine to Machine (M2M) and Internet of Things (IoT) deployments to help manufacturers and consumers alike.
- Industry 4.0 must include:
- Interoperability — machines, devices, sensors and people that connect and communicate with one another.
- Information transparency —virtual copy of the physical world through sensor data in order to contextualize information.
- Technical assistance —ability of the systems to support humans in making decisions, solving problems and assist humans with tasks that is too difficult or unsafe for humans.
- Decentralized decision-making — the ability of cyber-physical systems to make simple decisions on their own and become as autonomous as possible.

- The impact of these three primary forces is expected to be disrupt Business process management-IT , Banking, Financial services and Insurance (BFSI) and manufacturing sectors like apparel and leather to which India could more proactively seek to negotiate bilateral Free trade Agreements (FTAs) with UK and Europe to support the exports of these sectors.

#### **PPP Model**

A public-private partnership (P3) is a contractual arrangement between a public agency and a private sector entity, typically of a long term nature.

Through this agreement, the skills and assets of each sector (public and private) are shared in delivering a service or facility for the use of the general public. In addition to the sharing of resources; each party shares in the risks and rewards potential in the delivery of the service and/or facility.

A thing, in the **Internet of Things**, can be a farm animal with a biochip transponder, an automobile with built-in sensors to alert the driver when tire pressure is low or any other natural or man-made object that can be assigned an IP address with the ability to transfer data over a network. IoT has evolved from the convergence of wireless technologies, micro-electromechanical systems (MEMS) and the widespread use of internet.

## Accelerating the pace by Fixing India's 3E's

- India's 3E's of education, employability and employment is crucial in raising our productivity and putting away poverty. India's low productivity and poverty has many reasons but we have a strategy in formalisation, urbanisation, industrialization, financialization, and human capital which are as follows:

### Formalization:

- On the surface it is seen that we have one enterprise for every four non-farm workers but of India's 6.3 crore enterprises, 1.2 crore do not have an office, only 7 million had a tax registration pre GST, only 14 lakh made the mandatory employer social security payments.
- It is required to adopt employer - employee and employer government interface by moving all laws to paperless, presence less and cashless.

### Urbanization:

- The unintended consequence of this low urbanisation is the massive divergence of real and nominal wages in big cities. Solution is in creating jobs not in cities but nearby localities adjoining cities.

## Alternatives to boosting employment

- In order to enable employment generation government has to enable an environment of growth. In order to boost growth government has come up with few alternatives like:
- Easing the compliance costs: for growth, employment and entrepreneurship.
- To address jobless growth: Out of the three sectors, agriculture can't absorb new entrants into labour force, modern manufacturing is not labour intensive, therefore answer lies in addressing growth in service sector.
- Promoting labour intensive growth by addressing compliance cost of legislation, labour shortage and phenomenon of labour contractors who are not registered.

### Why is labour force participation declining?

- Wages offered are not commensurate with expectations.
- No clear fix on voluntary vs. involuntary unemployment.
- Lack of correlation between education and skills.

### Industrialization:

- The migration from farms is retarded by the lack of non-farm jobs and the poor cannot afford to be unemployed and hence they are self-employed. Not everyone can be an entrepreneur, so people are working without wage employment that is why massively increasing formal wage employment and manufacturing employment are important.

### Financialization:

- India's have mostly saved in physical assets like land and real estate this has led to massive mispricing of real estate and a small private bank sector. Demonetisation came as a solution because it had created new lending capacity, new monthly digital transactions, new financial savings, lower interest rates.

### Human capital:

- India needs a radical restructuring of our education and employability regime. Learning is more important than knowing so reading, writing and arithmetic are key foundations of new jobs.

### How has Shram Suvidha portal helped compliance issues?

- Shram Suvidha Portal facilitates businessmen to get all kinds of registrations and submit returns that are required under labour laws at a single online window.
- The objective of Portal is to consolidate information of Labour Inspection and its enforcement leading to transparency and accountability in inspections.
- It promotes the use of a common Labour Identification Number (LIN) by all implementing agencies to do away with all employer codes being issued by separate labour enforcement agencies such as ESIC, EPFO, CLC(C) and DGMS etc.

### How has the initiative of National career service portal helped?

- It is being implemented by Ministry of Labour and Employment (MoLE) for linking employment exchanges and other institutions using technology.
- It aims to provide a variety of employment related services like job postings, career counselling, vocational guidance, skill

courses, apprenticeship, etc. accessible to both employers as well as job seekers.

## Employment avenues for differently abled

### The Rights of Persons with Disabilities Bill - 2016

- The Bill replaces the existing Persons with disabilities Act, 1995, as it defines a person with disability as someone who has 40 % or more of any of the 7 enumerated disabilities — blindness, low vision, hearing impairment, locomotor disability, mental illness, mental retardation and leprosy that stems from a medical model of disability and is highly problematic.

#### What does the new act replace?

- The New Act will bring the law in line with the United National Convention on the Rights of Persons with Disabilities (UNCRPD), to which India is a signatory.
- The new law enhances the Rights, Entitlements, empowerment and true inclusion of **Divyangjan** into the Society in a satisfactory manner.
- The list has been expanded from 7 to 21 disability conditions.
- The nomenclature mental retardation is replaced by intellectual disability.
- **Note:** In Mann Ki Baat radio program, on 27 December 2015, the Indian Prime Minister said that **instead of viklang, a new word divyang should be used** to refer to persons with disabilities. Divyang is a Hindi word meaning the one with a divine body. The word viklang is Hindi for someone with non-functional body parts.

#### Provisions under the Act

- The new act has increased the job reservation from 3 to 4% for people with disabilities.
- The government has made 10 year Upper limit for the post of C and D for PwDs. They are also exempted from payment of application fees.
- Provides posting to these persons nearest to their native places within the region.

- These persons should not be denied promotion in their employment if they are able to discharge their duties satisfactorily.
- Transport allowance at double the normal rate for employees with hearing impairment.
- Special employment exchanges and special employment cell in all state capitals.
- In the private sector government pays the employers contribution of the disabled employees' provident fund with a minimum salary of 25000 per month.
- Government pays the employers contribution of the PwDs Employees' Provident Fund (EPF) up to 3years.
- Scheme of national awards for the empowerment of PwDs to recognize their effort.
- Ministry of petroleum and natural gas has reserved 7.5 % of all types of dealership agencies of public sector oil companies for PwDs (It doesn't include defense personnel injured while on service.)
- The National Handicapped Finance and Development Corporation (NHFD) is the apex institution for channelizing the funds through state channelizing agencies.
- The schemes include loans for setting up small business in service, industrial units, higher studies, professional training, agricultural activities and self-employment for persons with mental retardation, cerebral palsy and autism.
- RBI has circulated that priority loan sector for weaker section, special allowance to child cares to women with disabilities.
- Skill council for PwD is promoted by confederation of Indian industry under Ministry of Skill Development and Entrepreneurship (MoSDE) and Ministry of Social Justice and Empowerment (MoSJE).
- **Prerna** is the marketing assistance scheme with an objective to create viable and widespread channels for sale of products and services produced by PwDs which is covered under National trust act.

### The Big Picture: GDP Drivers

#### Introduction:

- India's economy grew at 8.2 per cent in the April-June quarter of 2018-19 on strong performance of manufacturing and agriculture sectors, increasing its lead over China to remain the world's fastest growing major economy.
- The Gross Domestic Product (GDP) at constant prices had grown at 5.6 per cent in the April-June quarter of last fiscal, according to government data released Friday. The previous high quarterly GDP growth was recorded in January-March of 2015-16 at 9.3 per cent.
- The Chinese economy had expanded at the rate of 6.7 per cent in the April-June period this year.
- India's Gross Value Added (GVA) for the quarter under consideration has been estimated at 8 per cent, up from 5.6 per cent in the year-ago period.
- The CSO said that manufacturing activities expand at the rate of 13.5 per cent in the quarter under review. The sector had witnessed a decline of 1.8 per cent in similar period last year.

#### Areas of Concern:

- Uptake in investments has not been maintained over the previous quarters.

### The Big Picture-PIL in Scrutiny

#### Why in news?

- The Supreme Court of India on 10th September stated that Public Interest litigations are there for people who cannot afford to approach the courts and dismissed a PIL filed by former Navy Chief Admiral Ramdas.
- According to media reports, Justice Ranjan Gogoi, who is slated to be the next Chief Justice of India, stated during the hearing that the Supreme Court is there to address everyone's fears, but **PILs are for the poor.**
- Justice Gogoi was a part of the three-member bench including Justice Navin Sinha and Justice KM Joseph, which was hearing a PIL filed by former navy chief Admiral Ramdas.

- Though the overall economy has seen a broad-based growth with agriculture growing more than 5% and manufacturing almost by 13.5% shows the end of GST problem.
- The focus needs to be employment intensive sectors and MSME to ensure continued growth.
- Government has done massive spending on agriculture and utilities but the growth in private investment has not revived.
- And the India's present growth has been led by private consumption and not by private investment.
- The external sector is posing challenge to the Indian economy in the form of Protectionist attitude, oil prices and inflation.

#### Way forward:

- NPA problem has to be resolved to revive the private investment and boost the investor confidence.
- The Fiscal deficit has to be taken care of by rationalising the subsidy.
- Since the government has invested so much on rural infrastructure promoting food processing industry will lead the economy to a stable path.

- The bench reportedly dismissed the PIL stating that it was a case for the vigilance commissioner.

#### What is PIL?

- **Public Interest Litigation** is directly filed by an individual or group of people in the Supreme Court of India and High Courts of India and judicial magistrate.
- It was felt that their interests are undermined by the government. In such a situation, the court directly accepts the public good.
- It is a new legal horizon in which court of law can initiate and enforce action to serve and secure significant Public Interest.

#### History of PIL:

- In 1981 Justice P. N. Bhagwati in *S. P. Gupta v. Union of India*, firmly established the Validity of the Public interest litigation as follows, "where a legal wrong or a legal

injury is caused to a person or to a determinate Class of persons by reason of violation of constitutional or legal right of any burden is imposed and such person or economically disadvantaged position unable to approach the Court for relief, any member of public Can maintain an application for an appropriate direction, order or writ in the. Courts to seek judicial redress, since then, through its various rulings, the Supreme Court have evolved rules related to the IPL.

- Through the concept of PIL, the traditional rule of “locus Standi” that a person, whose right is infringed alone, can file a petition; has been considerably relaxed by the Supreme Court. Now, the Court permits Public interest litigation at the instance of the so Called “public spirited citizens” for the enforcement of Constitutional and Legal rights.

#### Instances where PIL is filed:

- Now, any Public spirited citizen or organization can move the court for the public cause by filling a petition:
- In the Supreme Court under Article 32 of the Constitution of India.
- In the High Court under Article 226 of the Indian Constitution.
- In the Court of Magistrate under Section 133 of the Code of Criminal Procedure.
- The Supreme Court has also acted on the basis of letters received from aggrieved persons, journalists, lawyers and Social workers and even on the basis of newspaper reports.
- There is no concrete procedure or cases in manner in which PIL has to be filed.



## The Big Picture: V-P's 3-Nation Europe Visit

### Why in news?

- Vice President Venkaiah Naidu has embarked on a three-nation tour to **Serbia, Malta and Romania** from September 14 to

### Positive Aspects of PIL:

- PIL has succeeded in its original purpose of reaching the helpless. Judiciary has taken up number Social issues through PIL.
- Under PIL, the rights of under trials held under illegal detention have been restored.
- The Supreme Court has also taken up steps to free bonded labourers, and issues of tribals, slum dwellers, women in rescue homes, Children in juvenile homes, Child labour etc.
- In Case of environmental pollution and ecological destruction, the Supreme Court has ordered closure of a few factories, banned mining, road Construction, etc.
- It is said that the PIL, has democratized the Judiciary.
- Through the PIL, the Supreme Court has Vastly expanded the Scope of the Fundamental Rights, Such as article 21, article 14 etc.

### Criticism of PIL:

- PIL has often be accused of being a violation of “separation of powers” and “judicial activism” and “judicial overreach”.
- Sometimes it has been misused for gaining publicity and distracting the government policies instead of helping the disadvantaged.
- Since there is no standard procedure and regulations frivolous cases has been filed.

### Conclusion:

- Though PIL has few disadvantages it has so far has played a commendable role in ensuring justice.
- Public Interest Litigation is effectively serving one of the Purposes of law as an instrument of Social Change. It has been used as a strategy to Combat the atrocities prevailing in Society.
- The innovation of this legitimate instrument proved beneficial for the developing country like India.

21 to boost ties with the Central European countries.

- During his visit, VP will hold talks with Serbian President, speaker of the national

assembly and the prime minister of that country.

- Malta, a country in the Mediterranean, lies on the crossroads of North Africa and Europe and is also a trans-shipment hub. During the visit, Naidu will visit Maltese President the speaker of the House of the Representatives and the acting prime minister of that country
- Finally, VP will visit Romania. The visit coincides with the 70th year of Indo-Romanian ties and the centenary year of Romania. During the visit, The Vice President will meet Romanian President, the president of Romanian Senate and the prime minister.

#### Significance of visit to Serbia:

- **About Serbia:** Serbia officially the Republic of Serbia, is a sovereign state situated at the crossroads of Central and Southeast Europe in the southern Pannonian Plain and the central Balkans.
- It borders Hungary to the north; Romania and Bulgaria to the east; Macedonia to the south; Croatia, Bosnia and Herzegovina, Montenegro to the west and claims a border with Albania through the disputed territory of Kosovo.
- Capital: Belgrade.



- Talking about his visit to Serbia, the Vice President said the main objective of his visit is to expand the political, economic and cultural relations between the two countries.
- He also asserted that there is a huge scope of enhancing bilateral economic cooperation.
- He also urged the Indian business community along with the Serbian business community to take advantage of the opportunities in both the countries to boost the bilateral trade and investment.

- The Vice President said that Serbia has consistently supported India in multilateral fora including India's permanent membership of the United Nations Security Council and membership of the Nuclear Suppliers Group (NSG).
- He also praised the Serbian leadership for their solidarity with India in the fight against terrorism.
- There is a wide scope of cultural relations and India now started focussing on smaller European countries to spread its presence and diversify its relation.

#### Significance of visit to Malta:

- About Malta: Malta is a Southern European island country consisting of an archipelago in the Mediterranean Sea.
- Capital: Valletta



- Though India established diplomatic ties with Malta in 1965, it established a permanent High Commission only last year.
- Malta extended cooperation to India's evacuation operation from war-torn Libya in 2011 and again in 2014.
- The Mediterranean Sea archipelago nation is considered a transshipment hub as it is at the crossroads of North Africa and Europe.
- India-Malta bilateral trade stands at around \$210 million and Indian IT companies and pharmaceutical companies have good opportunities there.
- These small European countries have niche technology which India can adopt.
- Tourism and education are the potential areas for India-Malta cooperation.

#### Significance of visit to Romania:

- **About Romania:** Romania is a sovereign state located at the crossroads of Central, Eastern, and South-eastern Europe.
- It borders the Black Sea to south-east, Bulgaria to the south, Ukraine to the north,

Hungary to the west, Serbia to south-west, and Moldova to the east.

- Capital: Bucharest



- The third and last leg of VP tour is to Romania, coinciding with the 70th anniversary of diplomatic ties between the two and the centenary year of that country's formation.
- India has bilateral trade worth around \$810 million with Romania, which is rich in

natural resources like bauxite, aluminium, oil and gas.

- Malta and Romania are members of the European Union (EU) and facilitate India's access to the European market.
- While Serbia's annual growth rate is over 3 per cent, the growth rates of both Malta and Romania are over 5 per cent.

#### Way Forward:

- The present Government has taken a commendable step by focussing on these countries as India wants to be a global player diversifying its relation with many countries is of prime importance.
- China always has been successful in its foreign relations because of this individual attention only India must follow this path.
- India has strong traditional and historical linkages with all the three countries and its right time to establish it firmly.

## The Big Picture: Harmful Drugs Banned

### Why in news?

- The health ministry has banned the manufacture, sale and distribution of popular drugs Saridon, Panderm, Gluconorm PG, Taxim TZ and 324 other fixed dose combinations (FDCs) of drugs with immediate effect.
- Besides, it has also restricted the manufacture, sale or distribution of six FDCs subject to certain conditions.
- FDCs are two or more drugs combined in a fixed ratio into a single dosage form. The ban will bring an end to a long legal battle between the ministry and the drug manufacturers.
- The battle, which has been ongoing since 2016, called for these 'unsafe' drugs to be banned. Around 6,000 drug brands are expected to be affected by this ban.

### What are FDC drugs and why has the Govt. decided to ban them?

- Fixed-dose combination (FDC) medicines, which are a cocktail of two or more active drugs packed in a single dose, are in the spotlight currently due to government's ban on them.
- They are so popular among the customer is the low cost. Pharma companies, meanwhile, love them because it is far cheaper and quicker to combine existing active ingredients to make new products

than to discover new medicines and manufacture them separately.

- The Indian market was flooded with FDCs was because pharma companies preferred them to circumvent price control.

### Why has the government banned them?

- The health ministry took this decision after the Drugs Technical Advisory Board recommended that "there is no therapeutic justification" for the ingredients contained in the banned FDC drugs and that these medicines "may involve risk to human beings".
- Health experts have long maintained that many FDC combinations in the market neither boast any advantage over individual drugs nor are safe. Simple logic dictates that chances of adverse drug effects and drug interactions can go up if medicines are combined instead of being taken separately.
- Apart from the fact that some of the drugs reportedly boast dangerous side-effects, unnecessary use of combination drugs makes the human body resistant to treatment.

### Way forward:

- The impact on the pharmaceuticals is expected to be negligible since the FDCs in question are less than 2% of the price.

- The quality of the generics has to be maintained, the people has to be made aware of the health hazards and the validity

## The Big Picture: Internet Addiction

### Introduction:

- The internet is a global network connecting millions of computers. It has revolutionized communication and methods of commerce and is considered a boon to all.
- Though the internet has brought many positives to our lives, the ill effects of addiction to internet and digital technology are now becoming a cause of concern. As compared to 5 million in 2000, there were about 462 million internet users in June 2017 in India, and this number is further expected to reach 700 million by 2020.
- India's monthly wireless data usage also rose to 1.3 billion GB in March 2017 from 200 million GB in June 2016. In this scenario the youth, specially students and working professionals, are most susceptible to developing internet or mobile phone addiction because they are generally the heaviest users of information and technology. Several studies have also revealed the problem of internet addiction.

### Negative aspects of Internet addiction:

- Behavioural addiction-People want to escape the reality and make use of internet to make them feel better.
- Many unwanted games and challenges become viral like Kiki challenge, Blue whale games costing the life of people.

## The Big Picture: HIV AIDS Act, 2017

### Introduction:

- The crucial legislation for ensuring equal rights to persons affected by HIV and AIDS in getting treatment, admission in educational institutions and jobs has come into force.
- The Ministry of Health has announced implementation of the Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) Act through a gazette notification issued on Monday.
- The Act, which received Presidential assent on April 20 last year, **prohibits discrimination against such persons in accessing healthcare, getting jobs,**

of medical prescription has to be enforced to ensure the effective implementation of the ban.

- Usage of social media sites like Facebook, Instagram and Twitter causes Pomophobia (which is the fear of missing out of social life and fun).
- People usually post only happy things about life and hence comparing oneself with everyone happens almost every day.
- The increased internet and mobile ad targets consumer and causes stress.
- Creates a false sense of being popular and hence small failures in real life is not accepted.

### Way forward:

- While there is increased pop up of advertisement and negative news positive and social awareness is not promoted by Internet giants. E.g.: When a person searches regarding suicide hundreds of page on how to suicide the search engine can instead make a pop up message to be flashed before the search is displayed.
- Community can help children and youngsters to come out of the addiction. Parents needs to spend a quality time with the children and in countries like US and Japan 20% offer is provided in restaurants if people do not use the smartphone.
- Internet addiction is the booming danger in the present era which needs urgent Government and social intervention to save our humanity

**renting accommodation, and in admission to public and private educational institutions.**

- The move comes after the Delhi High Court asked the Centre why it has not yet notified the law to prevent discrimination against HIV and AIDS patients despite the statute receiving Presidential assent in April last year.

### What is the aim of the bill?

- The Bill seeks to prevent and control the spread of HIV and AIDS, prohibits discrimination against persons with HIV and AIDS.
- It provides for informed consent and confidentiality with regard to their

treatment, places obligations on establishments to safeguard their rights, and creates mechanisms for redressing their complaints.

### What are the provisions of the bill?

- Prohibition of discrimination against HIV positive persons: The Bill lists the various grounds on which discrimination against HIV positive persons and those living with them is prohibited.
- These include the denial, termination, discontinuation or unfair treatment with regard to: employment, educational establishments, health care services, residing or renting property, standing for public or private office, and provision of insurance.
- The requirement for HIV testing as a pre-requisite for obtaining employment or accessing health care or education is also prohibited.
- Every HIV infected or affected person below the age of 18 years has the right to reside in a shared household and enjoy the facilities of the household.
- It also prohibits any individual from publishing information or advocating feelings of hatred against HIV positive persons and those living with them.
- Informed consent and disclosure of HIV status: The Bill requires that no HIV test, medical treatment, or research will be conducted on a person without his informed consent.
- No person shall be compelled to disclose his HIV status except with his informed consent, and if required by a court order.
- Informed consent for an HIV test will not be required in case of screening by any licensed blood bank, a court order, medical research, and epidemiological purposes where the HIV test is anonymous and not meant to determine the HIV status of a person.
- Establishments keeping records of information of HIV positive persons shall adopt data protection measures.
- Role of the central and state governments: The central and state governments shall take measures to:
  1. prevent the spread of HIV or AIDS,
  2. provide anti-retroviral therapy and infection management for persons with HIV or AIDS,
  3. facilitate their access to welfare schemes especially for women and children,
  4. formulate HIV or AIDS education communication programmes that are age appropriate, gender sensitive, and non-stigmatizing, and
  5. lay guidelines for the care and treatment of children with HIV or AIDS.
- Every person in the care and custody of the state shall have right to HIV prevention, testing, treatment and counselling services.
- **Role of the Ombudsman:** An ombudsman shall be appointed by each state government to inquire into complaints related to the violation of the Act and the provision of health care services.
- The Ombudsman shall submit a report to the state government every six months stating the number and nature of complaints received, the actions taken and orders passed.
- **Guardianship:** A person between the age of 12 to 18 years who has sufficient maturity in understanding and managing the affairs of his HIV or AIDS affected family shall be competent to act as a guardian of another sibling below 18 years of age.
- The guardianship will be applicable in matters relating to admission to educational establishments, operating bank accounts, managing property, care and treatment, amongst others.
- **Court proceedings:** Cases relating to HIV positive persons shall be disposed-off by the court on a priority basis.
- In any legal proceeding, if an HIV infected or affected person is a party, the court may pass orders that the proceedings be conducted (a) by suppressing the identity of the person, (b) in camera, and (c) to restrain any person from publishing information that discloses the identity of the applicant.
- When passing any order with regard to a maintenance application filed by an HIV infected or affected person, the court shall take into account the medical expenses incurred by the applicant.

### Analysis of the bill:

- The Act, which received Presidential assent on April 20 last year, prohibits discrimination against such persons in:
  1. Accessing healthcare
  2. Getting jobs
  3. Renting accommodation

4. Admission in educational institutions, whether private or public
  - Though the law is well intended the challenge lies in its implementation. It was very difficult for the transgenders to get treatment until the section 377 was decriminalised.
  - There has to be one ombudsman in one city with huge population in many North East states affected with HIV the single authority may not be able to quickly process the complaints against Human rights violation.
  - It is obligatory for the Central and State governments to provide for anti-retroviral therapy (ART) and arrange for the management of risk reduction of vulnerable populations. But only 9 lakh out of the 29 lakh population gets ART.
  - .

- Similarly the Bill does not elucidate on the legal dissonance between its provisions of non-discrimination and other acts and case-law that discriminate against sex-workers, homosexuals and transgenders.

#### Way Forward:

- The recently passed HIV-Aids bill aims to empower the rights of HIV affected people and provides the enhanced health care access. Though bill provides the solid base to safeguard the HIV community from any form of discrimination, but it has failed to grant the right to treatment with justifiable provision. In this background the central government should consult with all stake holders and draft necessary guidelines in this regard

## The Big Picture: No talks with Pakistan

### Introduction:

- India called off a meeting between External Affairs Minister Sushma Swaraj with her Pakistani counterpart Shah Mehmood Qureshi in New York, the Ministry of External Affairs said on Friday.
- India on Thursday accepted Pakistan's proposal for talks between the Foreign Ministers on the side-lines of the ongoing annual U.N. General Assembly session in New York.
- A press release from the MEA said, "Since yesterday's announcement of a meeting between the Foreign Ministers of India and Pakistan in New York later this month, two deeply disturbing developments have taken place.
- The latest brutal killings of our security personnel by Pakistan-based entities and the recent release of a series of 20 postage stamps by Pakistan glorifying a terrorist and terrorism confirm that Pakistan will not mend its ways."

### Pakistan PM letter to India:

- In a letter dated September 14, Pakistan's new prime minister proposed a meeting between foreign ministers Sushma Swaraj and Makhdoom Shah Mahmood Qureshi "before the informal meeting of the SAARC Foreign Ministers at the side lines of the upcoming UN General Assembly in New York".

- India and Pakistan have "an undeniably challenging relationship" but owe it to their citizens to solve their issues peacefully, Imran Khan told Prime Minister Narendra Modi last week.
- "They can explore the way forward, especially the holding of the SAARC Council of Ministers followed by the SAARC Summit in Islamabad. The summit will offer an opportunity for you to visit Pakistan and for us to re-start the stalled dialogue process."
- Khan said Pakistan remained ready to discuss terrorism, and that "discussions on trade, people-to-people contacts, religious tourism [and] humanitarian issues are also important"

### Is India's reaction right??

- India responded positively accepting the invitation but the latest events made India to cancel the meeting.
- India has time and again emphasised its zero tolerance towards terrorism. Unless and until Pakistan stops its glorification of terrorism India should not hold talks with Pakistan.
- World pressure and US pressure on Pakistan will only increase if Pakistan is isolated for its action of promoting terrorism.
- The SAARC summit to be held in Islamabad will also be not be likely attended by India

until Pakistan takes firm action towards terrorism.

#### Way Forward:

- Though diplomacy to reduce the tensions between India and Pakistan can go on, the formal talks has to be held only after terrorism stops.

## The Big Picture: National Database of Sexual Offenders

### Introduction:

- In a first-of-its-kind, India released the National Database of Sexual Offenders (NDSO) today.
- The registry has key details like names, photographs, residential address, fingerprints, DNA samples, and PAN and Aadhaar numbers, of convicted sexual offenders.
- The database, which will be maintained by the National Crime Records Bureau, will also contain over 4.5 lakh cases.
- The cases have profiles of first-time and repeat offenders. Before India, UK, US, Australia, Canada, Ireland, New Zealand, South Africa and Trinidad & Tobago have maintained the data record.
- However, in the US, documents can be accessed by public. But in India, the details will be available only to law enforcement agencies and not to the public.
- The decision to set up the database was taken in April this year following nationwide outrage over cases of sexual assault on minors.

### Positive Aspects of having such a database:

- India, became the ninth country in the world to have a National Registry for Sex Offenders.
- The database will include offenders convicted under charges of rape, gang rape, POCSO and eve teasing.
- The data will stay stored for 15 years in case of those identified as 'low danger', 25 years for those posing 'moderate danger' and a lifetime for habitual offenders, violent criminals, and convicts in gangrape and custodial rapes.
- The database is a great move in acting as a deterrent to the sexual offenders as once

- What we need is a multipronged strategy by involving people and achieves their trust.
- Pakistan terrorist support needs to stop if it wants a proper peace dialogue with India.

they are convicted whenever there is police verification for jobs they will be highlighted and the family reputation is involved hence it is a better deterrent than capital punishments.

- The law enforcement agencies will be better informed with such a database.

### Concerns associated with the database:

- Implementation is the key as the database is not going to be public it is up to the law enforcement agency to use it effectively.
- And once updated in the database there are concerns about the juvenile as they may reform their character after being put under juvenile homes.
- Though the CCTNS (Crime and Criminal Tracking Network and Systems) already has a record of the arrested, charge sheeted and the final convict which has connected all the 29 states and union territories the move seems to be like the one with a new name.
- The conviction rate has been falling drastically even though the recorded sexual offenders number stands at 4 lakh which shows the poor implementation of law.
- The Verma Committee had recommended police patrolling and increased security which has not been implemented.

### Conclusion:

- Though there is a cause of concern regarding the implementation the move to create a database is a drastic step and the concerns of misuse is irrelevant because only the offenders name is being recorded in the database and not the accused. As a nation it is the duty of the government to make the country secure for its women.

## The Big Picture - Pending Cases: Way Forward

### Introduction:

- According to the National Judicial Data Grid, as on, September 17 evening around

23 lakh cases, which are over a decade old, are pending in various subordinate courts of the country.

- These cases constitute 8.29 per cent of the total nearly 2.50 crore cases pending in the lower courts. Of these, nearly 6 lakh cases are civil in nature and nearly 17 lakh are criminal in nature.
- Civil cases usually involve private disputes between persons or organisations. Criminal cases involve an action that is considered to be harmful to society as a whole.
- The National Judicial Data Grid is a part of the on-going e-Courts Integrated Mission Mode Project. The NJDG works as a monitoring tool to identify manage and reduce pendency of cases.
- The e-Committee of the Supreme Court had launched the National Judicial Data Grid to provide data on cases pending in the district courts across the country.

#### Reasons for pendency of cases:

- **Corruption:** There is huge corruption in appointment especially at lower judiciary.
- **Lack of transparency:** there is lack of transparency and objective appointment process.
- Culture of litigation and lack of penetration of alternative dispute redressal mechanism such as arbitration, mediation etc.
- **Frequent transfer of judges:** Huge transfer of judges takes the interest out of them to hear the cases that their successor may give judgment to, after the transfer.
- Poor dispute resolution mechanism.
- Filing of the frequent government litigation keeps the courts busy instead of serving justice to the people speedily.
- Appeals against orders of quasi-judicial forums going to high courts
- Frequent adjournments and indiscriminate use of writ jurisdiction.
- Rarely ad-hoc judges are appointed and the working time of the benches is very less.
- Since the cost of the filing cases in India is very less, there are frivolous cases being filed.

#### Implications of pendency:

- Justice delayed is justice denied-Right to justice, which is a fundamental right, would stand denied to litigants due to the unduly long delay in the disposal of case
- Due to the backlog, most of India's prison populations are detainees awaiting trial.
- India's ease of doing business is mainly affected because of the delay in expediency of cases.
- This shows the discrimination already faced by India's minority and low-caste groups.
- There are hundreds of thousands of innocent poor people in Indian jails and the cases against them constitute the backlog for the courts

#### Way ahead:

- Increase the number of judges, as per the international standards.
- Enhancing the productivity of existing court infrastructure and human resources.
- Productivity enhancement for handling cases more efficiently, that is, case flow management (CFM).
- Mechanism of accountability of judges.
- Well-trained and specialized should be placed mainly in subordinate and district court, from where huge appeals pops up. All India Judicial commission could be a solution.
- Increase and strengthen alternative dispute mechanisms like fast track courts, mobile courts, commercial courts
- Usage of IT tools should be promoted; well-integrated database across the judicial system reduces the time involved.
- A specialised research team can be provided to the judges to enquire the cases in a qualitative way.
- Spare the judges of administrative work.
- Strengthen trial courts; separate court for appeals and the prevention of entertaining cases of non-constitutional importance can be other steps adopted.
- Better case management and procedural reforms can go a long way in reducing case pendency.

# All India Radio

## Money talk: India's GDP growth

### Introduction:

- India achieved 8.2% growth in the present quarter. However, though the experts look like big achievement says that what we have achieved is normal growth.

### What the current statistics reflect?

- We can observe that there is a lack of private investment though the corporate investments are high, the investments from the small scale and the household sector has been falling.
- India's phase of urbanisation is much lesser than the other countries like China.

- Bond market which invests on long term infrastructure project has not yet been fully developed in India.
- Though Insolvency and Bankruptcy Code are all steps in right direction much more needs to be done in banking reforms.

### What needs to be done?

- Focus should be on improving the bond market and the long term investments.
- MSME which is the prime creator of job needs to be given special focus.
- Government needs to take steps to increase investor confidence to gain more private investment.

## New Analysis: Development Schemes in Rural India

### Introduction:

- The government has taken various initiatives for the development of Rural India.

### Some of the important schemes:

#### Pradhan Mantri Awas Yojana:

- a) The aim of this scheme is to construct more than two crore houses across the length and breadth of the nation. The target beneficiaries of the scheme would be poor and people living under EWS and LIG categories in urban establishments of the country.
- b) It also targets people living under MIG (middle income Group). Government will provide subsidy ranging between 1 lakh to 2.30 lakh to people from above categories in order to make them secure.
- c) The government would provide an interest subsidy of 6.5% on housing loans availed by the beneficiaries for a period of 15 years from the start of loan.
- d) The houses under Pradhan Mantri Awas Yojana would be allotted to preferably the female member of the family. All details of "Housing for All by 2022" Mission are also applicable here.
- e) It covers the entire urban area consisting of 4041 statutory towns with initial focus on 500 Class I cities. It also targets people living under MIG (middle income Group)
- f) The scheme works based on the socio-economic caste census identifying the beneficiary and the list is finalised by the gram sabha.

#### Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA)

- a) It is Right based, demand driven scheme & promises 100 days of employment every year to each rural household.
- b) The Act stipulates that wage payment be made within 15 days of work completion. It stipulates for one third participation of women. Through MGNREGA we have ensured livelihood and sustainable livelihood for the poor.
- c) We have made financial inclusion and Geotagging has brought transparency in MGNREGA.

#### Pradhan Mantri Gram Sadak Yojana (PMGSY)

- Ministry/Department : Ministry of Rural Development
- Objective: To provide all-weather road connectivity to all eligible unconnected habitations. It is a Centrally Sponsored Scheme.
- The programme envisages connecting all eligible unconnected habitations with :
  - A population of 500 persons and above in plain areas
  - 250 persons and above in Hill States, Tribal (Schedule-V) areas, the Desert Areas (as identified in Desert Development Programme) and 82 Selected Tribal and Backward Districts under Integrated Action Plan (IAP) as identified by the Ministry of Home Affairs/Planning Commission.

- The programme also has an Upgradation component in order to ensure full farm to market connectivity.
- The Rural Roads is one of the six components of Bharat Nirman
- World Bank has supported PMGSY since its inception.
- For this scheme, 75 paise per litre has been earmarked out of cess levied on high speed diesel.
- It considers habitation as unit for providing connectivity and not a revenue village.
- The scheme encourages use of “Green Technologies” and non-conventional

materials (like waste plastic, geo-textiles, fly-ash, iron and copper slag etc.) for constructing rural roads.

- Funding pattern: In ratio of 60:40 between Centre and State for all States except for 8 North Eastern and 3 Himalayan States (Himachal Pradesh, Uttarakhand and Jammu & Kashmir) for which it is 90:10.

### Conclusion

- These are some of the schemes that the government has taken towards rural development.

## New Analysis: Interview with UIDAI CEO

### Introduction:

- Aadhaar is secure and nothing can impact the security of Aadhaar database, said Unique Identification Authority of India (UIDAI) in a series of tweets posted on its official handle-uidai.gov.in.
- According to UIDAI, the entire Aadhaar system is secure. This clarification came after rumours were surfaced on social media that Aadhaar PDF has been available on Google search.
- Aadhaar number is a 12-digit random number issued by UIDAI to the residents of India after satisfying the verification process, mentioned UIDAI on its official website-uidai.gov.in.

### How secure is Aadhaar?

- UIDAI has advised people not to get carried away or confused with some news appearing in social and other media on Aadhaar pdf being available on Google search on Mera Aadhaar, Meri Pehchan, said UIDAI on its twitter handle without referring to any publication.
- UIDAI further said that such news are intended to spread misinformation on India's robust identity system - Aadhaar and are intentional and irresponsible acts of some unscrupulous elements.
- These are far from the reality and have got nothing to do with the security of Aadhaar and its database. As none of the Aadhaar cards shown are taken from UIDAI database, said UIDAI.
- People share their personal information including Aadhaar on internet to some or other service provider or vendor to get the services and when they put their details on internet they should take due precautions

as required in any digital activities, tweeted UIDAI.

- Publications or posting of Aadhaar cards by some unscrupulous people have absolutely no bearing on UIDAI and not the least on Aadhaar security. Aadhaar as an identity document by its very nature needs to be shared openly with others as and when required and asked for, posted UIDAI.
- Aadhaar just like any other id, therefore, is never to be treated as a confidential document. By simply knowing someone's Aadhaar, no one can impersonate and harm him because Aadhaar alone is not sufficient, it requires biometrics to authenticate one's Identity, said UIDAI.
- Although Aadhaar has to be shared with others, it being personal information like mobile number, bank account number, PAN card, passport, family details, etc., should be ordinarily protected to ensure privacy of the person, noted UIDAI.
- If anybody unauthorised publishes someone's personal information such as Aadhaar card, mobile number, bank account, photograph, etc., he can be sued for civil damages by the person whose privacy right is infringed, mentioned UIDAI.
- However, in no way such publication threatens or impacts security of Aadhaar and its database. Aadhaar remains safe and secure and there has not been a single breach from its biometric database during that last eight years of its existence, posted UIDAI.
- Aadhaar is the most trusted and widely held ID that one shows/presents whenever

needed. People should freely use it to prove their identity, tweeted UIDAI.

#### Conclusion:

- SC in its recent judgement upheld the validity of Aadhar and its potential of being

## News Analysis: Declining Inflation

### Introduction:

- The CPI inflation has declined to 3.69% from the 4.1%. The core inflation has also declined from 6.25% to 5.87%, well within the inflationary target.

### What does the trend indicate?

- Though the inflation numbers are much lesser than the inflationary target of MPC i.e., 4+/-2% there are certain causes of concern which is likely to cause increased inflation in the near future:
  - a) The depreciation of rupee will likely to have adverse impact on the inflation numbers in the near future.
  - b) The increasing fuel prices have multiplier effect on currency value, food prices,

a unique identity to the citizen and called it as a reasonable restriction to the Right to privacy.

transport cost and manufacturing industry as well.

- c) The increased MSP, 7<sup>th</sup> pay commission and housing allowance are likely to push inflation upwards.
- d) Credit growth is not very high which affects the manufacturing sector and exports.
- e) This year is an election year which is likely to see more spending on welfare schemes which is also likely to push inflation.

### Way ahead:

- To fight the chaos of increased inflation Government of India and RBI needs to make a strategy with increased interest rate and promoting small scale industry that are labour intensive to put economy on track.

## News Analysis: 1<sup>st</sup> Global Mobility Summit

### Introduction:

- Prime Minister Narendra Modi inaugurated MOVE: India's ever first Global Mobility Summit organized by NITI Aayog at Vigyan Bhawan in the capital on 7th and 8th September.
- The focus of the summit is on raising awareness about various aspects of Mobility and bringing various stakeholders involved in enhancing mobility across different platforms.
- Representative from various Intergovernmental Organizations, Academia, and Policy Think tanks from India and abroad, Global leaders from across the mobility sector such as OEMs, Battery Manufacturers, Charging Infrastructure Providers, technology Solution Providers shared their views on enhancing mobility during the summit.

### Six themes of the Summit:

- The Summit was organised along key 'tracks' to anchor debate and deliberations on towards preparing a collective mobility agenda. These tracks or themes are:
  - a) Asset Utilization and Services
  - b) Comprehensive Electrification
  - c) Alternative Energy
  - d) Reinventing Public Transit

- e) Logistics and Goods Transport
- f) Data Analytics and Mobility

### Prime Minister's 7 C's on mobility:

1. Common mobility- Public transport must be cornerstone of mobility.
2. Connected mobility- Integration of geography and modes of transport.
3. Convenient mobility- Safe, affordable and accessible mobility for all.
4. Congestion free mobility-Economic has and environment cost.
5. Charged mobility- Electric Vehicle manufacturing has to be focussed.
6. Clean mobility- Clean energy like biofuels has to be developed.
7. Cutting edge mobility- Environment friendly cost-effective technology has to be developed.

### Transforming Mobility:

- The following steps are to be followed transform mobility to achieve the PM 7 C objectives.
  - a) Connected Bharath-Developing Infrastructure to connect all types of connectivity.
  - b) Optimise travel- Making public transport easily accessible.
  - c) Promote seamless cooperation-Promoting awareness on public transport and benefit.

- d) Adopt a greener mode and technology-  
Use CNG, LPG as alternate fuels.

**How India can move ahead in mobility:**

- Our strength is in IT, Big data, Digital payment and internet based shared economy.
- Aadhar has to create a public interface and Renewable energy has to be fully realised.
- India can save up to 64% mobility-based energy demand.
- Measures to have sustainable mobility:
  - a) Integrated land use.

- b) Policy based optimisation of travel.
- c) Intelligent transport system.
- d) Timing, zoning & optimal utilisation of roads.
- e) Focus on multi modal transport.
- f) Making public transport attractive to the urban people.

**Conclusion:**

- With increased pollution and climate change issues India needs to adopt sustainable transportation to achieve sustainable development.