



7 PM COMPILATION

1st- 30th March, 2020

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- ❖ Comprehensive coverage of a given current topic
- ❖ Provide you all the information you need to frame a good answer
- ❖ Critical analysis, comparative analysis, legal/constitutional provisions, current issues and challenges and best practices around the world
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Whither tribunal independence?

Source: <https://www.thehindu.com/opinion/lead/whither-tribunal-independence/article30957940.ece>

Context: Tribunal, Appellate Tribunal, and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2020 notified after SC verdict in November 2019 and issues related to it.

More in news:

- The Supreme Court in November 2019 passed a significant judgment on the functioning of Tribunals in the Country.
- The Ministry of Finance in February 2020 has notified a new set of rules called the Tribunal, Appellate Tribunal, and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2020.

Tribunals in India:

- Tribunals were added in the Constitution by Constitution (Forty-second Amendment) Act, 1976 as Part XIV-A, which has only two articles viz. 323-A and 323-B.
 - Article 323-A deals with Administrative Tribunals.
 - Article 323-B deals with tribunals for other matters.
- Tribunal is a quasi-judicial institution that is set up to deal with problems such as resolving administrative or tax-related disputes. It performs a number of functions like adjudicating disputes, determining rights between contesting parties, making an administrative decision, reviewing an existing administrative decision and so forth.
- The Administrative Tribunals Act, 1985 provides for three types of tribunals:
 - The Central Government establishes an administrative tribunal called the Central Administrative Tribunal (CAT).
 - The Central Government may, upon receipt of a request in this behalf from any State Government, establish an administrative tribunal for such State employees.
 - Two or more States might ask for a joint tribunal, which is called the Joint Administrative Tribunal (JAT), which exercises powers of the administrative tribunals for such States.
- There are tribunals for settling various administrative and tax-related disputes, including Central Administrative Tribunal (CAT), Income Tax Appellate Tribunal (ITAT), Customs, Excise and Service Tax Appellate Tribunal (CESTAT), National Green Tribunal (NGT), Competition Appellate Tribunal (COMPAT) and Securities Appellate Tribunal (SAT), among others.

Issue in Focus:

- The Finance Act, 2017 had given the Centre the power to govern appointments, removal and service conditions of the members of judicial tribunals like National Green Tribunal, Income Tax Appellate Tribunal, National Company Law Appellate Tribunal. Pursuant to such powers, the Central Government went on to frame the Rules, which gave the Government overly broad powers as regards the appointment and service conditions of tribunal members.
- The petitioners had challenged the Finance Act, 2017, particularly Part XIV on various grounds. The Part XIV had repealed provisions relating to the administration of 26 Tribunals established under diverse central laws. Part XIV of the Act merges a

number of tribunals, including the Copyright Board with the Intellectual Property Appellate Board (IPAB).

- The provisions were questioned on the ground that they gave more powers to the executive and interfered with the judicial independence of the panels.

Supreme Court Judgments:

Rojer Mathew v. South Indian Bank Ltd. & Ors., 2019:

- The Supreme Court in Rojer Mathew v. South Indian Bank Ltd. & Ors., 2019 struck down the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017 framed under Section 184 of the Finance Act, 2017 on the grounds that they impinge on judicial independence and are contrary to the guidelines laid down in cases like RK Jain and Madras Bar Association.
- The Rules notified in 2017 have now been struck down by the Supreme Court and the Government has been directed to frame a fresh set of Rules.
- Some of the defects identified by the court in the rules (2017) include:
 - Search-cum-selection committee for tribunal personnel was composed predominantly of nominees of the Central Government. Such a lack of judicial dominance is in violation of separation of powers and in negation of judicial independence;
 - technical members have not been mandated any prior adjudicatory experience, this goes against the dicta of the Court in Madras Bar Association judgment
 - the role of judiciary in the procedure for removal of tribunal members has been completely taken away;
 - lack of uniform age of superannuation for different tribunal members and short tenure, paved way for increased executive interference;
 - Re-appointment of tribunal members will erode independence of the tribunal members and thus erode public faith in the system.

Madras Bar Association v. Union of India (2010):

- Constitution Bench in Madras Bar Association v. Union of India (2010) had held that though the legislature can legislate which disputes will be decided by courts and which disputes will be decided by tribunals, this is subject to constitutional limitations. The Bench held that such legislation cannot encroach upon the independence of the judiciary and must respect the principles of the rule of law and the separation of powers. It held that if tribunals are to be vested with judicial power hitherto vested in or exercised by courts, such tribunals should possess the independence, security and capacity associated with courts.
- In Madras Bar Association (2010), the Bench made observation on when tribunals can include technical non-judicial members. It stated that if a tribunal is intended to serve an area which requires specialised knowledge or expertise, technical members in addition to judicial members should be allowed. However, it emphasised that when a category of cases is transferred from the courts to the tribunals merely to either expedite cases, then there is no need for non-judicial technical member. It emphasised that in such non-technical tribunals, only members of the judiciary should be the Presiding Officers/Members.

2020 Rules framed against SC Judgements:

- In the 2017 rules, as noted by the Court in Rojer Mathew, barring the National Company Law Appellate Tribunal (NCLAT), the selection committee for all other

tribunals was made up either entirely from personnel within or nominated by the Central government or comprised a majority of personnel from the Central government. Now, in the 2020 rules, by default, all committees consist of a judge, the president/chairman/chairperson of the tribunal concerned and two secretaries to the Government of India.

- Under the 2020 rules, the inclusion of the president/chairman/chairperson of the tribunal as a member in the selection committee is directly against the previous SC Judgements. For instance, now, in the Income Tax Appellate Tribunal (ITAT), Customs Excise and Service Tax Appellate Tribunal (CESTAT), Central Administrative Tribunal (CAT), Debt Recovery Appellate Tribunal (DRAT), etc., a non-judicial member can become the president/chairman/chairperson, as the case may be. Therefore, when a non-judicial member becomes a member in the selection committee, the Supreme Court judge will be in minority, giving primacy to the executive, which is impermissible. In Madras Bar Association (2010), the Court explicitly held that only judges and advocates can be considered for appointment as judicial member of the tribunal and that persons from the Indian Legal Service cannot be considered for appointment as judicial member.
- In the 2020 rules, the tenure of members has been increased from three years to four years, thereby blatantly violating the directions of the Supreme Court. In Madras Bar Association (2010), the Court had held that the term of office “shall be changed to a term of seven or five years”.

Way Forward:

- The common thread in the Madras Bar Association series and Rojer Mathew decisions is that judiciary must have an equal say in the appointment of members of the tribunals. To deny the executive an upper hand in appointing members to tribunals, the court ordered to have two judges of the Supreme Court to be a part of the four-member selection committee.
- Streamlining of functioning of tribunals:
 - Tribunals should be financially independent for its functioning; thus, finance ministry in consultation with the nodal ministry to directly allocate adequate funds for their day to day functioning
 - Financial Impact Assessment to be conducted – this will assess the financial needs of the tribunals and Finance Ministry will have to ensure sufficient resources are made available for the functioning
 - Tribunal members shall not be accorded a status equivalent to that of HC/SC judge
 - Legislature should consult Law Commission and revisit the provisions for direct statutory appeals to the Supreme Court from tribunals. Instead of appeal to SC, provisions may be provided for an appeal to a Division Bench of High Court, if at all required.
 - After assessing case loads and commonality of subject matter jurisdiction, Union to consider whether certain tribunals, having niche jurisdictions, require merging
- **Justice Chandrachud suggested the following:**
Creation of a National Tribunals Commission (NTC) to oversee, selection, appointment, salaries and service conditions of tribunal members. NTC will consist of 3 serving judges of Supreme Court nominated by the CJI, 2 serving Chief Justices/Judges of High Courts, 2 officers not below the level of Secretary to Governmentt and 2 independent members.

The sum and substance of the Afghan deal

Source: <https://www.thehindu.com/opinion/lead/the-sum-and-substance-of-the-afghan-deal/article30984781.ece>

Context: USA-Taliban Pact (Doha Agreement).

More in news:

- In a bid to end 18 years of conflict in Afghanistan, the Taliban and the United States signed a peace agreement on 29th February.
- India attended the signing ceremony in Doha, and was represented by Ambassador to Qatar P Kumaran.

USA-Taliban Pact:

- The Pact titled, "Agreement for Bringing Peace to Afghanistan between the Islamic Emirate of Afghanistan which is not recognised by the United States as a state and is known as the Taliban and the United States of America".
- The pact was signed between Zalmay Khalilzad, US Special Representative for Afghanistan Reconciliation, and Mullah Abdul Ghani Baradar, political head of the Taliban.
- The deal was signed in the Qatar's capital Doha on February 29, 2020, which is the Taliban's political headquarters and has hosted talks over the past year and a half.

Timeline of the major events:

- USA went into Afghanistan in October 2001, a few weeks after the 9/11 terror attacks, with the goals of defeating terrorists (particularly Al-Qaeda) and rebuilding and stabilising the country.
- December 2001: Karzai is sworn in as chairman of a 29-member governing council established under the Bonn Agreement.
- 2004 and 2009: General elections are held and Karzai is elected president for two consecutive terms, the limit under the Afghan constitution.
- April 2014: Deeply flawed election results in the two front-runners, Ashraf Ghani and Abdullah Abdullah, both claiming victory. U.S. Secretary of State John Kerry negotiates a power-sharing deal for a so-called Unity Government, with Ghani serving as president and Abdullah as chief executive.
- December 2014: American and NATO troops formally end their combat mission, transitioning to a support and training role though President Barack Obama had authorized U.S. forces to carry out operations against Taliban and al-Qaida targets.
- 2015-2018: The Taliban surge further, staging near-daily attacks targeting Afghan and U.S. forces; scores of civilians die in the crossfire. An Islamic State group affiliate emerges in the east; the Taliban seize control of nearly half the country.
- September 2018: Seeking to fulfill his election promise to bring U.S. troops home, President Donald Trump appoints veteran Afghan-American diplomat Zalmay Khalilzad as negotiator with the Taliban.
- September 2019: Presidential elections are held but official results are not known for months.
- November 2019: Trump visits U.S. troops in Afghanistan on Thanksgiving, says the Taliban want to make a deal and signals the Qatar negotiations are back on.
- February 15, 2020: Washington says a temporary "reduction in violence" has been agreed upon with the Taliban as first step toward a final peace deal.

- February 18, 2020: Afghanistan's election commission declares Ghani the official winner of September elections; his rival Abdullah refuses to recognize the results and instead declares himself the winner.
- February 29, 2020: The U.S. and the Taliban sign a deal in Doha, Qatar, laying out the withdrawal of U.S. troops from Afghanistan; the deal also envisions intra-Afghan talks on a future political road map.

Key Elements of the Deal:

- **Troops withdrawal:** U.S. troops to be reduced from the current 14,000 to 8,600 by June 15 (in 135 days); and withdrawal of all remaining U.S. and foreign forces by April 29, 2021 (in 14 months).
- **Taliban Commitment:** Taliban will not allow any of its members, other individuals or groups, including al-Qaeda, to use the soil of Afghanistan to threaten the security of the United States and its allies (does not include India).
- **Sanctions removal:** Removal of the Taliban from UN Security Council sanctions list by May 29 and US sanctions by August 27. The sanctions will be out before much progress is expected in the intra-Afghan dialogue to begin on March 10.
- The facilitation of an **intra-Afghan dialogue**. The participants of intra-Afghan negotiations will discuss the date and modalities of a permanent and comprehensive ceasefire, including agreement over the future political roadmap of Afghanistan.
- **Prisoner Release:** Up to 5,000 imprisoned Taliban and up to 1,000 prisoners from "the other side" held by Taliban "will be released" by March 10, which is when intra-Afghan negotiations are supposed to start, in Oslo.
- **Ceasefire:** The agreement states ceasefire will be simply "an item on the agenda" when intra-Afghan talks start, and indicates actual ceasefire will come with the "completion" of an Afghan political agreement.

Challenges Ahead:

- The Afghan government has been completely sidelined during the talks between the US and Taliban. By giving in to this demand of Taliban, the U.S. has practically called into question the legitimacy of the government it backs.
- US-Taliban agreement and the joint declaration differ, and it is not clear whether the Ashraf Ghani-led government is on board with this "pretty big up-front concession to Taliban".
- The idea of a ceasefire, which is normally the starting point for any peace process, has been made an outcome of the intra-Afghan dialogue, together with a political road map for the future, but without any time frame.

India's Stand:

- India and the Taliban have had a bitter past- IC-814 hijack in 1999.
- India never gave diplomatic and official recognition to the Taliban when it was in power during 1996-2001
- India has been backing the Ghani-led government and was among very few countries to congratulate Ghani on his 2019 contested victory.
- Indian foreign policy establishment has shied away from engaging with the Taliban directly, as it is viewed as a proxy of Pakistan. India has supported for enduring and inclusive peace and reconciliation which is "Afghan-led, Afghan-owned and Afghan-controlled".
- India has consistently supported for an "independent, sovereign, democratic, pluralistic and inclusive" Afghanistan in which interests of all sections of society are preserved.

- The deal has reiterated India's commitment to Afghanistan's pursuit of "sustainable peace and reconciliation". Thus, India has accepted the Doha Agreement(2020).

Implications of the deal on India:

- **War against Terrorism:** The deal legitimises Taliban and its actions. This weakens India's fight against all sorts of terrorism and violence adopted by such extremist groups.
- **Security Concerns:** The deal also promises to take Taliban leaders off the UN Security Council's sanctions list, which could considerably bring down the number of terrorists harboured by Pakistan. This might benefit Pakistan during the June 2020 FATF Plenary.
- **Sidelining of Intra-Afghan Dialogue:** The U.S. has committed to clear five bases and withdrawal of troops and it intends to submit to the Taliban-led government. Thus, priority to future Taliban led government may sideline the "Intra-Afghan" dialogue and India's support for the election process for leadership in Afghanistan. However, India has a major stake in the continuation of the current Afghanistan government in power, which it considers a strategic asset vis-à-vis Pakistan.

Conclusion:

The pact seems to be most likely proved similar to the Paris Peace Accords over Vietnam signed in 1973. That agreement just facilitated US withdrawal but did not stop the Viet Cong and North Vietnam from marching into Saigon two years later. As Mr. Trump maintains that it is "time that the war on terror is fought by someone else", so it will not be the U.S.. The U.S. has described itself as a "facilitator", a responsibility that it will be glad to share with others.

Should the sedition law be scrapped?

Source: <https://www.thehindu.com/opinion/op-ed/should-the-sedition-law-be-scrapped/article30993146.ece>

Context: Sedition Act in Indian Penal Code (IPC).

More in news:

- On March 2, a 43-year-old man was charged with sedition after he allegedly chanted pro-Pakistan slogans before the mini Vidhan Soudha at Kundapur in Karnataka's Udupi district.
- Last month, the police arrested a school principal and a parent in Bidar, Karnataka, for an allegedly seditious and inflammatory play against the Citizenship (Amendment) Act (CAA).
- Over the last few months, many people protesting against the CAA have been charged with sedition across the country.

Sedition Law:

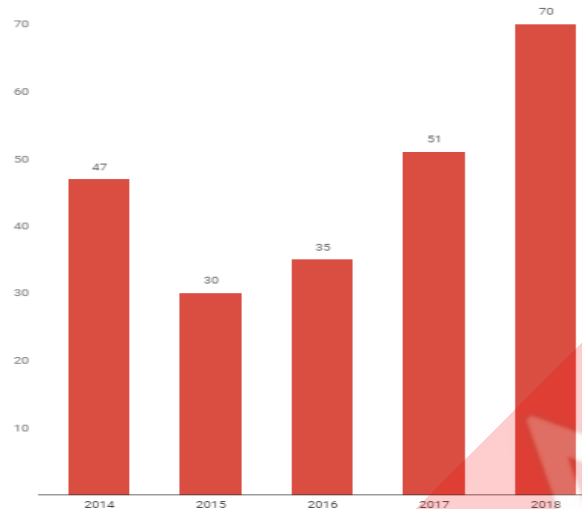
- Section 124A in The Indian Penal Code deals with Sedition.
- The law makes "words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government" punishable by law, a fine and a maximum punishment of life imprisonment.
- Drafted by Thomas Macaulay, it was introduced in the 1870s, originally to deal with "increasing Wahabi activities between 1863 and 1870 that posed a challenge to the colonial government".
- In the 19th and early 20th Centuries, the law was mainly used against Indian political leaders seeking independence from British rule.
- Mahatma Gandhi, who was charged with sedition, famously said the law was "designed to suppress the liberty of the citizen".
- **Punishment under 124A:** Sedition is a cognisable, non-compoundable, and non-bailable offence, under which sentencing can be between three years to imprisonment for life. A person charged under this law can't apply for a government job. They have to live without their passport and must present themselves in the court as and when required.
- The most famous victim of Sec 124A, tried in 1897, was Lokmanya Tilak for his writings in his newspaper Kesari. He was sentenced to prison, as was Mahatma Gandhi for his writings in Young India. Such cases reinforced the perception that this law was for muzzling freedom of speech and expression, and browbeating government's critics and activists.
- In 1962, the Supreme Court imposed limits on the use of the law, making incitement to violence a necessary condition.

National Crime Records Bureau (NCRB) data on Sedition Law:

- The National Crime Records Bureau (NCRB), though, has only been collecting separate data on sedition cases since 2014. In 2014, there were 47 cases of sedition but that number increased to 70 in 2018.
- Data from the National Crime Records Bureau (NCRB) show that 194 cases of sedition have been filed since the CAA was passed on December 11, 2019. More cases of sedition have been filed since December 11 than in the last three years put together, according to NCRB data.

Sedition cases have increased in recent years

Number of sedition cases registered by police



Source: National Crime Records Bureau • Get the data • Created with Datawrapper

- However, the data also show that while the number of sedition cases filed has been going up every year (numbers for sedition cases started being recorded from 2014) in the last four years, only four cases actually resulted in conviction.

Sedition laws in international jurisdiction:

- The United Kingdom deleted the seditious libel through the Coroners and Justice Act, 2009.
- In Australia, following the recommendations of the Australian Law Reform Commission (ALRC) the term sedition was removed and replaced with references to 'urging violence offenses'.

Arguments in support of Section 124A:

- Section 124A of the IPC has its utility in combating anti-national, secessionist and terrorist elements
- It protects the elected government from attempts to overthrow the government with violence and illegal means. The continued existence of the government established by law is an essential condition of the stability of the State
- If contempt of court invites penal action, contempt of government should also attract punishment
- Many districts in different states face a Maoist insurgency and rebel groups virtually run a parallel administration. These groups openly advocate the overthrow of the state government by revolution
- Against this backdrop, the abolition of Section 124A would be ill-advised merely because it has been wrongly invoked in some highly publicized cases

Arguments against Section 124A:

- Section 124A is a relic of colonial legacy and unsuited in a democracy. It is a constraint on the legitimate exercise of constitutionally guaranteed freedom of speech and expression.
- Dissent and criticism of the government are essential ingredients of robust public debate in a vibrant democracy. They should not be constructed as sedition. Right to question, criticize and change rulers is very fundamental to the idea of democracy.

- The British, who introduced sedition to oppress Indians, have themselves abolished the law in their country. There is no reason, why should not India abolish this section.
- The terms used under Section 124A like 'disaffection' are vague and subject to different interpretation to the whims and fancies of the investigating officers.
- IPC and Unlawful Activities Prevention Act have provisions that penalize "disrupting the public order" or "overthrowing the government with violence and illegal means". These are sufficient for protecting the national integrity. There is no need for Section 124A.
- The sedition law is being misused as a tool to persecute political dissent. A wide and concentrated executive discretion is inbuilt into it which permits the blatant abuse.
- In 1979, India ratified the International Covenant on Civil and Political Rights (ICCPR), which sets forth internationally recognized standards for the protection of freedom of expression. However, misuse of sedition and arbitrary slapping of charges are inconsistent with India's international commitments.

Different viewpoints:

- Jawaharlal Nehru said, "The sooner we get rid of it the better".
- **Law Commission of India:**
 - In August 2018, the Law Commission of India published a consultation paper recommending that it is time to re-think or repeal the Section 124A of the Indian Penal Code that deals with sedition.
 - In its 39th Report (1968), the Law Commission had rejected the idea of repealing the section.
 - In its 42nd Report (1971), the panel wanted the scope of the section to be expanded to cover the Constitution, the legislature and the judiciary, in addition to the government to be established by law, as institutions against which 'disaffection' should not be tolerated.
 - In the recent consultation paper on the sedition, the Law Commission has suggested invoking 124A to only criminalize acts committed with the intention to disrupt public order or to overthrow the Government with violence and illegal means.
- **Supreme Court:**
 - The constitutionality of sedition was challenged in the Supreme Court in **Kedar Nath Vs State of Bihar (1962)**. The Court upheld the law on the basis that this power was required by the state to protect itself. However, it had added a vital caveat that "a person could be prosecuted for sedition only if his acts caused incitement to violence or intention or tendency to create public disorder or cause disturbance of public peace".
 - The court held that "a citizen has a right to say or write whatever he likes about the Government, or its measures, by way of criticism or comment, so long as he does not incite people to violence against the Government established by law or with the intention of creating public disorder".
 - In September 2016, the Supreme Court had reiterated these necessary safeguards and held that they should be followed by all authorities.

Way Forward:

- **Role of National Human Rights Commission:** When a person start criticising the constitutional state of India, that is when he/she invites the charge of sedition and even there the Supreme Court clearly says that there has to be a direct incitement to violence. So, sedition is a very specific and a very serious offence, and when it is

used to silence and terrorise the ordinary citizen who is raising a grievance, it is terrorism by the state. The National Human Rights Commission is duty-bound to map all these misuses of the sedition law. It should make the Commissioner of Police of that State personally responsible.

- **Role of Judiciary:**

- It falls on the judiciary to protect Articles 19 and Article 21 of the Constitution. The time has come for the judiciary to set up a search committee in every State, and a particular judge of the High Court has to suo moto check each sedition case being filed. And if it is baseless, if it has been used to only terrorise the ordinary citizen expressing his views, it must be quashed without putting the onus on the citizen to come to the court.
- Recently, Justice Kurian Joseph made some anguished remarks that the police is neither independent nor professional. So, it is the judiciary that has been charged with the job to stop such politicisation of Police. Our legal aid system is just not as robust as it should be. The problem is not with the section, but with its abuse.

- **Role of Parliament:**

- It is only Parliament that revoked a law like POTA [The Prevention of Terrorism Act, 2002], which was draconian and flagrantly misused. All these laws have always been upheld by the judiciary. It is only the parliamentarians, when they get a push from the public, who swing into action.
- A strong will of Parliament holds the key to get rid of this draconian colonial era law that has been used only to suppress the dissent.

Conclusion:

India is the largest democracy of the world and the right to free speech and expression is an essential ingredient of democracy. Dissent is the lifeblood of democracy. But today when the stench of fascism looms large, exercising this constitutional right can get one branded as anti-national, thrown behind bars or a lynch by mob waiting outside to teach you a lesson. Clearly, dissent, criticism of government, questioning politicians, all of which are fundamental to a democracy, have come to be treated as sedition by the police and a section of the magistracy in the prevalent political order. Such terrorising of critics and protesters endangers the very idea of democracy. A law that has especially come in handy for the self-proclaimed nationalists of our times to suppress dissent is the archaic colonial era sedition law.

More power to her: 'Stree shakti' is an integral part of our 'rashtra shakti'

Source: <https://indianexpress.com/article/opinion/columns/international-womens-day-gender-equality-rajnath-singh-girl-education-women-indian-army-6305736/>

Context: Empowering Indian women in Indian defence forces.

More in news:

- International Women's Day is celebrated across the globe on March 8 every year to recognise the achievements of women, across divides, national, ethnic, linguistic, cultural, economic or political.
- The theme of International Women's Day 2020 was, "I am Generation Equality: Realising Women's Rights".

Status of Women in Indian Armed Forces:

- Women Officers are inducted in Army Service Corps, Army Ordnance Corps, Army Education Corps, Judge Advocate General Branch, Corps of Engineers, Corps of Signals, Intelligence Corps, Corps of Electrical & Mechanical Engineers, Army Aviation Corps and Corps of Army Air Defence. Women are also included in Indian Army in Military Nursing Service and Medical Officers cadre.
- The details of the percentage of women working for armed forces are as under:

Name of the Service	Percentage (%)
Army	03.80
Air Force	13.09
Navy	06.00
Medical Officers	21.63
Dental Officers	20.75
Nursing Officers	100.00

- The MHA had issued an advisory to all state governments to reserve 33 per cent posts in their respective police forces.
- Government has also thrown open the doors of Sainik Schools for girls. Admission of girl students started in Sainik School, Chhingchhip (Mizoram) in academic year 2018-19 as a pilot project. The admission process for another five Sainik Schools — Kalikiri (Andhra Pradesh), Kodagu and Bijapur (Karnataka), Ghorakhal (Uttarakhand), Chandrapur (Maharashtra) — has already started. All the Sainik schools will extend admission to girl students from the academic session 2021-22 onwards.
- There has been a substantial increase in enrolment and representation of girl cadets in NCC to 33.72 per cent in 2019 from 25.4 per cent in 2014.
- An additional 33,000 girl cadets are to be enrolled in the senior wing under self-financing schemes from 2020.
- Nearly 650 additional posts for Girl Cadet Instructors (GCI) have been sanctioned for recruitment over the next five years against the present strength of 255 GCIs.
- The DRDO has been according equal opportunities for enhancement of women's skills and fulfilment of their potential. Some of the leading missile scientists today are women.

Various measures taken by government:

Various measures have been taken by the Government to attract the women to join the armed forces. These are listed below:

- The Government has promulgated policy on February 25, 2019 to extend the grant of Permanent Commission to Women Officers in the eight arms/services in Indian Army viz. Signals, Engineers, Army Aviation, Army Air Defence, Electronics and Mechanical Engineers (EME), Army Service Corps, Army Ordnance Corps and Intelligence in addition to the existing two streams of Judge Advocate General (JAG) and Army Education Corps (AEC).
- Steps like increasing tenure of women officers and improving promotional prospects in Army have been taken to increase participation of women in the Army.
- The proposal for induction of women in the corps of military police in the Indian Army as soldiers was approved last year to recruit a total of 1,700 women military personnel.
- Steps like increasing the tenure of women officers in SSC from 10 to 14 years and improving their promotional prospects in the Army have been taken.
- In February 2020, the apex court finally decided things by declaring that all women would be granted permanent commission in all 10 non-combat wings.

Changing Perspective:

- Many countries are changing their attitude not just to promote equality. For example, In Britain, in March 2019, a female soldier passed a 16-week course that qualified her to command a section of eight infantry soldiers, and was transferred to a regular infantry battalion. She passed both the physical and tactical tests to the same standards as her male counterparts.
- US women have earned the right to participate in combat jobs through sheer experience. In March 2005, Sgt Leigh Ann Hester earned a Silver Star for her role in a gunfight where US soldiers fought off Iraqi insurgents. In 2003-15, more than 1,000 women were injured in action and 161 were killed, and having seen how thousands of women functioned in the 'non-linear' battlefields of Iraq and Afghanistan, the US has opened up all military jobs to women, if they pass the training.
- Last January, Jasmin Paris, a 35-year-old mother, won the brutal, 268-mile Montane Spine Race in England's hilly areas during winter, considered one of the toughest races in the world. Jasmin beat the course record by more than 12 hours. The next person, a man, finished 15 hours later.
- The jury is still out, but the performance of women in these endurance races suggests that, perhaps, in extreme conditions, women have something else going for them. It is not physical strength. It could well be psychological.

Conclusion:

Women's empowerment is a comprehensive programme that deals with five components of security: Health security of mother and child, social security, financial security, security of the future through educational and financial programmes in growing-up years and the physical safety of women. "Stree Shakti" is an integral part of India's "Rashtra Shakti" and without strengthening India's "Shakti", India cannot aspire to be "Shaktishali Bharat".

Corona, crude, credit

Source: <https://indianexpress.com/article/opinion/columns/coronavirus-outbreak-effect-on-global-markets-india-bse-sensex-economy-6309810/>

Context: Corona virus and its impact on Economy.

Mains 2020: Covid-19 and its impact on global economy.

Global markets haven't witnessed such panic and dislocation since the global financial crisis of 2008. Global equity markets have collapsed, the US's 10-year bond is at its lowest level ever, and crude prices underwent their largest single-day fall in 30 years.

This brings us to the questions about impact of the coronavirus on the global economy. In this article, we will explain the following:

- What is the Impact of corona virus on different sectors: - decline in crude oil prices, automobile sector, gems and jewellery?
- Why crude oil prices declining?
- What is its impact on India?
- What are the policy interventions?
- Way forward

What is the Impact of corona virus on different sectors: - decline in crude oil prices, automobile sector, gems and jewellery?

Besides its worrying effects on human life, the novel strain of coronavirus (COVID-19) has the potential to significantly slowdown not only the Chinese economy but also the global economy.

Estimates published by United Nations Conference on Trade and Development (UNCTAD) said that the slowdown of manufacturing in China due to the coronavirus (COVID-19) outbreak is disrupting world trade and could result in a 50 billion dollar decrease in exports across global value chains.

Over the last month, China has seen a dramatic reduction in its manufacturing Purchasing Manager's Index (PMI) to 37.5, its lowest reading since 2004. This drop implies a 2 per cent reduction in output on an annual basis. This has come as a direct consequence of the spread of corona virus (COVID-19).

Impact on oil market: Coronavirus affects the oil market in two ways.

- First, travel restrictions due to containment efforts limit the use of jet fuel, and supply chains slow and industrial activity declines as companies send workers home—meaning less oil and oil-based products are being used and produced. This has very direct effects on oil consumption and informs near-term calculations of real oil demand.
- Second, the stock market reaction to the effect of the coronavirus on the global economy builds a projection of global oil demand over the long-term. As broader market sentiment about the health of the global economy declines, so do projections about the future oil demand curve, prompting flight away from oil and energy stocks and further drawing down prices.

Impact on Automobile Sector: China is the world's biggest car market, and Wuhan, the city at the center of the outbreak, is known as a "motor city" for being home to auto plants including General Motors, Honda, Nissan, Peugeot Group and Renault.

- As the coronavirus spread, many auto companies across the country closed their doors as part of the recent nationwide shutdown. Largely as a result, car sales in China fell 92% in the first half of February, according to the data from the China Passenger Car Association (CPCA).
- The impacts on the auto industry are being felt beyond China's borders, as shortages of supplies from China stall production around the world.
- For example, Hyundai and Kia recently stopped several assembly lines in Korea and Nissan announced it would suspend its auto production in Japan.

Impact on gems and jewellery:

- The Hong Kong jewelry and gems shows moved its dates from March 2–8 to May 18–21, citing the safety and health of those involved. And the Swatch Group canceled its Time to Move event in Zurich, originally scheduled for late February, due to the spread of the virus.
- India's diamond industry in particular is exposed to disruptions in China. It was expecting to see its supplies to China via Hong Kong for the New Year rise as a result of the partial lifting the China-U.S. trade dispute.
- Surat imports rough gems and exports polished diamonds to and from Hong Kong and China. Exports were expected to rise sharply in the first quarter, but with Hong Kong on forced holiday through March 3 and flights grounded, the Surat diamond industry is suffering.
- According to India's Gems and Jewellery Export Promotion Council (GJEPC), a majority of exports of polished and cut diamonds to China also go via Hong Kong but the coronavirus is hurting consumer demand, resulting in a dip in exports. Diamond companies having offices in Hong Kong and China have asked their staff to return in view of the vacation.

Why crude oil prices declining?

The market mayhem is the upshot of three global shocks interacting with each other.

- First, a negative demand shock around the world.
- Second, a negative supply shock emanating from China.
- Third, a positive oil supply shock.

As the coronavirus spreads globally, households and businesses are understandably avoiding taking risks, and the consequent "social distancing" is expected to exert significant demand destruction around the world.

The widespread industrial closures in China on the back of the COVID-19 outbreak will impact imports and supply chains in other countries and thereby constitute an adverse supply shock for the rest of the world.

The failure of oil producers to agree on production cuts has led to a price war with production increases. While the first leg of the decline reflects virus-related demand destruction fears, the second leg reflects a positive supply shock, which even adjusting for the concentrated stress in the oil sector, is growth-additive for the world and particularly for India.

What is its impact on India?

- India is among the 15 most affected economies due to the coronavirus epidemic and slowdown in production in China.
- According to a UN report, the trade impact of the coronavirus epidemic for India is estimated to be about 348 million dollars and the country figures among the top 15

economies most affected as slowdown of manufacturing in China disrupts world trade.

- **Trade Impact:** For India, the trade impact is estimated to be the most for the chemicals sector at 129 million dollars, textiles and apparel at 64 million dollars, automotive sector at 34 million dollars, electrical machinery at 12 million dollars, leather products at 13 million dollars, metals and metal products at 27 million dollars and wood products and furniture at 15 million dollars.
- **Domestic rates of petrol and diesel,** down about Rs 4 a litre since mid-January, are set to decline further as crude oil slumped to a 13-month low on Thursday to about \$52/barrel on fears that the coronavirus outbreak may take a heavy toll on global economic growth and oil demand.
- Falling oil prices are good for heavy energy consumer like India that imports 85% of its oil needs. Lower oil prices help keep inflation in check, reduce fuel subsidy, cut current account deficit and leave more resources in the hands of the state for public spending.
- **Current account deficit:** It is estimated that every \$10 reduction in crude prices, boosts growths by about 20-25 bps. Therefore, the \$30 decline in crude, if it holds, should boost growth by about 60-70 bps, thereby largely offsetting the negative hit to growth from external trade and tourism. Furthermore, crude at \$35-40, along with the global demand destruction is expected to generate large disinflationary forces, opening up space for monetary easing. Finally, India's current account deficit would virtually disappear, for the first time since 2003-04.

What are the policy interventions?

- The growth offset will assume that the coronavirus does not spread within India. If India witnessed a rapid domestic proliferation, heightened risk aversion by economic agents could meaningfully hurt domestic demand. The best antidote to a prolonged growth hit would be to aggressively contain the virus domestically.
- **Fiscal Support:** A "sudden stop" of demand to certain sectors may necessitate fiscal/liquidity support to ensure these don't magnify into more disruptive credit events for the financial sector.
- A sharp cut in domestic fuel prices will boost household purchasing power and aggregate demand. Thereby the revenue (increase in tax collection) of the government will increase. Thus further will maintain the fiscal deficit target within the range and will provide the needed expenditure for the government spending.

Way Forward:

In order to assess the possible impact of the coronavirus on the economy, it is important not only to focus on the epidemiological profile of the virus but also on the ways that consumers, businesses, and governments may respond to it. COVID-19 will most directly shape economic losses through supply chains, demand, and financial markets, affecting business investment, household consumption, and international trade. And it will do so both in traditional, textbook supply-and-demand ways and through the introduction of potentially large levels of uncertainty. The World Health Organization described the new coronavirus as a pandemic for the first time. Therefore, policymakers should immediately undertake a number of steps to address any economic fallout from the virus.

Dominion over territory: On UTs and Lieutenant Governors

Source: <https://www.thehindu.com/opinion/editorial/dominion-over-territory-the-hindu-editorial-on-role-of-lieutenant-governors-and-elected-governments/article31062937.ece>

Context: The recent verdict by Madras High Court on clash between Puducherry's Chief Minister and Lieutenant Governor.

The Madras High Court on March 11, 2020 set aside a single judge's order which had held Puducherry Lt Governor Kiran Bedi cannot interfere in the day-to-day affairs of the elected government in the union territory.

This brings us to the questions regarding relationship between the elected representative and administrator appointed by President. In this article, we will explain the below:

- What are the constitutional provisions related to administration of Union Territories?
- What is the present issue?
- What is the recent High court verdict?
- What does the Rules of Business of the Government of Puducherry, 1963 say about the relationship of Lieutenant Governor and the elected government of Puducherry?
- Way forward

What are the constitutional provisions related to administration of Union Territories?

- Articles 239 to 241 in Part VIII of the Constitution deal with the union territories. Even though all the union territories belong to one category, there is no uniformity in their administrative system.
- Every union territory is administered by the President acting through an administrator appointed by him.
- An administrator of a union territory is an agent of the President and not head of state like a governor.
- At present, it is Lieutenant Governor in the case of Delhi, Puducherry and Andaman and Nicobar Islands and Administrator in the case of Chandigarh, Dadra and Nagar Haveli, Daman and Diu and Lakshadweep. The President can also appoint the governor of a state as the administrator of an adjoining union territory.
- The Union Territories of Puducherry (in 1963) and Delhi (in 1992) are provided with a legislative assembly and a council of ministers headed by a chief minister.

What is the present issue?

- Bedi and the Congress government in Puducherry headed by Narayanasamy have been on the loggerheads over several issues. Narayanasamy had accused Kiran Bedi of working on orders of the Centre to disrupt the functioning of his government.
- Kiran Bedi had denied all allegations levelled against her and claimed that she had been functioning in terms of the powers conferred on her under the Government of Union Territories Act of 1963.
- Appeals were filed by the Union Government and the Lt Governor challenging the order passed on a petition filed by Congress legislator in Puducherry, K Lakshminarayanan.
- The petition had challenged two orders issued by the Centre in 2017 that maintained that the L-G had powers to interfere in the functioning of government.

CASE IN COURT



July 4, 2018 | A Puducherry legislator moves Madras HC challenging three communications of the Centre on powers of the Lt Governor to interfere with the elected government's affairs


April 30, 2019 | A single judge of the Madras HC restrains Puducherry Lt Governor Kiran Bedi from interfering with the daily affairs of the elected administration

May 2019 | Centre and Kiran Bedi move the Supreme Court against the verdict

July 2019 | SC directs the Centre and Bedi to approach a division bench of the Madras HC for relief

August 2019 | Centre and Bedi move an appeal in the Madras HC challenging the single judge order

March 11 | First bench of the Madras HC sets aside the single judge order



What is the recent High court's verdict?

- The Madras High Court order verdict had come on a writ petition filed by Puducherry Congress MLA Lakshminarayanan in 2017 questioning the Lieutenant Governor's powers to interfere in day-to-day administration of the union territory despite the presence of a council of ministers.
- Madras High Court counseled Puducherry Chief Minister and Lieutenant Governor to "work in unison and not in the division" while setting aside a single bench's order (April 30, 2019) that the L-G cannot "interfere in the day to day affairs" of the Government.
- Quashing the April 30, 2019, **judgment of a single judge (Justice R Mahadevan of the Madurai Bench)**, the bench said the Centre was at liberty to take appropriate steps in the event of a reference being made to it.
- The court said, "For the time being, there is no such law which may equate or put them at par, except for the areas for which the Constitution itself provides that the legislatures of the Union Territories shall be empowered to discharge such functions that are at par with the State Legislatures. The job of the Court is to define the law and not to create a status which otherwise is not enjoyed by the Union Territory."
- The Bench further said that, "The judgment of the learned Single Judge does also reflect a tension between constitutionalism and the sentiments of popular democracy, but it should not be lost sight of that every form of governance draws its legitimacy from the Constitution."
- The Division Bench went citing allied observations in this respect in

Comparing states and Union Territories

States	Union Territories
1. Their relationship with Centre is federal.	1. Their relationship with Centre is unitary.
2. They share a distribution of power with the Centre.	2. They are under the direct control and administration of the Centre.
3. They have autonomy.	3. They do not have any autonomy.
4. There is uniformity in their administrative set-up.	4. There is no uniformity in their administrative set-up.
5. Their executive head is known as governor.	5. Their executive head is known by various designations—administrator or lieutenant governor or chief commissioner.
6. A governor is a constitutional head of the state.	6. An administrator is an agent of the president.
7. Parliament cannot make laws on the subjects of the state list in relation to the states except under extraordinary circumstances.	7. Parliament can make laws on any subject of the three lists in relation to the union territories.

the **Supreme Court's verdict in State (NCT of Delhi) vs. Union of India and another**, and held that, "This is how one can fulfill the goal of cooperative federalism, while upholding constitutional supremacy."

What do the Rules of Business of the Government of Puducherry, 1963 say about the relationship of Lieutenant Governor and the elected government of Puducherry?

The Division Bench has also found that the Rules of Business of the Government of Puducherry, 1963 were clear on the intertwined roles of the Lieutenant Governor and the elected government of Puducherry.

While functions that are to be transacted with the aid and advice of the Council of Ministers by the Administrator (LG) were found in the Chapter III of the Rules, Chapter IV deals with executive functions of the Administrator. A reading of these rules, and relevant Constitutional provisions, has led the Court to find that:

- It is clear that the Administrator has to act on the aid and advice of the Chief Minister and his Council of Ministers in respect of the matters which a Legislative Assembly of Union Territory has powers to make laws.
- An exception to this general rule under the Government of Union Territories Act, 1963 is in cases where the LG is "is required by or under this Act to act in his discretion or by or under any law to exercise any judicial or quasi-judicial functions";
- The provisions of the 1963 Act also enjoins that in case of difference of opinion between the Administrator and his Ministers on any matter. The Administrator shall refer it to the President for decision and act according to the decision given thereon by the President.
- A draft bill can be referred by the Administrator prior to its introduction in the legislative assembly.

Way Forward:

For the better development and governance of Union Territories, both the elected representative and administrator appointed by President needs to work in liason and not in differences. This will help in better Collaboration, cooperation and coordination in the functioning of the administration of the Union Territories.

The role of women in developing a knowledge economy

Source: <https://www.livemint.com/opinion/online-views/the-role-of-women-in-developing-a-knowledge-economy-11583424552670.html>

Context: Knowledge economy and the role of women in India's growth.

According to a recent study, women make up only 14% of the 280,000 scientists, engineers, and technologists in research and development institutions across the country. However, a rapidly growing India requires a highly skilled technical workforce that is crucial for developing a knowledge economy.

This brings us to the questions of knowledge economy and the untapped potential of women in science field in India. In this article, we will explain the below:

- What is Knowledge economy?
- What is the status of Women in Science in India?
- What is the need of creating an enabling environment to pursue women to take career in science?
- What are the reasons of women falling out of science career?
- What are the steps taken by the government?
- Way Forward

What is Knowledge economy?

- The term 'knowledge economy' was coined in the 1960s to describe a shift from traditional economies to ones where the production and use of knowledge are paramount.
- Academic institutions and companies engaging in research and development are important foundations of such a system. And so are those who apply this knowledge that is the programmers developing new software and search engines to utilise data and the health workers who use data to improve treatments.
- Once knowledge has been picked up by these central brokers, employers and workers in more traditional fields may begin using information to improve their work environment, for example the supply chain efficiency of a small company or the harvesting of crops on a farm.
- According to the World Bank, knowledge economies are defined by four pillars. These are:
 - institutional structures that provide incentives for entrepreneurship and the use of knowledge,
 - skilled labour availability and good education systems,
 - ICT infrastructure and access, and
 - a vibrant innovation landscape that includes academia, the private sector and civil society.

What is the status of Women in Science in India?

- According to a 2018 fact sheet prepared by UNESCO on women in science, just 28.8% of researchers are women. It defines researchers as "professionals engaged in the conception or creation of new knowledge". In India, this drops to 13.9%.
- As per All India Higher Education Survey (AIHES) 2017-18, only six per cent women in Engineering and Technology courses are opting for Ph.D. after their post-graduation. In Science stream the number is as low as three per cent.
- Women constitute only 20% of ISRO's 16,000-strong workforce.

- In India, a 2016-17 NITI Aayog report compared female enrolment in various disciplines over five years, until 2015-16. In 2015-16, 9.3% of female students in undergraduate courses were enrolled in engineering, compared to 15.6% across genders.
- The NITI Aayog report found that in over 620 institutes and universities, including IITs, NITs, ISRO, and DRDO, the presence of women was 20.0% among Scientific and Administrative Staff, 28.7% among Post-Doctoral Fellows, and 33.5% among PhD scholars.
- As per the report of National Task Force for Women in Science, only 15 per cent of the Indian research and development workforce are women, while the global average is 30 per cent. The imbalance is biggest in fields such as computer science and physics, and smallest in life sciences and medicine.

What is the need of creating an enabling environment to pursue women to take career in science?

Empowering women in science and technology and their full and equal participation is one of the core objectives mentioned in the Science and Technology Policy of the Govt. of India, 2003. Accordingly, there are a number of schemes, mostly in the form of scholarships, introduced by government. However, evidence suggests that Government has not been very pro-active in addressing this issue. Many of the suggestions and recommendations made by scientists at various panels and task forces remain unimplemented.

What are the reasons of women falling out of science career?

Family support plays an important role in any woman's career and its growth. Achieving heights in a career generally begins with a successful personal life and good family support. Women fall out of science, technology, engineering and mathematics (STEM) areas because of variety of reasons, some known to society while others remain hidden but play an important role from beneath.

- **Education is a family decision:** Educational decisions in our country are generally family decisions and not individual choices, as education involves investment of collective family resources with collective impacts. Decisions are primarily based on projected impact on the collective family welfare. Family and social consequences become more significant in case of a girl child rather than her interest and will.
- **Economic factors:** These play a major role in academic decisions and are major constraints for women in pursuing science. Even for families with greater resources, economic considerations affect the pursuit of science degree as a science or engineering degree is generally a more expensive option than an arts or a commerce degree.
- **Gender stereotypes and gender roles:** Gendered family responsibilities and emphasis on homely traits for daughters makes the situation less favourable to study science. Widespread Indian cultural model of a family is patriarchal in which gender roles are differentiated and all household responsibilities lie with female members of a family.
- **Conformity to social expectations:** Families expect daughters to marry and assume obligations to their husband's family. Many families think that a daughter's education would primarily benefit her in-laws rather than her natal family.
- **Male-dominated environment:** Women in STEM are highly visible minorities. Male-dominated social context of science and engineering is a major constraint on women's participation. Girls feel uncomfortable in a male-dominated environment while pursuing science but more and more women are catching up now.

- **Lack of role models:** It is much easier for girls to pursue science and imagine a career there when they see more successful women examples. Lack of role models continues to hinder career choices of girls away from STEM subjects.
- Women tend to lack access to informal networks that provide opportunities to work in high-profile projects, which include attending conferences abroad or on-the-job opportunities. Therefore, they lack the work experience that would enable them to rise up the ranks and provide access to the wide range of developmental models that could build the credibility they need to advance.
- **Success defined by “live to work” ideals:** Organizations often define success by the willingness of their employee to work for long hours and prioritize work over everything else—a “live to work” ideal, generally regarded as more masculine. When women feel selected or assessed on the basis of group membership rather than their work record and abilities, they experience gender discrimination. Women feel that an unempathetic culture is one of the most significant barriers to their advancement.

What are the steps taken by the government?

Government of India initiatives for promoting women in science Government of India has been striving to empower women through various initiatives and programmes. Department of Science and Technology (DST), India, has been actively engaged in creating an ecosystem and enabling an environment for women in S&T domain.

- **KIRAN:** In 2014, DST restructured all women specific programmes under one umbrella called Knowledge Involvement in Research Advancement through Nurturing (KIRAN). The mandate of KIRAN programme is to bring gender parity in S&T through gender mainstreaming. Different components of KIRAN deal with various crucial women-centric issues such as break in career, self-employment, part-time career, relocation, etc. faced by women in their career path. KIRAN has the following components.
- **Women technology parks:** Women technology parks (WTPs) act as a single window hub for convergence of diversified technologies, leading to socio-economic development of women through capacity building and adoption of location-specific technologies.
- **“WomenInTech forum”:**
 - Royal Bank of Scotland (RBS), India has kicked start a collaborative industry initiative to address the sharp lack of women in STEM careers via a brand new forum called ‘WomenInTech’.
 - The forum aims to address the gap at the grassroots level through a multi-pronged approach.
 - The forum has been conceived in association with a number of technology corporates, academia, and NGOs
 - The forum has been designed to help accelerate the national



Figure 3. WTPs at different locations act as single window for S&T interventions. (Source: SEED Division, DST.)

agenda of Beti Bachao, Beti Padhao and further to work in alignment with the UN's focus area this year – 'Turning promises into action'

Way forward:

Despite many hindrances, women in India have made great strides over the years. It takes more than a policy to bring and retain more and more women in science. A strong commitment to gender mainstreaming is required. To achieve this we need to do the following:

- **Spread awareness:** Awareness that pursuing science for girls is not as difficult as it is presumed, needs to be spread among parents. With family support and encouragement, girls can be high achievers in science.
- **Mentoring:** Along with family support, having teachers who mentor and encourage girls in STEM subjects can have more impact. Mentorship programmes for girls at secondary and senior secondary levels are the need of the hour.
- **Make education gender sensitive:** There is a need to promote positive stereotypes of roles of women in textbooks. It is important that when girls come out of school, they have the dream to carve a path for themselves. Education for boys at school level should be in the direction of making them gender sensitive.
- **STEM scholarships to meritorious girls:** Scholarships to meritorious girls at school levels can provide a boost to girls to pursue science at graduate and postgraduate levels and take up science as a career.
- **Media efforts to increase visibility of women in science:** Many women feel isolated and dejected as they progress through the STEM pipeline. They lose self-confidence due to lack of support from peers, teachers and advisors. Motherhood also places risk on securing STEM career options. Our media can play a big role in bringing more girls into science by increasing visibility of great women scientists and achievers to create and enhance interest of young girls in STEM areas.

Conclusion:

A Science, Technology, Engineering and Mathematics (STEM) workforce is crucial to India's economic development and social welfare, but women are underrepresented in STEM careers. Although women constitute 40 percent of science undergraduates in India, only a fraction move into successful academic careers and even fewer reach top positions in research and administration. This results in a loss of talented workforce.

The 2030 Agenda for Sustainable Development Goals target quality education for all and gender equality as critical to building a prosperous and sustainable society. Equal opportunities in learning Science, Technology, Engineering, and Mathematics (STEM) are important for job opportunities and also for tackling growing economic, social, and environmental challenges. Although India has made strides in the education of girls, participation and performance of women in STEM are still a challenge.

Should judges stop accepting post-retirement jobs offered by govt

Source: <https://indianexpress.com/article/opinion/columns/former-chief-justice-india-ranjan-gogoi-rajya-sabha-nomination-bjp-6319321/>

Context: Former CJI Ranjan Gogoi's nomination to Rajya Sabha.

The President of India nominated former Chief Justice of India, Ranjan Gogoi, to the Rajya Sabha (Upper House), as a member of eminence. The move raises a question mark over the judiciary's independence since Gogoi allocated and handled key cases in which the government had major political stakes until just four months ago.

This brings us to the questions of Judiciary's independence. In this article, we will explain the below:

- Who is Ranjan Gogoi?
- Is CJI Ranjan Gogoi first to be given political post after retirement?
- What are views of different personalities about appointment of judges to political office?
- What is the need of ensuring Judiciary's independence?
- Conclusion

Who is Ranjan Gogoi?

- Ranjan Gogoi served as the 46th Chief Justice of India. His term as Chief Justice was from 3 October 2018 till 17 November 2019.
- Ranjan Gogoi, was the first person from the northeast to reach the top judicial position and credited for bringing the curtains down on the decades old politically and religiously sensitive Ayodhya land dispute.
- On 9 November 2019, the five judge bench headed by him delivered the verdict in the historical and controversial Ayodhya dispute case.
- One of the another highlights of Gogoi's tenure as an SC judge came in 2014, when a bench headed by him kick-started the National Register of Citizens (NRC) process in Assam. The process concluded in August 2019, during his tenure as CJI.
- He retired on 17 November 2019.

President's power to nominate members of Rajya Sabha: In exercise of the powers conferred by Article 80 of the Constitution of India, and on the advice of the Prime Minister, the President of India can nominate 12 members to the Rajya Sabha.

Is CJI Ranjan Gogoi first to be given political post after retirement?

No, Justice Gogoi will not be the first CJI to sit in the Rajya Sabha.

- In 1952, Justice Fazl Ali was appointed the Governor of Orissa, shortly after retiring from the Supreme Court. In 1958, Chief Justice M C Chagla resigned from the Bombay High Court in order to become India's Ambassador to the US at Prime Minister Nehru's invitation.
- In April 1967, Chief Justice Subba Rao resigned from the Supreme Court to contest elections for President.
- However, there has been one case of movement in the opposite direction too, from the Rajya Sabha to the judiciary. Baharul Islam was elected to the Rajya Sabha on a Congress ticket in 1962 and 1968. However, he resigned from Parliament in 1972 to become a judge of the Gauhati High Court. Islam retired in 1980, but once Indira Gandhi came back to power, he was sent to the Supreme Court as a judge. He went on to absolve the chief minister of Bihar, Jagannath Mishra, in the urban

cooperative bank scandal. He resigned thereafter, only to be made a Rajya Sabha MP again.

What are views of different personalities about appointment of judges to political office?

- In the Constituent Assembly, **K T Shah**, an economist and advocate, suggested that high court and Supreme Court judges should not take up an executive office with the government, “so that no temptation should be available to a judge for greater emoluments, or greater prestige which would in any way affect his independence as a judge”.
- However, this suggestion of KT Shah was rejected by **B R Ambedkar** because he felt that the “judiciary decides cases in which the government has, if at all, the remotest interest, in fact no interest at all”. But this was primarily because, in Ambedkar’s time, the judiciary was engaged in deciding private disputes and rarely did cases arise between citizens and the government. “Consequently”, said Ambedkar, “the chances of influencing the conduct of a member of the judiciary by the government are very remote”.
- **The Law Commission** in its 14th report in 1958, strongly recommended banning post-retirement government employment for Supreme Court judges because the government was a large litigant in the courts. The Commission’s recommendations were never implemented.

What is the need of ensuring Judiciary’s independence?

The constitutional scheme of India provides for broad separation of power and the doctrine of ‘checks and balances’ to ensure the viability of political democracy. There are some roles of judiciary vis-à-vis executive and legislature

- Role of judiciary vis-a-vis the executive:
 - The power of judicial review under article 13 helps in avoiding encroachment of constitutional jurisdiction on the executive.
 - The power of issuing writs under article 32 and 226 is the essential remedy against violation of fundamental rights of the people.
 - Judicial activism through PILs as well as extra ordinary powers of SC under article 142 helps in making executive accountable to its obligations.
- Role of Judiciary towards legislature:
 - Doctrine of basic structure has helped in checking the abuse of constitutional amendment powers of the legislature.
 - Doctrine of ‘due process of law’ as evolved in Maneka Gandhi case has helped in scrutinizing procedural as well as substantial aspects of law made by parliament.

Conclusion:

An independent judiciary is the upholder and the defender of the constitution and the rights of people. It is time that we start expecting the judges of our constitutional courts to follow CJI Hidayatullah’s excellent example. Mohammad Hidayatullah was hearing the highly political privy purses case in 1970, in which he would deliver his last judgment as CJI. In that case, the Supreme Court held that the Indira Gandhi government’s decision to abolish the “privy purses” paid to former Indian princes (who had agreed to join the Indian Union after the British left India) was illegal. He was being considered for post retirement political offer but Hidayatullah made it very clear that even if he were offered any of these positions, he would not accept them.

Prepaid power is not the silver bullet to solve problem of discom finances

Source: <https://indianexpress.com/article/opinion/columns/smart-meters-ministry-of-power-6320887/>

Context: Smart Meters and Power sector in India.

The Union Finance Minister, while presenting the Budget 2020-21, urged states and union territories to replace all conventional electricity meters with prepaid smart meters over the next three years.

This brings us to the questions of power sector in India with specially focussing on Smart Meters. In this article, we will explain the below:

- ❖ What is status of India's Energy demand?
- ❖ What are Smart Meters?
- ❖ What is the need of Smart Meters?
- ❖ What is the Smart Meter National Programme?
- ❖ What is Energy Efficiency Services Limited (EESL)?
- ❖ What are the doubts on the wisdom of rushing for smart metering?
- ❖ What are various government initiatives taken to boost power sector?

What is status of India's Energy demand?

- India is the 5th largest producer of electricity in the world, with Maharashtra as the leading electricity generator among Indian states.
- At an electricity-GDP elasticity ratio of 0.8, electricity will continue to remain a key input for India's economic growth.
- India's energy demand outpaced global demand growth in 2018 according to the International Energy Agency.
- India's primary demand rose 4% in 2018 Vs 2.3% growth seen worldwide.
- Electricity demand is likely to reach 217 GW by 2021-22.
- According to EESL, electricity demand in India is expected to rise by 79 percent in the next 10 years.

What are Smart Meters?

- A smart meter is a digital meter that replaces old analog meters, which are used in homes to record electrical usage.
- These digital meters can transmit energy consumption information to the utility (as it is connected to the internet) in frequent intervals, and can monitor consumption more precisely, thereby enabling more informed energy choices.
- Smart Meters have following advantages:
 - For consumers, smart meters help in monitoring and managing electricity consumption and save money. It can be like your mobile pre-paid connection.
 - It can reduce billing errors.
 - Smart meters help power distribution companies (discom) to conduct power-quality analysis in near-real time, taking into consideration factors such as maximum demand, voltage fluctuation, outage detection etc.
 - It helps discoms reduce peak power purchase cost, thereby improve business efficiency. This in turn reduces their debt, thereby helping the economy.
 - Smart meters also aids in the recovery of receivables, which has caused a huge stress on the system.

What is the need of Smart Meters?

- India's average aggregate technical and commercial (AT&C) losses are at 21.4%, pushing up the dues of discoms to power generating companies to ₹72,938 crore at the end of November 2019.
- Prepayment can be a remedy for the financial ailments of the electricity distribution companies (discoms), thus solving a long-standing problem.
- Consumers are expected to be empowered to plan consumption in an efficient manner and be able to choose the supplier and tariff plan in a future multiple supplier system.

What is the Smart Meter National Programme?

- Smart meters are the third pillar of the proposed technology-driven transition in electricity systems globally, in addition to renewable energy and energy storage technologies.
- (SMNP) is working to eventually replace 25 crore conventional meters with smart meters across India.
- It is being implemented by Energy Efficiency Services Limited (EESL).
- In the larger scheme of things, the programme will holistically promote the Indian manufacturing industry while creating more direct and indirect jobs.
- The programme is expected to better billing efficiency by 75 to 100 percent while increasing the revenues of the utility companies to Rs. 1,38,100 crore.

What is Energy Efficiency Services Limited (EESL)?

- Energy Efficiency Services Limited (EESL) is a Super-Energy Service Company (ESCO), which enables consumers, industries and governments to effectively manage their energy needs through energy efficient technologies.
- EESL is implementing the world's largest non-subsidised energy efficiency portfolio across sectors like lighting, buildings, e-mobility, smart metering and agriculture at a scale which no organization has been able to achieve.
- EESL focuses on solution-driven innovation with no subsidy or capital expenditure (CAPEX).
- It is able to do so using its Pay-As-You-Save (PAYS) model, which obviates the need for any upfront capital investment by the consumer.
- EESL is promoted by the Ministry of Power Government of India as a Joint Venture of four reputed public-sector undertakings - NTPC Limited, Power Finance Corporation Limited., REC Limited, and POWERGRID Corporation of India Limited

What are the doubts on the wisdom of rushing for smart metering?

- Prepaid meters address only a small part of the problem of discom finances – non-payment of billed amounts. Non-payment accounts for the smallest share of discom losses which is about 2.5 per cent in the 21 per cent AT&C loss (based on the power ministry's claim that the Ujwal Discom Assurance Yojana has improved collection efficiency to 97 per cent). However, discom losses have two additional components: Line losses in the distribution network, and theft outside the meters, neither of which will be helped by smart meters. Thus, Instead of imposing stricter discipline on a small number of defaulters, the Centre is choosing to impose prepayment on all customers.
- Smart meters will require access to network and support architecture to transmit and store data. There is no clarity on the network costs, who will bear it, and the impact on the electricity bills of the poor.

- Prepaid smart meters are advocated as pro-poor arguing that prepaid meters allow payment in small, affordable fragments, offer a sense of disciplined autonomy and control over consumption, and thus, relieve the poor of the debt they accumulate with the discom. However, poor agriculture-dependent households currently treat electricity dues as a credit option that is accumulated during the lean period and paid in the harvesting season. Prepaid meters could increase the incentive for theft as prepaid system may push poors towards finding ways to bypass the meter to access electricity.

What are various government initiatives taken to boost power sector?

- **Electricity Act 2003** has been enacted and came into force from 15.06.2003.
 - The objective is to introduce competition, protect consumer's interests and provide power for all.
 - The Act provides for National Electricity Policy, Rural Electrification, Open access in transmission, phased open access in distribution, mandatory SERCs, license free generation and distribution, power trading, mandatory metering and stringent penalties for theft of electricity.
 - The aim is to push the sector onto a trajectory of sound commercial growth and to enable the States and the Centre to move in harmony and coordination.
- **Ujwal DISCOM Assurance Yojana (UDAY):**
 - UDAY provides for the financial turnaround and revival of Power Distribution companies (DISCOMs), and importantly also ensures a sustainable permanent solution to the problem.
 - It empowers DISCOMs with the opportunity to break even in the next 2-3 years. This is through four initiatives
 - ✓ Improving operational efficiencies of DISCOMs;
 - ✓ Reduction of cost of power;
 - ✓ Reduction in interest cost of DISCOMs;
 - ✓ Enforcing financial discipline on DISCOMs through alignment with State finances.
- **Deendayal Upadhyaya Gram Jyoti Yojana (DUGJY):** The Ministry of Power has planned to provide electricity to 18,500 villages in three years. The major components of the new scheme are feeder separation; strengthening of sub-transmission and distribution network; Metering at all levels (input points, feeders and distribution transformers); Micro grid and off grid distribution network & Rural electrification.
- **PM KUSUM:** Ministry of New and Renewable Energy (MNRE) has launched the Pradhan Mantri Kisan Urja Suraksha evam Utthan Mahabhiyan (PM KUSUM) Scheme for farmers for installation of solar pumps and grid connected solar and other renewable power plants in the country. The scheme aims to add solar and other renewable capacity of 25,750 MW by 2022.

Conclusion:

The Centre's push for smart meters may be an important ingredient for transitioning to a 21st century electricity-system. However, let us not pretend it is the silver bullet to solve the long-standing problems of discom finance and losses, and accountability and governance in the Indian electricity system.

Giving Human Rights Commissions more teeth

Source: <https://www.thehindu.com/opinion/lead/giving-human-rights-commissions-more-teeth/article31111463.ece>

Context: Human Rights commission in India.

The Madras High Court is to decide on whether the recommendations made by Human rights commission are binding upon the state (or Central) governments, or whether the government is entitled to reject or take no action upon them.

This raises the questions on functioning of the human rights commissions in India. In this article, we will explain the below:

- What are human rights?
- What India did to protect Human rights?
- What is the composition and functions of National Human Rights Commission in India?
- Why National Human rights commission is called as Toothless Tiger?
- Way Forward

What are human rights?

According to UN "Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status".

- Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.
- International human rights law lays down the obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups.

What India did to protect Human rights?

In 1993, the Indian Parliament enacted the Protection of Human Rights Act with purpose of establishing an institutional framework that could effectively protect, promote and fulfil the fundamental rights guaranteed by the Indian Constitution. To this end, the Act created a National Human Rights Commission, and also, Human Rights Commissions at the levels of the various States.

- NHRC acts as a watchdog of human rights in the country.
- The National and State Human Rights Commissions are called as "fourth branch institutions" because the complexity of governance and administration in the modern world has necessitated the existence of a set of independent bodies, which are charged with performing vital functions of oversight.

What is the composition and functions of National Human Rights Commission in India?**Composition:**

- It consists of a Chairman and 4 members. Chairman should be a retired Chief Justice of India. Members should be either sitting or retired judges of the Supreme Court or a serving or retired Chief Justice of a High Court and 2 persons having practical knowledge in this field.
- Ex officio members are the chairmen of National Commission for Scheduled Caste, National Commission for Scheduled Tribes, National Commission for Minorities and National Commission for Women.

Appointment:

- The chairman and members are appointed on the recommendation of a 6 member committee consisting of Prime Minister, Speaker of the Lok Sabha, Deputy Chairman of the Rajya Sabha, leaders of opposition in both the houses of parliament and Union Home Minister.
- Term: Term of the chairman and members is 5 years or 70 years whichever is earlier. After retirement they are not eligible for further reappointment.
- Removal: President has to refer the matter to Supreme Court and if after enquiry Supreme Court holds it right then they can be removed by the President.

Functions of the commission:

- HRC can investigate any complaints related to violation of Human Rights either suo moto or after receiving a petition.
- HRC can interfere in any judicial process that involves any allegation of violation of Human Rights.
- It can visit any prison/institute under the control of the state governments to observe the living conditions of inmates. It can further make recommendations based on its observations to the authorities.
- HRC can review the provisions of the Constitution that safeguard Human Rights and can suggest necessary restorative measures.
- Human Rights awareness and literacy through different media is promoted by HRC in various sectors of the society.
- HRC has the power to recommend suitable steps that can prevent violation of Human Rights to both Central as well as State Governments.
- The President of India gets an annual report from NHRC which is laid before both the Houses of the Parliament.

Why National Human rights commission is called as Toothless Tiger?

Earlier National Human Rights Commission (NHRC) chairman Justice H L Dattu recently said the rights watchdog needed some teeth to enforce its orders on remedial measures in cases relating to violations. He said NHRC is a toothless tiger.

In the two-and-a-half decades of their existence, the functioning of the Human Rights Commissions has come under scrutiny and criticism.

- HRC's recommendations are not binding on government.
- It plays an advisory role, with the government left free to disobey or even disregard their findings.
- It has no power to punish the violators of human rights, or to award any relief including monetary relief to the victim.
- It faces criticism of the politicization of autonomous bodies, and selectiveness.
- The HRC has limited jurisdiction over cases related to armed forces (AFSPA).
- Its jurisdiction does not extend to Jammu and Kashmir.
- It cannot consider Cases that are older than one year.

Way Forward:

- Commission's recommendations should be binding upon the state as it plays a crucial role in achieving state accountability in a democracy committed to a 'culture of justification'.
- Its decisions should be immediately made enforceable by the government to enhance its efficiency.

Bring out the need for complete revamp of NHRC to make it more effective and a watchdog of human right violations in the country while discussing the challenges involved.

Picking up the quantum technology baton

Source: <https://www.thehindu.com/opinion/op-ed/picking-up-the-quantum-technology-baton/article31136893.ece>

Context: National Mission on Quantum Technologies and Applications.

In the Budget 2020 speech, Finance Minister Nirmala Sitharaman made a welcome announcement for Indian science over the next five years she proposed spending ₹8,000 crore on a National Mission on Quantum Technologies and Applications.

This brings us to the questions of Quantum Technology. In this article, we will explain the below:

- # What is Quantum Technology?
- # What is Quantum Computing?
- # What are the potential/applications of Quantum Technology?
- # What are the challenges to Quantum Technology?
- # What is National Mission on Quantum Technologies and Applications?
- # Where does India stand and what is way forward?
- # Conclusion

What is Quantum Technology?

- Quantum physics is the foundation of many modern technologies. The first generation of quantum technology provides the basis for key areas such as semiconductor and laser technology.
- The “new” quantum technology, based on influencing individual quantum systems, has been the subject of research for about the last 20 years. Quantum technology has great economic potential due to its extensive research programs conducted in specialized quantum technology centres throughout the world.
- Quantum technology seeks to harness the peculiar laws of quantum mechanics to build more powerful tools for processing information. Scientists are using the technology to develop new kinds of computers and communications networks, and sensors for imaging and measuring things in novel ways.
- Quantum mechanics is a science that describes the unique behavior of matter and energy at the atomic and subatomic level. These particles don't obey the laws of classical Newtonian physics.
- In simple terms, Quantum technology is a class of technology that works by using the principles of quantum mechanics (the physics of sub-atomic particles), including quantum entanglement and quantum superposition.
- For example, they can be in “superposition,” meaning they can exist in multiple states at the same time. They can also exhibit “entanglement,” where two or more particles are inextricably linked and mirror each other exactly, even when separated by great physical distance.

What is quantum computing?

- A quantum computer uses quantum bits, or qubits, to process information in new ways. Qubits, which can be made of atoms or subatomic particles, behave according to the laws of quantum mechanics.
- Quantum computers store and process information using quantum two level systems (quantum bits or qubits) which unlike classical bits, can be prepared in superposition states. This key ability makes quantum computers extremely powerful

compared to conventional computers when solving certain kinds of problems like finding prime factors of large numbers and searching large databases.

- The prime factorization quantum algorithm has important implications for security as it can be used to break RSA encryption, a popular method for secure communication.

What are the potential/applications of Quantum Technology?

The range of quantum technologies is expected to be one of the major technology disruptions that will change entire paradigm of computation, communication and encryption. It is perceived that the countries who achieve an edge in this emerging field will have a greater advantage in garnering multifold economic growth and dominant leadership role.

- **Supercomputing:**

- A fully functioning quantum computer has the potential to be transformative.
- The exponentially greater calculation power could help identify new chemical compounds to treat intractable diseases, and eliminate traffic snarls by predicting and managing the flow of vehicles.
- However, the machines may also be able to crack all existing forms of encryption, which is a major worry for militaries, governments and businesses that handle sensitive data.

- **Quantum Communication:**

- "Quantum communication" is actually more like quantum-supported physical communication. The transmittance of information, be it raw data or video calls, still requires the usual physical connections.
- Quantum techniques can also be used to improve the efficiency and capacity of communication channels.
- Photonics, the method of using light particles, photons, to transmit or carry information is a less resource-intensive process, since photons are more accessible than other sources of energy, and fibre cables weigh around 40 times less than cables currently used for telephone lines and broadband internet.

- **Cryptography:** Key-based security protocols are already used, but leverages quantum effects to decrease the risk of interception, decryption, hacking and data leakage.

- **Sensors, imaging and measurement:**

- Since quantum effects are extremely sensitive, a quality which actually poses a challenge for quantum computers. These quantum effects can produce high-precision sensing and imaging tools.
- The technology commonly uses single photons for tools like gravity sensors, rotation sensors, magnetic sensors, atomic clocks and imaging.
- These tools can then be used for industrial and commercial applications including underground object detection, medical diagnostics, autonomous vehicle sensors, navigation and precise timing for military use.

- **Simulation for research and development:** As a consequence of progress in quantum computing, there are now opportunities to run virtual simulations instead of physical research and experiments, in sectors like drug discovery, material production and manufacturing.

What are the challenges to Quantum Technology?

- **Cost and resources:** To produce quantum phenomena, scientists need to carefully control the environment (i.e. temperature) and manipulate material with extreme

precision at tiny scales. The tools to do this, like refrigeration systems and nanotechnology instruments amount to a huge expense, which presents a significant barrier to entry for quantum technology companies without access to a university or research lab.

- **Pitching for the future:** Return on investment is particularly hard to predict for quantum products. For some technologies, the true value of the product depends on the advance of quantum technology in other areas. For example, quantum software products become extremely valuable only after the proliferation of quantum computers; post-quantum cryptography becomes more valuable as quantum computing power increases.
- **Infrastructure transition:** In some cases deploying quantum technologies at scale requires a significant overhaul of the existing core infrastructure. Examples include timing and navigation systems, communication networks, and internet security protocols.
- **Technology at scale:** Much of the quantum technologies work now is to scale-up or improve quantum technologies to create useful commercial products. To create useful commercial products, each quantum subsector has to overcome particular limits:
 - Quantum computing has yet to reach large-scale processing power due to decoherence – when quantum systems interact with the external environment and quantum effects are lost.
 - Quantum communication has yet to cover large distances in a way that is efficient and scalable
 - Quantum simulation produces results which are hard to validate and verify
 - Quantum sensing is still subject to quantum noise – errors resulting from quantum uncertainty due to the high-sensitivity of the technology, and optical losses reductions in the light intensity due to photon interactions which reduce reliability.

What is National Mission on Quantum Technologies and Applications?

- Quantum Technologies & Applications is one of the 9 missions of national importance, being driven by the Prime Minister's Science and Technology Innovation Advisory Council (PM-STIAC) through the (Principal Scientific Advisor) PSA's office to leverage cutting edge scientific research for India's sustainable development.
- The areas of focus would both be in fundamental science and towards developing technology platforms in the Four identified verticals:
 1. Quantum Computing & Simulations;
 2. Quantum Materials & Devices;
 3. Quantum Communications;
 4. Quantum Sensor & Metrology.
- The next generation transformative technologies that will receive a push under this mission include quantum computers and computing, quantum communication, quantum key distribution, encryption, crypt analysis, quantum devices, quantum sensing, quantum materials, quantum clock and so on.
- The areas of focus for the Mission will be in fundamental science, translation, technology development, human and infrastructural resource generation, innovation and start-ups to address issues concerning national priorities.



केन्द्रीय बजट
UNION BUDGET 2020

Budget 2020 announced Rs 8,000 crore over the next 5-yrs in the National Mission on Quantum technology and its applications

- The areas of focus for the NM-QTA Mission will be in fundamental science, translation, technology development and towards addressing issues concerning national priorities
- The mission can help prepare next generation skilled manpower, boost translational research and also encourage entrepreneurship and start-up ecosystem development.
- Quantum principles will be used for engineering solutions to extremely complex problems in computing, communications, sensing, chemistry, cryptography, imaging and mechanics



- Their applications which will be boosted include those in aero-space engineering, numerical weather predictions, simulations, securing the communications & financial transactions, cyber security, advanced manufacturing, health, agriculture, education
- It can bring India in the list of few countries with an edge in this emerging field will have a greater advantage in garnering multifold economic growth and dominant leadership role

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- The Mission will be able address the ever increasing technological requirements of the society, and take into account the international technology trends and road maps of leading countries for development of next generation technologies.
- Implementation of the mission would help develop and bring quantum computers, secured communications through fibre and free space, quantum encryption and crypt-analysis and associated technologies within reach in the country and help address India specific national and regional issues.
- The mission will help prepare next generation skilled manpower, boost translational research and also encourage entrepreneurship and start-up ecosystem development.
- By promoting advanced research in quantum science and technology, technology development and higher education in science, technology and engineering disciplines India can be brought at par with other advanced countries and can derive several direct and indirect benefits.

Where does India stands and what is way forward?

- India at present is plagued by a lack of sufficient resources, high quality manpower, timeliness and flexibility.
- The new announcement in the Budget would greatly help fix the resource problem but high quality manpower is in global demand.
- A previous programme called Quantum Enabled Science and Technology has just been fully rolled out.
- The government, its partner institutions and the scientific community need to work out details of the mission and roll it out quickly.

Conclusion:

With a solid research base and workforce founded on significant and reliable government support, it can lead to the creation of innovative applications by industries, thereby stimulating economic growth and job creation, which will feed back into a growing quantum-based economy. The government's financial and organizational support will also ensure that both public and private sectors will benefit. It will establish standards to be applied to all research and help stimulate a pipeline to support research and applications well into the future.

ForumIAS

India as a driving force in new trade order

Source: <https://www.thehindubusinessline.com/opinion/india-as-a-driving-force-in-new-trade-order/article31144241.ece>

Context: India in the emerging international trading system.

A three day event, rechristened as Asia Economic Dialogue held at Pune International Centre (PIC) from February 28 to March 1, 2020.

This brings us to the questions of Asia, especially India emerging as a driving force in the new trade order. In this article, we will explain the below:

- # What is Asia Economic Dialogue?
- # What does Asian economies hold?
- # What is the current global economic climate?
- # What India can do emerge as a driving force in new trade order?
- # Conclusion

What is Asia Economic Dialogue?

- Asia Economic Dialogue is a unique dialogue based in India where Asia gets together to talk trade, finance, and business opportunities.
- The event seeks to serve as a platform for influential political and business leaders and policy makers to showcase and talk about the developments in Asian countries that are now driving the global economy.
- The theme of the event was Asia and the Emerging International Trading System.
- The theme of the geo-economic conference centres around the fact that Asia is home to more than half of world's population and 21 of the world's largest 30 cities are in Asia.
- The conference runs in partnership between the Ministry of External Affairs and the Pune International Centre. It is an effort by the government to go beyond the narrow confines of the New Delhi on such issues.
- The Asia Economic Dialogue (AED) is one of the three main national dialogues organised/supported by the ministry of external affairs. It focuses on India and Asia's rise as an economic powerhouse and also the region's aspirations to get a proportionate share in leading world forums.

What do Asian economies hold?

- According to the International Monetary Fund (IMF), by 2030, Asians would have bought as many vehicles as rest of the world combined.
- As per projections, the Asian economies are set to emerge larger than the rest of the world combined by the end of 2020. This growth needs to be seen in the perspective where as late as 2000, Asia accounted only for a third of world's output. It was highlighted that the rise of smaller economies such as Bangladesh wasn't properly documented.
- As per IMF, Asian economies would be larger than the rest of the world by 2020, and beyond China and India, countries like Bangladesh, Indonesia, and Vietnam are setting the pace.
- While over 60 per cent of the world's GDP comes from Asia, the global trading system is dominated by the Organisation for Economic Cooperation and Development (OECD) thinking.

What is the current global economic climate?

- The global economy is already flooded with liquidity with debt-to-GDP ratio now at an all-time high of 250 per cent.
- Also, more than \$11 trillion of debt currently earns negative yields.
- The current global economic climate is full of severe uncertainty and unpredictability is amply evident today. The combined negative impact of Covid 19 and collapse of global oil prices on top of rising protectionist tendencies can be traumatic for the world economy.
- The OECD says global GDP growth could plunge this year to as little as 1.5%, almost half the 2.9% rate it had previously forecast.
- The West seeking to close the door for developing countries those want to replicate the success of China. The US steps, which have led to the appellate body of the World Trade Organisation (WTO) coming to a grinding halt, are only part of a series of measures aimed at not only containing China, but also countries like India, Brazil, Indonesia and South Africa.

What India can do emerge as a driving force in new trade order?

Given the dynamism of Asian economies and their rising share in global economic activity, it is imperative that they play a predominant role in any effort for putting in place a new global economic architecture.

- To emerge as a global hub, India needs to make its industry competitive, bring down tariffs, and build upon steps it has taken on the ease of doing business and improving its logistics performance.
- It needed to move away from protectionism and pursue the reform of multilateralism.
- India will have to firmly establish its credentials as an open economy that is eager to connect with global and regional value chains and enlarge its share in global trade flows.
- In fact, the key to increasing India's stagnant manufacturing exports is to integrate manufacturing into global production networks. There is emerging importance of getting small and medium enterprises (SMEs) to participate in global value chains, something that India had failed to do because of its poor understanding of how these work.
- India should try and bring its tariffs to global average levels. To achieve this India will have to sharply focus on improving trade facilitation and logistics and removing unnecessary impediments for its exporters.
- India more actively needs to engage with all the plurilateral negotiations that are currently going on within the WTO. India has to participate in these negotiations because that will ensure that India earns the needed legitimacy and the recognition to be within the vanguard group for redesigning the global trade architecture.

Conclusion:

There is no shortage of ideas on ways India can move ahead and indeed, 'pole-vault' into the ranks of leading nations. But the bottom line remains that India cannot escape from the systematic challenge of large-scale reforms in investment policy, labour, tariff and non-tariff measures, connectivity and above all, on the need to promote political stability.

How India can reboot its virus-hit economy

Source: <https://www.livemint.com/news/india/how-india-can-reboot-its-virus-hit-economy-11585068400807.html>

Context: Measures that can be taken during lockdown to help daily wage earners.

On 21 March, trains leaving Mumbai and heading towards the eastern part of the country were packed. Media reports suggested daily-wage labourers were leaving the city and going back to their native places in eastern Uttar Pradesh, Bihar and Jharkhand. On 24th March, 21 days complete lockdown has been announced in the country.

This brings us to the questions of rebooting India's virus-hit economy. In this article, we will explain the below:

- # What other countries are doing to help low-income earners?
- # What are the UBI-like measures that can be implemented in India?
- # What are the non-UBI measures that can be implemented in India?
- # What are the challenges?
- # Conclusion

What other countries are doing to help low-income earners?

- The Australian government has announced that a cash payment of \$750 (Australian dollars) will be made to six million low-income earners.
- American politicians are also discussing a one-time payment of \$1,200 for individuals earning up to \$75,000 a year.

What are the UBI-like measures that can be implemented in India?

- **Advance payment of pensions:** Jean Drèze, an economist, has suggested that "advance payment of (at least) three months' pension should be made immediately, to help widows and the elderly who are the most vulnerable in this crisis." This made Kerala government to plan paying the two months of pension in advance. Similar steps are taken in by Delhi government. This can be done at national levels to help vulnerable sections of society in hard-hit times.
- **Payment into Jan Dhan accounts:** Currently, there are 382.6 million Jan Dhan accounts. The central government can directly transfer money into these accounts. This will be a really mass-market measure that can help the poorest of the poor.
- **Advance payment of PM-Kisan amount:** The Pradhan Mantri Kisan Samman Nidhi (PM-KISAN) scheme provides ₹6,000 per year per family to all farmers who own land. The government can pay two out of the three installments for 2020-21 at the beginning of the year.
- **Payment to daily-wage labourers:** The Uttar Pradesh government has decided to pay ₹1,000 to 2.037 million construction workers registered with the labour department and 1.5 million self-employed cart owners, small shop owners and rickshaw-pullers. The money will be paid through direct benefit transfer system. Other states can easily replicate this depending on the kind of data they have for construction and other workers.

Universal Basic Income:

- A universal basic income is a government guarantee that each citizen receives a minimum income. It is also called a citizen's income, guaranteed minimum income, or basic income.
- In simple words, Universal Basic Income is a periodic, unconditional cash transfer to every citizen in the country.
- Here, social or economic positions of the individual are not taken into consideration.
- The intention behind the payment is to provide enough to cover the basic cost of living and provide financial security. The concept has regained popularity as a way to offset job losses caused by technology.
- The concept of universal basic income has three main features. They are as following:
 - UBI is universal in nature. It means UBI is not targeted.
 - The second feature of UBI is cash transfer instead of in-kind transfer.
 - The third feature is that UBI is unconditional. That means one need not

What are the non-UBI measures that can be implemented in India?

- **Increase of allocation of rice and wheat provided through the public distribution system (PDS):** The Food Corporation of India has stocks of 58.497 million tonnes of rice and wheat as of March. This is much more against the mandated 21.41 million tonnes, which includes operational as well as strategic stock. This excess rice and wheat can easily be distributed through PDS all over the country. The Delhi government is planning to implement something along these lines.
- **Delay goods and services tax (GST) payments:** Finance Minister Nirmala Sitharaman on March 24th extended the deadline for filing GST returns for March-May to June 30. On late filing of GST returns, no late fee, penalty or interest will be charged for companies with turnover of up to Rs 5 crore. For companies with more than Rs 5 crore turnover, no late fee and penalty will be charged on GST return filed by 15 days. A reduced interest rate of 9 per cent will be charged.
- **Clear all government dues:** The Kerala government has announced a relief package of ₹20,000 crore. The biggest entry in the package is that of the government clearing all its dues. This amounts to ₹14,000 crore. This can be implemented at the national level.
- **Increase in allocation to Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS):** With many daily-wage workers in cities heading back home, work needs to be created in the villages. However, in 2020-21, the allocation to MGNREGS has been cut to ₹61,500 crore against ₹71,002 crore in 2019-20. This is primarily because as the government moves towards UBI-based payments, it is trying to cut down on allocations to other social sector schemes, without withdrawing them.
- **Change the definition of bad loans:** The slowdown in economic activity will end up impacting small businessmen from infrastructure contractors to road transport operators to taxi aggregators to traders. These businessmen along with other micro, small and medium enterprises, have taken on loans from non-banking finance companies (NBFCs) and banks. Some of these businessmen, with excellent track records up until now, are likely to default in the days to come, as business dries up. Hence, the NBFCs and banks need to be lenient on them and defer the payment of EMIs.

Bad Loan/NPAs:

- Any asset of a bank which is not producing any income or in other words, a loan or lease that is not meeting its stated principal and interest payments is called as Non-Performing Asset.
- A bad loan is defined as a loan which hasn't been repaid for a period of 90 days or more. This needs to be extended to 180 days in case of smaller businesses.
- Based upon the period to which a loan has remained as NPA, it is classified into 3 types:

Categories of NPAs	Categories
Substandard Assets	An asset which remains as NPAs for less than or equal to 12 months.
Doubtful Assets	An asset which remained in the above category for 12 months.
Loss Assets	Asset where loss has been identified by the bank or the RBI, however, there may be some value remaining in it. Therefore loan has not been not completely written off.

What are the challenges?

- Impact of falling household savings rate:** In 2018-19, household savings stood at 6.39% of the gross national disposable income way low from 10.54% in 2008-09. In this scenario, the government borrowing more is likely to push up interest rates for the private sector. Many companies are already stretched when it comes to repaying debt. So, the government needs to tread carefully.
- Increasing Fiscal-Deficit:** While an increase in fiscal deficit may be inevitable, given that the social distancing will end up impacting government taxes as well.
- Side-effects of Direct Payments to be made in Jan Dhan Accounts:** If pension payments are made in advance or payments are made into Jan Dhan accounts, this will increase the number of people turning up at banks to withdraw money. Along similar lines, if more work or more money is offered under MGNREGS, more people are likely to turn up at the worksite. This will go against the entire idea of social distancing that needs to be currently practised.

Conclusion:

Covid-19 put forth challenging times to humanity and to break the chain of its transmission, a serious social distancing needs to be practiced. Government needs to ensure that the people are supplied with essentials on time to prevent panic situations. This is not the time for the best solutions but the most optimal ones. There is need for a greater flexibility of decision making at local level.

Dressing a wounded economy

Source: <https://www.thehindu.com/opinion/lead/dressing-a-wounded-economy/article31167337.ece>

Context: Impact of COVID-19 on Indian economy and possible measures.

Nations across the world have sprung into action to contain the impact of this epidemic. India too lockdown the whole country for 21 days. At the same time Indian government has come up with many monetary and fiscal measures to tackle the impact.

This raises various questions regarding working of monetary and fiscal policy in india. In this article, we will explain the below:

- # What is COVID-19?
- # What is the impact of COVID-19 globally?
- # What is the impact of COVID-19 on Indian economy?
- # How can the government deal with this sudden decline in economic activity?
- # Conclusion

What is COVID-19?

- Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus.
- Most people infected with the COVID-19 virus will experience mild to moderate respiratory illness and recover without requiring special treatment. Older people, and those with underlying medical problems like cardiovascular disease, diabetes, chronic respiratory disease, and cancer are more likely to develop serious illness.
- The best way to prevent and slow down transmission is be well informed about the COVID-19 virus, the disease it causes and how it spreads. Protect yourself and others from infection by washing your hands or using an alcohol based rub frequently and not touching your face.
- The COVID-19 virus spreads primarily through droplets of saliva or discharge from the nose when an infected person coughs or sneezes, so it's important that you also practice respiratory etiquette (for example, by coughing into a flexed elbow).
- At this time, there are no specific vaccines or treatments for COVID-19. However, there are many ongoing clinical trials evaluating potential treatments.

What is the impact of COVID-19 globally?

- **Spread:** As of March 25th, 196 countries, areas or territories have reported cases with a total of over 4 lakh cases and more than 18000 confirmed deaths.
- **Economically:** Globally, the coronavirus shock is severe even compared to the Great Financial Crisis in 2007–08.
 - The International Monetary Fund said it expects a global recession this year that will be at least as bad as the downturn during the financial crisis more than a decade ago, followed by a recovery in 2021.
 - It has been suggested that about one-third of the economic losses from the disease will be direct costs: from loss of life, workplace closures, and quarantines. The remaining two-thirds will be indirect, reflecting a retrenchment in consumer confidence and business behavior and a tightening in financial markets.

- **It affects significantly both the elements: Supply and Demand**

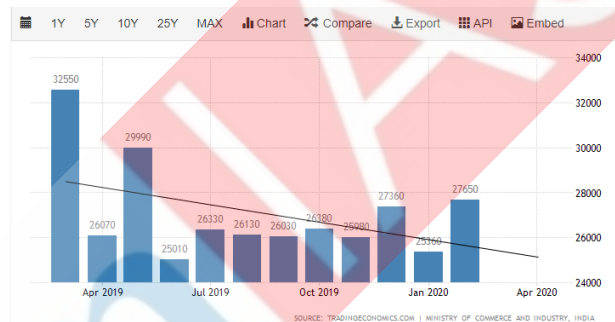
- Supply will be disrupted due to morbidity and mortality, but also the containment efforts that restrict mobility and higher costs of doing business due to restricted supply chains and a tightening of credit.
- Demand will also fall due to higher uncertainty, increased precautionary behavior, containment efforts, and rising financial costs that reduce the ability to spend.
- These effects will spill over across borders.

What is the impact of COVID-19 on Indian economy?

The economic impact on India can be traced through four channels: external demand; domestic demand; supply disruptions, and financial market disturbances.

- **External Demand:**

- India's merchandise exports increased 2.9% to US\$ 27.65 billion in February 2020 over a year ago, while snapping consistent decline for last six straight months.
- Since the economies of the developed countries are slowing down, their demand for imports of goods will go down and this will affect our exports which are even now not doing well.
- The demand for services exports will also suffer, which includes, IT industry, travel, transport, tourism and hotel industries.
- The only redeeming feature in the external sector is the fall in oil prices. Though it will bring down the India's oil imports bill but at the same time reduces remittances from oil exporting countries which absorb Indian labour.



- **Domestic Demand:**

- Since the country declared a 21 days lockdown on March 24th after a 14 hour Janta Curfew on 22nd March, the transportation industry, road, rail and air, is cutting down schedules and in turn affecting several closely related sectors.
- Since people generally buy less, retail shops stock less, which in turn affects production. However, with people now purchasing in bulk, will impact the retail units at first and passing on the impacts on production units later.

- **Supply Disruptions:**

- Such disruptions can occur because of the inability to import or procure inputs.
- It is estimated that nearly 60% of our imports is in the category of 'intermediate goods'.
- Domestic supply chain can also be affected as the inter-State movement of goods has also slowed down.

- **Financial Market Disturbances:**

- Financial markets refer broadly to any marketplace where the trading of securities occurs, including the stock market, bond market, forex market, and derivatives market, among others.
- The stock market in India has collapsed. The indices are at a three-year low.
- In this process, the value of the rupee in terms of dollar has also fallen.
- The stock market decline has a wealth affect and will have an impact on the behaviour of particularly high wealth holders.

How can the government deal with this sudden decline in economic activity?

The two major tools that are available are monetary policy and fiscal actions.

Monetary Policy:

- Though the policy rates has already been brought down by 135 basis points over the last several months, there is scope of further reduction.
- Interest is a double-edged sword and beyond a point, reduction in interest rates wont work. As it is said, you can lead a horse to water but you cannot make it drink.
- Though RBI has cut down the rates, but it need to have a regulatory self-control to make the banks lend.
- There is a need to change the definition of Non-performing Assets across the entire business sector.

What is Monetary Policy?

- Monetary policy is the macroeconomic policy laid down by the central bank. It involves management of money supply and interest rate and is the demand side economic policy used by the government of a country to achieve macroeconomic objectives like inflation, consumption, growth and liquidity.
- In India, monetary policy of the Reserve Bank of India is aimed at managing the quantity of money in order to meet the requirements of different sectors of the economy and to increase the pace of economic growth.
- The RBI implements the monetary policy through open market operations, bank rate policy, reserve system, credit control policy, moral persuasion and through many other instruments. Using any of these instruments will lead to changes in the interest rate, or the money supply in the economy.
- Monetary policy can be expansionary and contractionary in nature. Increasing money supply and reducing interest rates indicate an expansionary policy. The reverse of this is a

Fiscal Policy:

- The fiscal position of the government of India is already difficult. Because of the already prevailing economic slowdown in India, the fiscal deficit of the Central government will turn out to be higher than that indicated in the budgets for 2019-20 and 2020-21.
- As of now, the first priority is to mobilise adequate resources to meet all health related expenditures which includes the supply of accessories such as masks, sanitisers and materials for tests.

Fiscal Policy:

- Fiscal means something that is related to public money or taxes.
- Fiscal policy is an estimate of taxation and government spending that impacts the economy.
- It can be either expansionary or contractionary.
- Along with RBI's policy that influences a nation's money supply, it is used to direct a country's economic goals.
- An expansionary fiscal policy is one which is used at the times of an economic slump. Government cuts taxes to spur economic growth.
- On the other hand, a contractionary fiscal policy is aimed at lowering inflation as it tends to reduce the quantum of money by raising taxes and reducing spending.

Conclusion:

There is a serious concerns about people who have been thrown out of employment. These are mostly daily-wage earners and non-permanent/temporary employees. In fact some of the migrant labour have gone back to home States. The government should advise all business units not to retrench workers and provide some relief to them to maintain the workers.

The promotion of competition is vital to the Indian economy

Source: <https://www.livemint.com/opinion/online-views/opinion-the-promotion-of-competition-is-vital-to-the-indian-economy-11584978115138.html>

Context: Draft Competition (Amendment) Bill, 2020.

The Prime Minister, Shri Narendra Modi addressed the Economic Times Global Business Summit on March 6th 2020. The broad theme of the Global Business Summit 2020 is 'Collaborate to Create: Sustainable Growth in a Fractured World'. Prime Minister Narendra Modi says the \$5 trillion economic target for India will be reached through collaboration with the private sector, fair competition, wealth creation, and removal of archaic laws.

This brings us to the questions of fair competition and the Competition Act. In this article, we will explain the below:

- ✓ What is Competition Act?
- ✓ What is \$5 trillion Economy?
- ✓ What is Competition Commission of India?
- ✓ Why is it in news?
- ✓ What are the key changes proposed in the draft bill?
- ✓ What are the issues with the new draft bill?
- ✓ Conclusion

What is Competition Act?

- The Competition Act was passed in 2002 and has been amended by the Competition (Amendment) Act, 2007. It follows the philosophy of modern competition laws.
- The Act prohibits anti-competitive agreements, abuse of dominant position by enterprises and regulates combinations (acquisition, acquiring of control and M&A), which causes or likely to cause an appreciable adverse effect on competition within India.
- In accordance with the provisions of the Amendment Act, the Competition Commission of India and the Competition Appellate Tribunal have been established.
- Government replaced Competition Appellate Tribunal (COMPAT) with the National Company Law Appellate Tribunal (NCLAT) in 2017.

What is \$5 trillion Economy?

- Simply put, the \$5-trillion economy is the size of a national economy as measured by the annual Gross Domestic Product (GDP).
- The GDP of an economy is the total monetary (rupee) value of all goods and services produced in an economy within a year. GDP is a way among countries (economies) to decide who is the largest and so on.
- In 2014, India's GDP was \$1.85 trillion. In 2018, it is \$2.7 Trillion, and India is the sixth-largest economy in the world.

What is Competition Commission of India (CCI)?

- Competition Commission of India (CCI) is a statutory body of the Government of India responsible for enforcing the Competition Act, 2002, it was duly constituted in March 2009.
- The Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act) was repealed and replaced by the Competition Act, 2002, on the recommendations of Raghavan committee.

- CCI envisions to promote and sustain an enabling competition culture through engagement and enforcement that would inspire businesses to be fair, competitive and innovative; enhance consumer welfare; and support economic growth.
- Competition Commission of India aims to establish a robust competitive environment through:
 - Proactive engagement with all stakeholders, including consumers, industry, government and international jurisdictions.
 - Being a knowledge intensive organization with high competence level.
 - Professionalism, transparency, resolve and wisdom in enforcement.

Why is it in news?

- The Ministry of Corporate Affairs (MCA) had invited public comments from stakeholders on the Draft Competition (Amendment) Bill, 2020 on or before 6th March, 2020.
- The bill has been proposed further to the recommendations of Competition Law Review Committee (CLRC) which had reviewed and recommended certain changes to the Competition Act, 2002.
- The Competition Law Review Committee (CLRC) was set up under chairman of Mr. Injeti Srinivas to comprehensively review the Competition Act and suggest substantive and procedural amendments for a robust competition regime.
- The CLRC submitted its report in July 2019, and its recommendations were closely reflected in the recent Draft Competition (Amendment) Bill, 2020.

What are the key changes proposed in the draft bill?

- **Change in the regulatory structure of the CCI:** CCI had been vested with adjudicatory, advisory, investigative, quasi-legislative, and advocacy functions. Recognizing this, the CLRC recommended a change in the regulatory structure to make it more robust and effective to deal with the new age issues.
- **Establishment of Governing body:** The Draft Bill also provides for the establishment of a Governing Board. The body will consist of 13 members including
 - A Chairperson
 - Six whole-time members
 - Two government representatives (from the Ministries of Finance and Corporate Affairs) as ex-officio members
 - Four part-time members.
- **Statutory provision to invite public comments:** In a very welcome move, the Bill creates an obligation on the Governing Board to seek public comments on all regulations. With a limited exception of urgency in public interests, and regulations pertaining to internal working of the CCI, this provision will bring elements transparency and democratic rule making to the system.
- **Issuing the penalty guidance:** the Bill requires the CCI to issue the much awaited penalty guidelines. The penalty guidance is expected to give recognition to the relevant turnover principles and lay down the manner of determination of the percentage of the penalty and application of aggravating and mitigating factors. The CCI has the power to impose prohibitive penalties and in the absence of any guidance the manner in which this penalty was being imposed was shrouded with ambiguities. The guidance may provide the much-needed clarity, even though the Bill falls short of imposing a mandatory time limit within which the penalty guidelines will be issued.
- **Streamlining procedure for regulation of combinations:** The Bill makes a large number of changes to regulation of combinations. Some of these, such as, reducing

the time-limit for deemed approval from two hundred and ten days (210) days to one hundred and fifty days (150) days, make substantive changes.

- **New thresholds for merger control:** The Bill empowers the CCI and Central Government to define new thresholds for merger notification by introducing a proviso to Section 5. The new thresholds, which can be notified in public interest, will now enable the CCI to make sector specific thresholds based on deal value or size of transaction or any other criterion. The amendment appears to be in furtherance of the CLRC's recommendation to capture transactions in the digital market.
- **Definition of a cartel:** Presently, the Competition Act defines cartels as an association of producers, sellers, or service providers who limit or control the production, distribution or price of goods and services. The Draft Bill amends the definition of cartels to include buyer cartels.
- **Extending protection to holders of intellectual property rights:** In line with the recommendations of the CLRC, the Bill, seeks to widen protection offered to holders of IPR.
- **The regime of settlements and commitments:** In a very significant development, the Bill introduces a system for settlements and commitments permitting the CCI to close the investigation on basis of an application for settlement or commitment moved by the investigated party.

What are the issues with the new draft bill?

- **Statutory recognition of an effects-based approach in abuse of dominance:** Absence of a specific obligation on the CCI to adopt an effect-based approach while determining an abuse of dominant position, still leaves much to be desired. The CCI's decisional practice reveals lack of uniformity in application of the effects-based approach.
- **A statutory provision requiring separate bench of the National Companies Law Appellate Tribunal** to hear competition appeals would greatly assist in faster disposal of competition cases.
- **Clarity on procedure of inquiry by the CCI:** the Act currently has some gaping holes in the procedure of inquiry adopted by the CCI. The CCI's jurisdiction to pass certain orders has in fact been challenged on various occasions. The Bill sought to address these but has failed to do so with respect to Section 26. The provision in the Bill still leaves many gaping holes and is defined by vagueness. A more lucid framework is highly desirable.
- **Permitting an informant to withdraw a complaint:** Currently the Act does not permit the informant or a complainant to withdraw his complaint. An inquiry by the CCI once started can only end after the DG has completed investigation and the CCI has passed an order agreeing or disagreeing with the DG recommendation. This is the situation even when the informant's concerns with the investigated party have been addressed via settlements.

Conclusion:

The Bill is a positive step in the direction of an efficient CCI 2.0. While there are something which remains desired, one can hope that the consultation process leads to beneficial outcomes and most concerns raised by the stakeholders are appropriately addressed.

What the RBI has done

Source: <https://www.livemint.com/opinion/columns/expense-account-what-the-rbi-has-done-in-english-11585296920949.html>

Context: Steps taken by RBI to boost banking sector liquidity amid COVID-19 pandemic.

The RBI brought forward its Monetary Policy Committee meeting that was scheduled to start March 31 and in the process joined in delivering surprise actions such as those by the Federal Reserve and other central banks to stem the economic fallout of the pandemic.

This brings us to the questions of RBI governor's 'Bazooka' announcement. In this article, we will explain the below:

- What are the steps taken by RBI?
- What is Repo Rate?
- What is Reverse Repo Rate?
- What is Cash Reserve Ratio?
- What is Marginal Standing Facility (MSF)?
- How lock-down slows down the economy?
- What would be the likely impact of these steps?
- Conclusion

What are the steps taken by RBI?

- To keep the wheels of the economy turning, the RBI has taken four key steps:
 - increase the liquidity in the system
 - make sure the lower policy rate is transmitted
 - give a three-month window for a payback on all term loans
 - take steps to reduce volatility and provide stability.
- **Injecting Liquidity:** The Reserve Bank of India (RBI) went all out to make ample liquidity available in the market and nudge banks to aid the productive sectors of the economy, announcing measures to inject ₹3.74 trillion.
- The measures include targeted long-term repo operations (TLTRO) of up to ₹1 trillion.
- **Cut in CRR:** The RBI also cut the Cash Reserve Ratio, the amount of deposits lenders must set aside as reserves, by 100 basis points to 3% to boost liquidity.
- The minimum daily requirement of CRR maintenance has been brought down to 80 percent from 90 percent.
- **Repo Rate:** RBI announced a massive 75 basis points cut in repo rates as a measure to counter the economic slowdown caused by the COVID-19 pandemic.
- **Reverse Repo Rate:** The central bank also reduced the reverse repo rate by 90bps to 4%, making it less attractive for banks to simply park money with the RBI instead of lending.
- RBI said the CRR cut and easier MSF rules will infuse ₹1.37 trillion each. With a total Rs 374,000 crore pumped into the system, the RBI actions will significantly help liquidity easing in the system.

What is Repo Rate?

- Repo rate is the rate at which the central bank of a country lends money to commercial banks in the event of any shortfall of funds. Repo rate is used by monetary authorities to control inflation.

- In the event of inflation, central banks increase repo rate as this acts as a disincentive for banks to borrow from the central bank. This ultimately reduces the money supply in the economy and thus helps in arresting inflation.
- The central bank takes the contrary position in the event of a fall in inflationary pressures. Repo and reverse repo rates form a part of the liquidity adjustment facility.

What is Reverse Repo Rate?

- Reverse repo rate is the rate at which the central bank of a country borrows money from commercial banks within the country.
- It is a monetary policy instrument which can be used to control the money supply in the country.
- An increase in the reverse repo rate will decrease the money supply and vice-versa, other things remaining constant.
- An increase in reverse repo rate means that commercial banks will get more incentives to park their funds with the RBI, thereby decreasing the supply of money in the market.

What is Cash Reserve Ratio?

- It is that ratio of the total deposits of a bank which it has to necessarily keep with the central bank at a given point of time.
- RBI is empowered to vary the CRR between 3% and 15%.
- CRR is used for liquidity management and a monetary tool to regulate money supply.
- A high CRR reduces the cash for lending and a low CRR increases the cash for lending.
- The CRR has been brought down from 15% in 1991 to 4% in 2019.

What is Marginal Standing Facility (MSF)?

- Marginal standing facility (MSF) is a window for banks to borrow from the Reserve Bank of India in an emergency situation when inter-bank liquidity dries up completely.
- Banks borrow from the central bank by pledging government securities at a rate higher than the repo rate under liquidity adjustment facility or LAF in short.
- The MSF rate is pegged 100 basis points or a percentage point above the repo rate. Under MSF, banks can borrow funds up to one percentage of their net demand and time liabilities (NDTL).

How lock-down slows down the economy?

- Rush to safety for money: If people are in a lock-down, the wheels of the economy begin to grind down and there is a rush to safety for money in the system.
- Freezing of the markets market: Investors begin to redeem their shares, bonds and mutual funds. These redemptions cause a fire sale of assets. Finally, when there are no buyers, markets begin to freeze.

What would be the likely impact of these steps?

- **Impact of cut in rates of Repo and Reverse repo:**
 - When the repo rate is high, banks find it costly to borrow and in turn raise the price of loans to their borrowers. A low repo rate has the overall effect of reducing interest rates for the system.

- Lower rates make it easier for entrepreneurs to take loans for working capital and for households for homes, vehicles and so on.
- Cut in Reverse Repo has been done to make it unattractive for banks to passively deposit funds with the RBI and instead lend it to the productive sectors.
- Bank lending provides the needed oxygen to businesses for their working capital and longer-term loans.
- **Why CRR and not SLR was reduced?**
 - There is another 18.25% of deposits that is also not used for lending under the Statutory Liquidity Ratio (SLR), further reducing the money banks have to lend.
 - RBI has reduced the CRR to 3%, freeing up ₹1.37 trillion for banks to lend. CRR has been chosen rather than SLR because this increases 'primary liquidity' with the banks a bit better.
 - Not only is there CRR rate down, banks now need to maintain 80% of the limit on a daily basis instead of 90% till June 26, 2020.
- **Use of Targeted long-term repo operations (TLTRO):**
 - RBI will lend money to banks (a total of ₹1 trillion) that can be invested in bonds and other forms of lending instruments.
 - These investments will not be considered under the mark-to-market (MTM) system but under the held-to-maturity classification.
 - It means that the MTM road values the bonds at the price they get in the market today, but when markets are in distress the prices could be wrong or not available.
 - Under the hold-to-maturity way, the portfolio is valued not on the market price but on what the price should be given the rate of interest of the bond, the holding period and the rating of the bond. Basically, it allows trades to happen at a price that is not confused with the current pandemic in the market.
- **Regulatory forbearance:**
 - It means that, as economic activity grinds to a slowdown, people will not be able to pay back the loans they have taken for no fault of theirs.
 - This could be businesses with loans, households with EMIs on home loans and others with what are called 'term loans'.
 - RBI will allow a moratorium of three months for loan repayment.
 - This is a relief especially for small entrepreneurs who have been forced to shut shop and for employees whose incomes have stopped since their place of work is shut.
- **Reducing volatility in the exchange rate:**
 - There is a measure to reduce the volatility of the price of the rupee in international markets by allowing banks to deal in off-shore non-deliverable rupee derivative markets.
 - It looks like reform using the crisis to bring about this long-awaited change.

Conclusion:

Life in the time of Covid-19 has been one of unprecedented loss and isolation. Yet, it is worthwhile to remember that tough times never last; only tough people and tough institutions do. A war effort has to be mounted and is being mounted by RBI to combat the virus, involving both conventional and unconventional measures in continuous battle-ready mode.

Looking beyond just diagnosis and quarantine

Source: <https://www.thehindu.com/opinion/op-ed/looking-beyond-just-diagnosis-and-quarantine/article31200890.ece>

Context: Research and Development to handle viral onslaughts.

A pandemic is upon the world. Ebola, Zika, Nipah, SARS, MERS, H1N1 and now COVID-19, the viral onslaughts will continue. Mutations of known viruses will periodically cause havoc. Thus, there is need in India for a rapid response research and development team to handle viral onslaughts.

This brings us to the questions of Research and Development on viral onslaught prevention and control. In this article, we will explain the below:

- What is the need of Research and Development?
- What can be done to contain COVID-19?
- What is RNA?
- What is DNA?
- What is the difference between RNA and DNA?
- What is DNA sequencing?
- Conclusion

What is the need of Research and Development?

- Given the population density and unsatisfactory hygiene conditions and awareness in India, the citizens can face serious situation even though the disease may have originated elsewhere.
- As per World Health Organization protocols, in India the options are always limited to diagnosis and seems to be the exclusive domain of the National Institute of Virology (NIV), Pune
- Although prevention is the best option, but there are always leakages. So, India needs to put a team together to respond much more than just diagnosis and quarantine.

What can be done to contain COVID-19?

- **Sequencing:** The first requirement is to sequence the genome of all the isolates from infected patients in India.
 - COVID-19 is an RNA virus. This would require conversion to DNA and then the sequence of the alphabets (ATGC) to be worked out.
 - COVID-19 is less than 30kb (30,000) alphabets in size and can be sequenced in 24 hours in India.
 - The virus is evolving rapidly and the mutations seen in the virus isolates in the United States are different from those in China.
 - Though such variations may be due to sequencing error.
 - In any case, it is important to sequence the virus isolates in at least three different institutions in India to ensure that sequencing errors are eliminated.
 - Since, knowledge of genome sequence is essential to design drugs and vaccines.
- Repurpose known drugs: It means, a drug development strategy predicated on the reuse of existing licensed drugs for new medical indications.
 - For example, in case of COVID-19, **anti-HIV drugs** are being evaluated.

- **Anti-malarial drug**, hydroxy chloroquine, is suggested as an adjunct drug option, since it can make the acidic endosome compartment in which the virus replicates alkaline to prevent the process.
- **Passive Immunization:** It is done with plasma derived from convalescing patients, who have completely recovered.
- **Cloning B cells:** Another strategy can be to clone B cells from recovered patients to make therapeutic antibodies.
- A long-term approach could be to clone the genome, make recombinant antigens and then test for vaccine potential and new drug design.

B-cells:

- They develop in the bone marrow.
- These cells are activated on their encounter with foreign agents. These foreign particles act as foreign markers.
- The B-cells immediately differentiate into plasma cells which produce antibodies specific to that foreign particle or so-called antigen.
- These antibodies attach to the surface of the antigen/foreign agent.
- These antibodies detect any antigen in the body and destroy it.
- The immunity dependent on B-cells is called humoral immunity.

What is RNA?

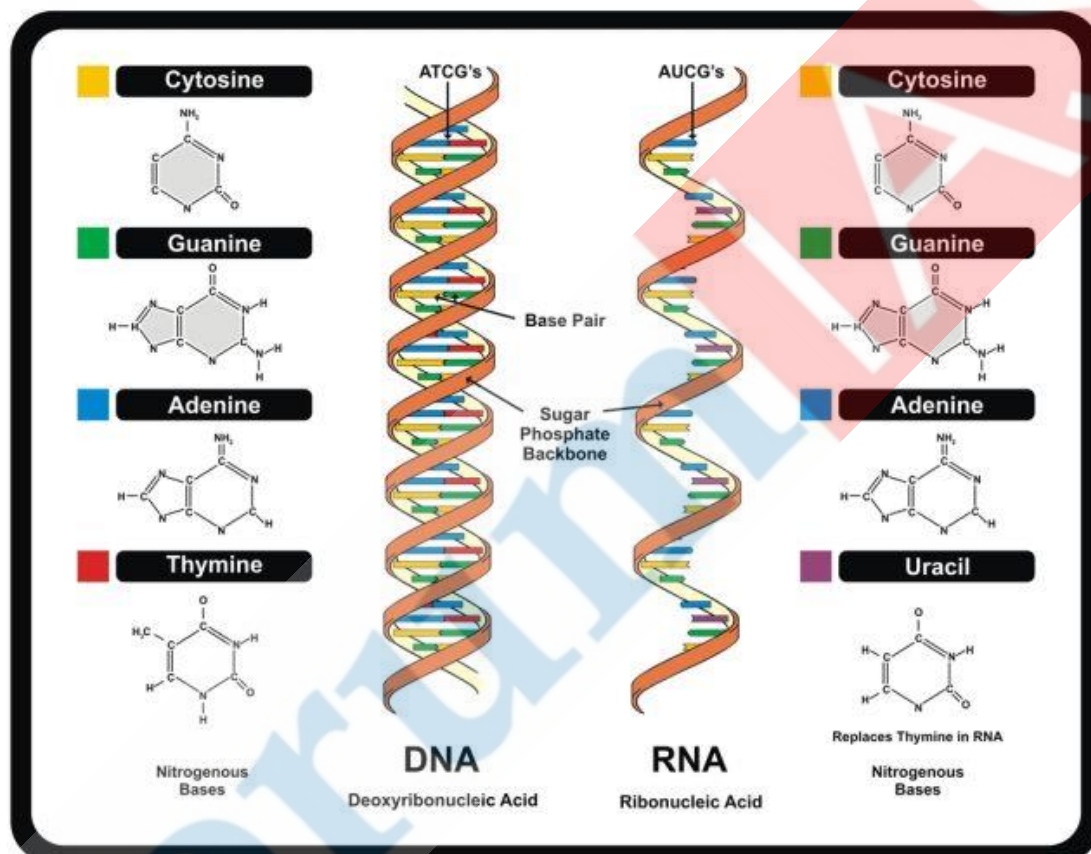
- Ribonucleic acid (RNA) is an important biological macromolecule that is present in all biological cells.
- It is principally involved in the synthesis of proteins, carrying the messenger instructions from DNA, which itself contains the genetic instructions required for the development and maintenance of life.
- In some viruses, RNA, rather than DNA, carries genetic information. For example, COVID-19 is an RNA virus.
- Different types of RNA exist in the cell: messenger RNA (mRNA), ribosomal RNA (rRNA), and transfer RNA (tRNA).
- RNA also plays an important role in regulating cellular processes from cell division, differentiation and growth to cell aging and death.

What is DNA?

- Deoxyribonucleic acid, or DNA, is a molecule that contains the instructions an organism needs to develop, live and reproduce. These instructions are found inside every cell, and are passed down from parents to their children.
- DNA is made up of molecules called nucleotides. Each nucleotide contains a phosphate group, a sugar group and a nitrogen base.
- The four types of nitrogen bases are adenine (A), thymine (T), guanine (G) and cytosine (C).
- The order of these bases is what determines DNA's instructions, or genetic code. Human DNA has around 3 billion bases, and more than 99 percent of those bases are the same in all people, according to the U.S. National Library of Medicine (NLM).
- DNA was first observed by a German biochemist named Frederick Miescher in 1869.
- Watson, Crick and Wilkins were awarded the Nobel Prize in Medicine in 1962 "for their discoveries concerning the molecular structure of nucleic acids and its significance for information transfer in living material."

What is the difference between RNA and DNA?

- There are two distinct types of nucleic acid: DNA and RNA. The nucleic acid of DNA is deoxyribose, whereas the nucleic acid of RNA is ribose.
- As demonstrated by their names, the deoxyribose of DNA lacks one oxygen molecule as compared to the ribose sugar of RNA.
- The nucleotides that comprise DNA include adenine (A), guanine (G), cytosine (C) and thymine (T), whereas RNA nucleotides include A, G, C and uracil (U).
- While the structure of DNA is a double-helix in eukaryotic cells, RNA is typically single-stranded and comes in various forms. The single-stranded structure of RNA allows this molecule to fold back on itself and form various stable secondary structures as necessary.



What is DNA sequencing?

- DNA sequencing is technology that allows researchers to determine the order of bases in a DNA sequence. The technology can be used to determine the order of bases in genes, chromosomes, or an entire genome.
- Sequencing DNA means determining the order of the four chemical building blocks - called "bases" - that make up the DNA molecule.
- The sequence tells scientists the kind of genetic information that is carried in a particular DNA segment. For example, scientists can use sequence information to determine which stretches of DNA contain genes and which stretches carry regulatory instructions, turning genes on or off.
- In addition, sequence data can highlight changes in a gene that may cause disease.
- The human genome contains about 3 billion base pairs that spell out the instructions for making and maintaining a human being.

Conclusion:

India has the capability and expertise with a number of institutes such as,

- clinical virology (NIV, Pune; Translational Health Science and Technology Institute, Faridabad, Haryana),
- molecular virology (Regional Centre for Biotechnology, Faridabad; the Indian Institute of Science, Bengaluru),
- scale-up of vaccine production (Serum Institute of India, Pune; Gennova, Pune; Bharat Biotech, Hyderabad),
- clinical trial and drugs (Sun Pharma, Ahmednagar, Maharashtra; Reddy Labs, Hyderabad; Drug Controller General of India),
- DNA/RNA sequencing expertise (National Institute of Biomedical Genomics, Kalyani; Centre for Cellular and Molecular Biology, Hyderabad; Institute of Genomics and Integrative Biology, New Delhi).

At this point of time, it is required to make use of the expertise built in the country over the years to scientifically respond to such challenges in terms of therapeutic options.