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7 PM COMPILATION

1st to 15th April, 2021

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State of Human Rights in India -Explained, Pointwise

Introduction

The US State Department released the "2020 Human Rights Report" or the "2020 Country Reports on Human Rights Practices". It is a retrospective report that contains a country-wise discussion on the state of human rights. The 2020 Human Rights report severely criticised the state of Human Rights in India.

Similarly, the report also mentions several human rights issues in India. This includes issues such as harassment and detention of journalists, government request for user data from internet companies, etc. In this article, we will analyze the situation of Human Rights in India.

About the US "Human Rights Report 2020"

It is an annual report and the 2020 report is its 45th edition. Each year the US State Department submits the report to the US Congress. The report is based on the rights listed under the **Universal Declaration of Human Rights(UDHR) and the International Covenant on Civil and Political Rights(ICCPR).**

Key Findings of the report regarding India

The 2020 report mentioned some improvement in the situation of human rights in Jammu and Kashmir. At the same time, the report also mentioned more than a dozen significant issues regarding Human Rights in India. These are,

1. Prevalent of Unlawful and arbitrary killings;
2. **Restrictions on freedom** of expression and the press. It includes using violence, threats of violence, or unjustified arrests or prosecutions against journalists;
3. **Restrictions** on political participation
4. **Widespread corruption** at all levels in the government;
5. **Low tolerance of violations** of religious freedom
6. **Crimes involving violence** and discrimination targeting members of minority groups including women based on religious affiliation or social status.
7. **Requests for Data from Social Media Companies:** The government's requests for user data from Internet companies increased dramatically. In 2019, the Government made 49,382 user data requests from Facebook, a 32% increase from 2018. Over the same period, Google requests increased by 69% while Twitter requests saw a 68% increase.

What are Human Rights?

According to the Office of the United Nations High Commissioner for Human Rights(OHCHR), these are the rights that exist to humans simply because we are human beings. Further, The OHCHR also mentions that Human Rights are not granted by any state. Instead, these are **inherent** to all of us, regardless of nationality, sex, national or ethnic origin, colour, religion, language, or any other status.

Human Rights range from the most fundamental – the right to life – to rights that make life worth living. Such as the rights to food, education, work, health, and liberty, etc.

About International Human Rights Conventions and Bodies

There are many prominent Human Rights conventions and International bodies. Few significant of them are,

A. *Universal Declaration of Human Rights (UDHR)*
   o This includes 30 civil and political rights and freedoms. These 30 rights cover a wide gamut of Human rights including the social, economic and cultural rights to the individual.

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- o India took active participation during the formation of UDHR.
- o UDHR is not a treaty. So, there is no legal obligation for signatory countries to follow the provisions of UDHR.

International Covenant on Civil and Political Rights (ICCPR)

- o The ICCPR is a **key international human rights treaty.** The ICCPR also covers a wide range of civil and political rights.
- o The countries ratifying the ICCPR have to take the necessary steps to protect and preserve basic human rights.
- o **The UN Human Rights Committee** is tasked with monitoring the implementation of ICCPR
- o The Covenant was adopted by the UNGA in 1966. It came into force in 1976.
- o 173 countries including India have ratified the ICCPR.

Other Convention on Human rights

- o Apart from the above two, there are other few major Conventions. These include.
  - o **The Convention on the Prevention and Punishment of the Crime of Genocide** (1948)
  - o **Convention on the Elimination of All Forms of Discrimination against Women** (1979)
  - o **The Convention on the Rights of the Child** (1989)
  - o **Convention on the Rights of Persons with Disabilities** (2006)
- o India is a party to all the above-mentioned conventions.

United Nation Human Rights Council(UNHRC)

- o It is an inter-governmental body within the United Nations system. Further, It is made up of **47 United Nations Member States** which are **elected by the UN General Assembly.**
- o It conducts a **Universal Periodic Review** of all the UN members once in four years.
- o The **OHCHR** is the secretariat of UNHRC.

NOTE: The ICCPR, UDHR, and the **International Covenant on Economic Social and Cultural Rights** together considered as the **International Bill of Human Rights.**

About Human Rights in India

1. **Human Rights in the Constitution:** India always respected Human Rights, this is reflected in the Constitution itself. The inclusion of Fundamental Rights and Directive Principles of State Policy are the enumeration of UDHR principles only.
2. **Protection of Human Rights Act 1993:** This established the National Human Rights Commission in India. The commission is the watchdog of human rights in the country. It is an independent statutory body to look into the Human Rights issues and violation in India.

Status of Human Rights in India and its violation

The US Human Rights Report 2020 and the Freedom in the world report 2020 criticised Human Rights violation in India. But the credibility of these violations can be doubted. But India can observe the Human Rights violation internally from issues such as,

1. Custodial Torture still exists in India. The recent Sathankulam case in Tamil Nadu is proof of custodial torture.
2. Right to Work and Labour Rights are still not complete. The government is still taking measures to improve them. The recent labour codes are also a step in that direction only.
3. Extrajudicial Killings like fake encounters, mob lynching, etc. have not stopped in India.

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4. Arbitrary Arrest and Detention are still common. Both the NHRC and SHRC both have failed to control them due to their lack of powers. This is seen as the criminalisation of government critics.

5. Manual Scavenging is also prevalent in India. According to the 2011 Census, there are more than 26 Lakh insanitary latrines in the country. Even though the government enacted a law and NHRC given its recommendations, the practice still exists in India

6. Violence and discrimination against Women, Children like rape, murder, sexual abuse are also prevalent in India.

Suggestions to improve Human Rights in India

1. **Proper enforcement of Law:** The government has enacted numerous laws, rules, and regulations to protect Human rights in India. But, the misuse of laws by law enforcing agencies is the root cause of human rights violations. So, the government has to change the provisions if they run contrary to human rights. The weakness of laws has to be tackled through either amendment or repeal if necessary.

2. The government has **to strengthen the NHRC and SHRC.** The government has to make the decisions of NHRC enforceable. Further, the government has to review the Protection of Human Rights (Amendment) Bill, 2019.

3. **Enacting a National Action Plan on Human Rights(NAPHR):** The Universal Periodic review of UNHRC mandated the enactment of the National Plan. India has to fast pace the task force and also have to properly follow the action plan after enactment.

4. Adopting the **Parent-Child approach** when the government faces criticisms. The Madras High court advocated this approach in May 2020.

   Parent-Child approach: The state must act like it is the parent of all its citizens. Despite the insult (sedition or criminal defamation) by children (citizens), parents don't discard their children quite easily. Like that State also accept the fact that **public figures must face criticism**.

   John F Kennedy once said that **"The rights of every man are diminished when the rights of one man are threatened"**. So the government has to understand that and ensure proper enforcement of Human Rights. After all, denying human rights is a challenge to humanity itself.

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Net Zero Emissions Target for India – Explained, Pointwise

Introduction

Globally the idea of net-zero emissions by 2050 gaining momentum. It is advised by many countries as a solution to tackle Climate Change. So far 58 countries have announced net zero emissions targets. Together these countries account for more than half the world's current GHG emissions.

In the next 30 years, they all aim to reduce their emissions of carbon dioxide and other GHGs. There are requests from the global forums that India also needs to adopt a net-zero emissions target. But there are other sections of environmentalists not in favour of adopting Net-zero emissions targets. They say that it is unjust for developing countries.

What is the Net-zero emissions target?

Net-zero emission is the method of balancing the greenhouse gas emissions in the atmosphere by the greenhouse gas absorption from the atmosphere.

In zero-carbon emission, the country will focus on limiting carbon emission. But in Net-zero carbon the country will focus on bringing the net carbon emission to zero.

In the initial phase, the country will focus on reducing human-caused emissions like burning fossil fuels, balancing factory emissions, etc. But, gradually the Net-zero emissions can be extended to the remaining areas as well.

Status of Net-zero Emissions Targets at the global level

A number of countries have already set targets, or committed to do so, for reaching net-zero emissions. The developed countries mention this as a step towards the fulfilment of the Paris Climate deal.

1. All G-7 states (except the US) and 11 G20 members have mid-century (2050 or 2060) net-zero emissions targets (carbon dioxide or other GHGs). These include Argentina, Mexico, the UK, Japan, Canada, Germany, France, the Republic of Korea, Italy, China, and the EU.
2. **Bhutan and Suriname are already carbon-negative.** (It absorbs more carbon than it emits).
3. So far 58 countries adopted the **net-zero targets.** Further, they aim to achieve the target within the mid of this century.
4. Few countries even enacted statutory provisions towards its fulfilment. For example, The UK, France, Sweden, Norway, and Denmark. The other countries like Spain, Chile, and Fiji are looking for ways to incorporate the Net-zero emissions targets under their national law.

Advantages of adopting Net-zero emissions targets

Many developed countries adopted the Net-Zero targets. They all mention the following reasons as an advantage of such adoption. This includes,

1. **Fulfilment of Paris Climate deal:** Achieving Net-Zero targets can take countries closer to limiting the global temperature to 1.5 degrees. The developed countries also mention that the adoption of the Net-zero target fulfils the provision **"rich nations should lead on climate change"** enshrined in Paris deal.
2. **Earlier and greater improvements** in human and natural environments, such as biodiversity improvements.
3. **Health and wellbeing benefits:** The achievement of the Net-zero target can bring a host of benefits to people. Such as reduced air pollution, reduction in climate change and associated disease, etc.

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4. **Greater economic benefits:** Early investment in carbon-neutral ventures can attract large-scale economic opportunities in future. For example, the Net-zero emissions target can **generate 24 million jobs in 15 years** across multiple sectors.

5. **Adoption of clean sources of energy:** This will reduce the dependence on fossil fuels, lower energy bills, etc. Further, the Net-zero emissions targets can spur the growth of renewable energy and associated developments.

6. **Other benefits:** This includes benefits such as promotion of energy efficiency in buildings, **reduced water demand** by thermal power plants, etc.

Few major Criticisms and challenges in adoption of Net-Zero emissions target

The adoption of the Net-zero target does have few serious concerns. Such as,

1. **Dilution of Paris climate agreement:** The adoption of Net-zero emissions target aid the dilution of the Paris deal in the following ways.

   a. **Violate the common but differentiated responsibilities and respective capabilities (CBDR-RC)** : As the net-zero targets generally aim to achieve around the mid of this century, the poor countries and developing countries have to take many initiatives to achieve the net-zero targets. In other words, the **developed countries can evade their historical responsibility and transfer burdens to developing countries**.

   b. The C**limate Action Tracker report** mentions that Even after five years of the Paris deal, the climate action of major developed countries is **incompatible with the goals of the Paris Agreement**. Apart from that, the report also mentions that only a few developing countries including India, are taking enough step towards climate justice. So the adoption of these targets is to dilute the country's immediate responsibility and to **emit as much as GHGs at present**.

2. **Credibility and accountability of Net-Zero emissions:** The Paris climate deal itself lacks accountability. Perhaps, this is the major reason for the non-monetisation of Climate finance(100 billion $ annually from 2020(now it is shifted to 2025)). If that is the case, then the individually determined Net-zero targets will remain as targets alone.

   Other associated Challenges: This includes the challenges like,

   o **Non-availability of Negative emissions technologies**
   o Challenges in **reskilling of the labour force, job loss**
   o **The higher annual cost** to the Government as the target demand high financial incentives.
   o Challenges in developing the necessary carbon-neutral supply chains
   o **Initial high cost of materials and installations**, etc

Why India Need to adopt net-zero emissions?

Despite many criticisms, the Net-zero emissions targets have few advantages for India. For example,

1. IEA (International Energy Agency) findings indicate that the **majority of India's future emissions** are supposed to come from **things that are yet to be made**. This includes transport infrastructure, buildings, industry, etc.

2. Adopting net-zero emissions will give the country an opportunity to build a cleaner economy. Thereby, India can reduce its oil import bill, generate additional jobs.

3. Recently, **TERI**(The Energy and Resources Institute) **and Shell** jointly released a report **"India: Transforming to a Net-Zero Emissions Energy System".** In that, they mention few advantages of net-zero emissions. Such as,

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- o **Increase in share of renewables:** The report mentions that to achieve the target India has to increase the renewable energy share from the present 11% to 90%.
- o **Access to technologies:** The report mention by adopting the target India can fast pace access to technologies such as biofuels, etc.
- o **Creation of Jobs:** Promoting e-vehicles, clean energy, and hydrogen electrolysis can create jobs in the auto manufacturing, electricity, and construction sectors.

Suggestions in adoption Net-zero emissions targets

1. The **focus should be on greater electrification**. Further, The government has to encourage using hydrogen as a fuel in industries like cement, iron and steel, and chemicals. Further, India has to **pre-retiree** the coal plants to improve energy efficiency.
2. India can impose a **carbon tax** to offset the tax revenue loss. The government has to start initially with the amount equivalent to the present Coal Cess. The amount can increase gradually to Rs. 2500 for per ton emission by 2050.
   - The government can use this cess to **supporting poor households.** Especially for those who are badly hit by the emission reduction strategies.
3. The government has to encourage all states and UTs **to make their respective carbon-neutral plan**.
   - The UT of Ladakh and Sikkim state are already planning such a carbon-neutral plan.
   - Further, at the local level cities like Bengaluru and Chennai, the Panchayat of Meenangadi in Wayanad, Kerala also planning such a carbon-neutral plan.
4. **India: Transforming to a Net-Zero Emissions Energy System** report also suggested few important observations. Such as,
   - India has to **focus on Energy Efficiency, biofuels, etc.**
   - Further, India also has to rely on both natural and man-made **Carbon Sequestration practices.**
   - The government has to work on deploying lower carbon energy(wind, solar, hydro and Nuclear) for satisfying the power demand.

Conclusion

The adoption of the net-zero emissions target itself is not criticised so far. It is only the inaction of the country towards the climate deal after enacting such a target that is criticised globally. India is a responsible nation and one of the very few countries performing towards the fulfilment of the Paris climate deal and Nationally Determined Contribution. So, the adoption of Net-zero targets will only fast pace India's mission towards Climate Justice

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Relevance of BIMSTEC in the Present Scenario-Explained, Pointwise

Introduction

Recently the 17th Ministerial level meeting of the Bay of Bengal Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) took place in a virtual format. India committed to make BIMSTEC a stronger, vibrant and result-oriented grouping. So, it will help in strengthening regional cooperation among countries. Nonetheless, certain challenges have to be addressed to unleash the true potential of BIMSTEC.

Outcomes of the recent BIMSTEC meeting

1. Sri Lanka Chaired the 17th Ministerial Meeting.
2. During the recent meeting, the leaders agreed to adopt the **BIMSTEC Master Plan for Transport Connectivity.** They aimed to adopt this in the next BIMSTEC summit (5th) hosted by Sri Lanka. It will lead to better connectivity and integration in the region.
3. Further, the BIMSTEC members also aim to sign **3 more agreements** in the next summit. Such as,
   o Agreement on mutual legal assistance in criminal matters
   o MoU on cooperation between diplomatic academies of member states
   o Memorandum of association for establishing a technology transfer facility in Colombo

About BIMSTEC

1. BIMSTEC Stands for Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation. It is a regional organization founded in 1997 through the **Bangkok Declaration**.
2. It is an international organization of seven nations of South Asia and Southeast Asia. All the members of the organization are lying in the littorals and adjacent areas of the Bay of Bengal.
   o Members – Bangladesh, India, Myanmar, Sri Lanka, Thailand, Nepal, and Bhutan.
   Aim: To create an enabling environment for economic development; accelerate social progress and promote collaboration on matters of common interest in the region.
   Significance: Nearly 1.5 billion people or 22% of the global population comes under the BIMSTEC. Together, it has a combined gross domestic product (GDP) of $2.7 trillion.
   Sectors: Currently, the organization is involved in 15 sectors. This includes sectors such as trade, technology, agriculture, tourism, fisheries, energy, and climate change among others for sectoral cooperation.
   First Summit: Bangkok, Thailand conducted the First BIMSTEC Summit Meeting in 2004.
   o Nepal(Kathmandu) hosted the Fourth Summit in 2018.
   BIMSTEC not only connects South and Southeast Asia, but also the ecologies of the Great Himalayas and the Bay of Bengal.

Relevance of BIMSTEC in Present scenario

1. **Huge untapped potential:** A study by Asian Development Bank has identified 167 projects within the BIMSTEC region that can boost connectivity. However, the grouping has to date only focused on 66 of them. The remaining have not yet received enough attention.
2. **Synergy with other regions**: Better BIMSTEC connectivity can help to improve relations with other regions like **south-east Asia.**

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- For instance, the **BIMSTEC master plan** will also promote **synergy with** other connectivity frameworks such as the **ASEAN master plan** on connectivity 2025.

3. **Tackling Security Challenges:** Members of the grouping face several traditional and non-traditional security challenges. Enhanced cooperation can address them effectively.
    - In this regard, National Security Advisors of member countries have met thrice since 2017. Further, the members are collaborating on controlling drug trafficking, facilitating intelligence-sharing, counter-terrorism, coastal security, cybersecurity, etc.

4. **Strategic location:** The Bay region is a key transit route between the Indian and the Pacific Oceans. Therefore, BIMSTEC as a grouping can help in ensuring freedom of navigation in the waters. It can also help in harnessing and sharing the Bay's natural wealth.

5. **Combating the web of uncertainties:** The institution can help member states to tackle any future uncertainties. Especially like challenges in climate change, COVID-19 pandemic and balancing US-China relations, etc.

Achievements of BIMSTEC

1. The **BIMSTEC Permanent Secretariat** was opened in 2014 in Dhaka. It helps in better management of regional issues.
2. **BIMSTEC Permanent Working Committee (BPWC)** to deal with administrative and financial matters of the Secretariat was set up post the 4th Kathmandu summit of 2018.
3. **BIMSTEC convention on cooperation in combating international terrorism, transnational organised crime, and illicit drug trafficking** has come into force in March 2021. It encourages data sharing and intelligence gathering on criminal activities.

Importance of BIMSTEC for India

1. **Development of North East**: BIMSTEC can boost the development of the northeast region by providing greater interaction with Bangladesh and Myanmar. For instance, the **master plan of connectivity includes the India-Myanmar-Thailand trilateral highway** and Kolkata-Siliguri-Guwahati-Imphal link.
2. **Alternative of SAARC**: The persistent differences between India and Pakistan in the South Asian Association of Regional Cooperation (SAARC) have crippled the organisation. As BIMSTEC comprises similar members excluding Pakistan, it can improve greater cooperation in the region.
3. **Better cooperation with ASEAN**: India has already come out of the RCEP (Regional Comprehensive Economic Partnership) agreement. As it may hinder India's trade potential. Therefore, more robust cooperation with Thailand and Myanmar can help in resolving India – ASEAN differences and ensure better implementation of 'Act East Policy'.
4. **Countering China:** BIMSTEC can help in countering China's Cheque Book diplomacy. Further, it can strengthen India's position as a responsible regional power in the Indo-Pacific.

Challenges of BIMSTEC development

1. **Stalemate on Agreements:** The Free Trade Agreement (FTA), coastal shipping agreement, and motor vehicle agreement have undergone numerous negotiations. But so far no consensus is developed over them.

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2. **Priority to Bilateralism**: The members of the organization focused primarily on enhancing bilateral ties, with multilateralism. This restricts the development of BIMSTEC despite having common ecological concerns and a shared past.
3. **Big brother attitude**: Allegations are made on India for playing a dominant role in the organisation and neglecting the agendas of small states.
4. **Irregularity in working:** The summits are not held at regular intervals. A slow pace is observed in working. For instance, it **took almost 17 years to establish a permanent secretariat**.
5. **Preference to other organisations**: Countries like Myanmar and Thailand show more enthusiasm towards ASEAN and neglect the vision of BIMSTEC.
6. **Resource Deficit:** Lack of adequate financial and manpower resources is impairing the performance of the body. Although, India is the largest contributor. India alone contributes about 32% of the annual budget of BIMSTEC.

Suggestions to improve BIMSTEC cooperation

1. Member states should **adopt the proposed agreements** in the upcoming BIMSTEC summit. This will boost the confidence of the organisation.
2. Further, the organisation has to develop consensus on long-pending agreements like the **BIMSTEC coastal shipping agreement** and **motor vehicles' agreement.**
3. Apart from that, the group has to move forward by doing **'institutional hedging'**. This means focusing on developing collective soft and hard power for the group. Thereby, it will protect individual interests and shape up a regional order.
4. Also, The group should focus on facilitating tourism diplomacy, academic and student-exchange programmes, and cross-border public health initiatives.
5. India should project itself as a compatriot and an equal partner to other BIMSTEC member-countries. This will **reduce the trust deficit** and ensure better integration in the region.
6. BIMSTEC members have to finalise the Visa Facilitation agreement expeditiously. This will help strengthen the interest of the common man in regional groupings. This is significant as a tide of protectionism is flowing across the world.

Conclusion

The year 2022 will mark the silver jubilee of the organization and would provide a symbolic opportunity to strengthen regional cooperation and multilateral ties. Considering this, India and other member states must work on 3Cs – cooperation, coordination, and collaboration that would unleash the true potential of BIMSTEC.

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Left Wing Extremism in India – Explained, Pointwise

Introduction:

Left Wing Extremism (LWE) is one of the biggest security challenges for India for almost 5 decades. Many measures on twin fronts of development and security have been taken that reduced the spread of LWE. However, measures are not yet successful to completely eliminate this menace.

Recently, security forces again faced one of the biggest Maoist attacks in Chhattisgarh. This calls for strict government measures towards the total elimination of Left Wing Extremism in India.

Current Scenario:

- Around 22 Jawans of Security forces Martyred and 31 injured in a deadly encounter with Naxals on sukma-bijapur border on 3rd April 2021.
- The attack involved the use of modern weapons like Lightweight machine guns and Rocket launchers that enhanced the casualties.
- The Maoist PLGA (People's Liberation Guerrilla Army) Battalion led the attack under the leadership of Maoist Madvi Hidma.

Prevalence of Maoism in India

- Left wing extremism (LWE) or Naxal Attacks or Maoist attacks have been present in India for 5 decades. According to a conservative estimate, about 15,000 lives have been lost in Naxal-led violence during the last 25 years.
- It began around the naxalbari area of West Bengal in the 1960s. The movement was led by Charu Mazumdar.
- The death of Charu Mazumdar in 1972 followed a split in the movement and gave an impression that it was about to end. However, the People's War group was formed in Andhra Pradesh in 1980 and sustained the movement.
- Some setbacks were received in the 1990s and early 2000s but the movement revived again in 2004. This happened as the People's War and the Maoist Communist Centre (MCC) merged to form CPI (Maoist).
- Since then it is present in some states of central, eastern, and southern India as shown by the Red Corridor (region having high LWE).
- As of February 2019, 90 districts across 11 states are affected by extremism.

About Maoism

- It is a form of communism developed by Mao Tse Tung.
- It is a doctrine to capture State power through a combination of an armed insurgency, mass mobilization, and strategic alliances.
- Maoists want to bring about a New Democratic Revolution in India as part of the world proletarian revolution.
- They use violence and believe in adopting the military line to capture power.
- These extremists attack the symbols of the country's power such as the police, schools, and other government institutions.

Causes behind sustenance of Left Wing Extremism in India:

1. **Tribal discontent:** The Forest (Conservation) Act, 1980 deprives tribals of the authority to use forest produce.
2. Further, there has been a huge displacement of the tribal population in the Naxalism-affected states due to development projects, mining operations, and other reasons.

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3. It is apprehended that the Mines and Minerals (Development and Regulation) (MMDR) Amendment Bill,2021 will bring more misery to the tribals.
4. **Gullible Targets**: A huge chunk of the tribal population lives below the poverty line. They are also devoid of basic education and health facilities. Thus, Maoists are easily able to persuade them by offering to take up monetary incentives and a better future.
5. **Absence of strong technical intelligence:** There is poor technical intelligence when it comes to tackling Naxalism. For instance, some villages are not yet connected properly with any communication network which hinders action against Naxalites.
6. According to some reports, the recent attack on security forces was also a result of wrong intelligence. The source of Intelligence is still the method of phone tapping the conversation of Maoists. They are aware of the tapping and sometimes lure security forces into a trap by providing wrong information.
7. **No Follow-Up from the administration:** It is seen that even after the police take hold of a region, the administration fails to provide essential services to the people of that region.
8. **Police Atrocities:** The tribals are sometimes harassed by the security forces in the mistaken belief that they may be Maoists. Such instances create hatred against security forces and boost recruitment in Maoist camps.
9. **Ideological Boost**: Mao was able to oust the Chinese government and establish communism in China. To date, Communists are ruling the country, it gives a strong ideological boost to Maoist movements across the world.
10. **Support from other actors:** They are connected to various internal and external insurgent groups that provide them weapons, shelter, and finance. For instance, as per few reports, CPI Maoists may have links with foreign Maoist organizations in the Philippines, Turkey, etc.

Impacts of rising Left-Wing Extremism in India:

- **Hampering Democracy:** They threaten the locals before the conduct of elections and prevent them from voting. It violates the principle of participative democracy.
  - They resort to violence through their guerrilla tactics and attempt to set up their own **government** in the local villages.
- **Infrastructural Damage**: They destroy the roads, transport system, and government resources. Thereby they create hindrance in governance and last mile connectivity.
- **Illegal Activities**: They resort to extortion, abduction of important personalities like Politicians, bureaucrats, police, etc. They are also engaged in drug trafficking cartels.
- **Undermines Credibility of Government:** The survival of LWE shows a failure of governance thereby eroding the faith of masses in governance set up and impacting the unity of the nation.
- **Isolating Tribal Villages:** These extremist movements have disconnected several tribal villages from the national mainstream.
- **Security threats:** Extremism causes threats to the security of the nation and assets of the country. It threatens the unity and diversity of the nation. Radicalization of youth poses a threat to internal security. It has impacted the development of the affected region leading to many people still living in poverty.

Steps taken to contain Left Wing Extremism in India

- A **dedicated left-wing extremism division** was established in 2006 under the Ministry of Home Affairs. It aimed to effectively address the LWE insurgency in a holistic manner.

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- **CPI (Maoist) Party is designated as a terrorist organization** under the Unlawful Activities (Prevention) Act, 1967. This gives the forces greater power and autonomy to deal with Maoists.
- A **National Policy and Action Plan** to address LWE problem has been put in place that envisages a multi-pronged strategy involving
    - o **Security-related measures** – Providing Central Armed Police Forces battalions, training, funds for modernization of State police forces, equipment & arms, sharing of intelligence, etc.
    - o **Developmental interventions** – construction of roads, strengthening of communications network, installation of mobile towers, improving the network of banks, post offices, health and education facilities, etc.
- **Operation 'SAMADHAN'** is the Ministry of Home Affairs (MHA)'s initiative to deal with the Naxal problem. The acronym SAMADHAN stands for Smart leadership, Aggressive strategy, Motivation and training, Actionable Intelligence, Dashboard Based KPIs (key performance indicators) and KRAs (key result areas), harnessing technology, action plan for each theater, and No access to financing.

Issues in Government Measures:

- **Intelligence inputs:** The traditional method of gathering intelligence through police receivers placed on hills is not delivering optimum results. The recent April attack exposed this lacuna as maoists deliberately gave false information over it.
- **Large troop operations:** It is believed that larger forces give better protection but the recent attack exposed their vulnerability. The 1000 personnel movement wasn't able to maneuver secretly and hence exposed themselves to the maoist.
- **Existence of Trust Deficit:** The common masses don't trust the forces/administrative authorities due to varied cultures and external appearance. This automatically reduces the impact of tribal friendly measures.
- **Lacunas in protecting state informers:** The people who give information to security forces are often tortured and killed by maoists. The state has not done enough to protect them.
- **Approach in Tackling:** More emphasis is placed on looking at LWE as a security problem. However, in reality, it is more of a socio-economic and political issue.
- **Lack of Conviction:** Some local politicians covertly support the conduct of naxals that impairs the intensity of anti LWE operations.

Suggestions to tackle Left Wing Extremism

- Firstly, the government of India and the Maoists should try to **sign Peace agreements** that would be a win-win situation for all. In this regard, learnings from **Mizo Accord** can be taken that have delivered desired results.
- Secondly, **Ensure all-round development of the Naxal-affected** areas. It would involve strengthening the rights of local communities, improving governance, and augmenting public perception management.
- Thirdly, **employ more local people in the administrative process** which can act as a bridge to curtail the trust deficit. Further **support of civil society** can be taken for awaring tribals.
    - o Eg- A peace march was organised in March 2021 where about 150 tribals from Chhattisgarh, Odisha and Telangana participated under the slogan of **'Bastar maange hinsa se azadi'.**
- Fourthly, the **forces should be used in small groups** for maintaining greater efficiency. For instance, one of the most successful operations (the Greyhounds) involved the use of small teams that operate on solid human intelligence.

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- Fifthly**, policy measures** that **provide indirect benefits** should be implemented with due care. For instance, effective implementation of the Forest Rights Act can ensure better control of local communities over Minor Forest Produce. This can reduce their attraction towards LWE.

Conclusion

Through a holistic approach focusing on development and security-related interventions, the LWE problem can be successfully tackled. Civil society and the media should build pressure on the Maoists to give up on violence and join the mainstream.

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Forest fires and their impacts – Explained, Pointwise

Introduction

Forest Fires is a natural phenomenon. Controlled natural fires are beneficial for the growth of the forest. Most forest fires in India take place during the dry season, between the April-May months. However, in recent years the forest fires have become more frequent than usual. The recent forest fire in Uttarakhand is one such unusual fire. Uttarakhand alone witnessed more than 1000 forest fire incidents in the past six months.

After the repeated fires in Uttarakhand, the state reached out to the Centre for aid. The state demanded helicopters and personnel from the National Disaster Response Force(NDRF) to tackle the wildfires.
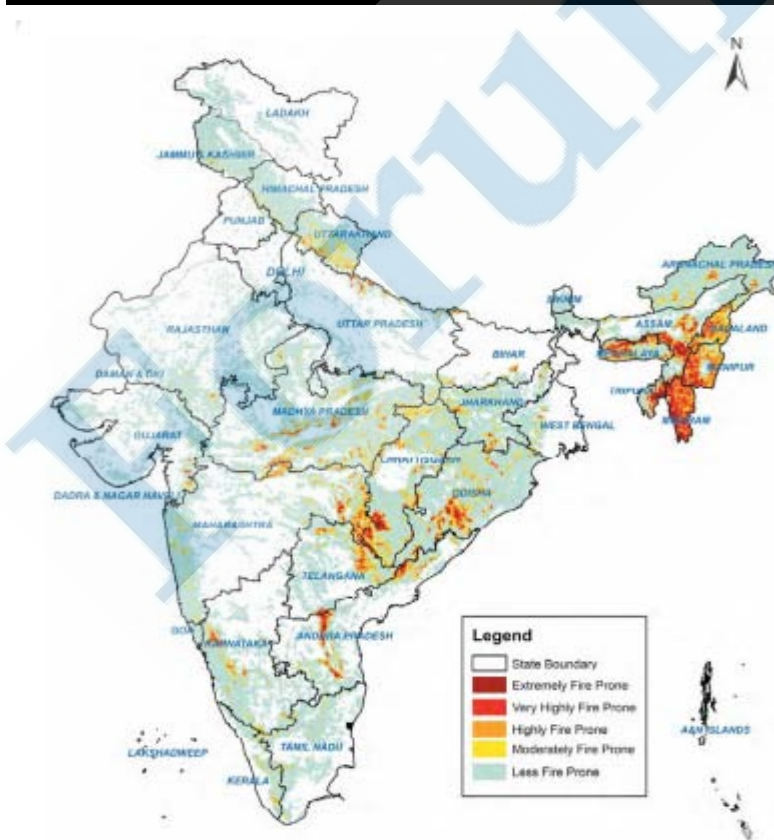
About the recent forest fires in Uttarakhand

According to the Uttarakhand Forest Department data, since October 1, 2020, alone 1,028 incidents of wildfires have occurred. Further, it has also affected more than 1,359 hectares of forest land. The forest areas of districts of Nainital, Almora, Tehri Garhwal, and Pauri Garhwal have all seen the fires so far.

In general, the peak in wildfires occurs in the months of May and June in Uttarakhand. But this year so far 983 forest fires incidents occurred. The major reasons for fire are,

1. Less rain in the winter months.
2. Pandemic induced lockdown left a lot of combustible material, mostly pine needles on forest floors.

With the "peak time" for wildfires is yet to come the forests in Uttarakhand is more vulnerable to forest fires.

About the forest fires in India

Forest Fires in India (Source: ISFR-2019)

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Forest Fires in India (Source: ISFR-2019)

According to the India State Forest Report 2019, 21.67% of India's geographical area is forest. Of that, Forests in Assam, Mizoram and Tripura have been identified as 'extremely fire-prone'.

Since the start of 2021, prolonged fires are also recorded in Uttarakhand, Himachal Pradesh (Kullu Valley) and Nagaland-Manipur border (Dzukou Valley). Further, in a recent month, wildfires also occurred in Simlipal National Park in Odisha, Bandhavgarh Forest Reserve in Madhya Pradesh and in sanctuaries for the Asiatic lion and the great Indian bustard in Gujarat.

Causes of Forest Fires in India

Both Anthropogenic and Natural factors cause fires. These include the following,

Anthropogenic causes (90% of all wildfires)	Natural Causes
Smoking: Smoking is the leading cause of forest fires globally. Throwing away the cigarette butts without completely extinguishing them can lead to wildfires. Smokers at times become negligent at extinguishing cigarette butts after smoking.	**Lightning:** A lightning strike can produce a spark. Sometimes the lightning can strike power cables, trees, or rocks and any other thing and this can trigger a fire.
Campfires: During camping or outdoor activities people normally leave lit fires or combusting materials unattended. That will ignite wildfires.	**Volcanic eruption:** Hot magma in the earth's crust is usually expelled out as lava during a volcanic eruption. The hot lava then flows into nearby fields or lands to start wildfires.
Burning Debris: Wastes and trash are on several occasions burned to ashes as a way of reducing the accumulation of rubbish. **For example,** the recent Simlipal Forest fire is due to this only.	**Heat patterns:** Increased temperatures due to global warming are making the forests more vulnerable. Rising atmospheric temperatures and dryness (low humidity) make favourable circumstances for a fire to start.

Fireworks: Fireworks are used by humans for various reasons such as festivals. However, their explosive nature can start wildfires.	**Climate Change:** Massive fires in the Amazon forests in Brazil and in Australia are primarily due to Climate Change. The fires due to climate change have certain characteristics in common. It is also applicable to India. They are,
	▪
	   o Longer duration of fires
	   o High-intensity fires
	   o Fires of high-frequency

Slash and Burn Cultivation: This is one of the major reason for the fire in India's Northeastern region.	In India the march and April month see more wildfires. It is due to the **availability of large quantities of dry** wood, logs, stumps, dead leaves, dry grass and weeds in forest lands.
	Lack of soil moisture: The dryness in the soil triggers fire in forests. For example, the recent **Uttarakhand wildfires** are due to this.

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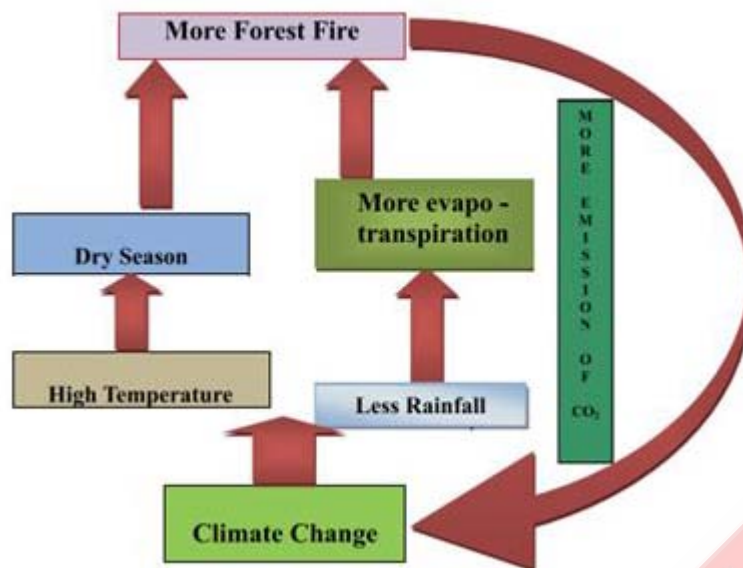
Why peak forest fires occur during the spring?

The Spring season in India occurs between March and April. In India, the occurrence of wildfires will be at peak during spring season. The reasons are,

1. Less rain during the winter months. This will reduce the soil moisture in forests. So, the forest soil does not have the capacity to control the fire on its own. For example, the recent Uttarakhand forest fires are due to this.
2. During these months, the availability of large quantities of combustible material in the forest is high. This includes materials like dry wood, logs, stumps, dead leaves, dry grass and weeds. This can make the small fire to become big.
3. In these months, the availability of Wind will aid the wildfire to grow big and makes them hard to control.

The onset of the Monsoon in India will significantly reduce forest fires.

Impact of forest fires

1. **Loss of Ecosystems and Biodiversity:** Forest fires destroy the habitats and the intricate relationships of diverse flora and fauna leading to loss of ecosystems and biodiversity. Besides, wildfires can even lead to extinction for certain animals.
2. **Forest Degradation:** Forest fires especially the ones that happen in dry tropical forests are a major cause of forest degradation. Almost every year, forest fires are witnessed across different forest regions. This persistently reduces the quality of certain forest features like soil fertility, biodiversity, and ecosystems.
3. According to the 2011 census, 1.70 lakh villages in India have proximity to forests. The **livelihood of several crores of people is dependent on fuelwood, bamboo, fodder, and small timber**. Forest fires directly impact their livelihood.
4. **Air Pollution:** A healthy forest stores and sequesters more carbon than any other terrestrial ecosystem. But Forest fires reduce carbon sequestration. In addition, the huge clouds of smoke instigated by wildfires lead to **massive air pollution**.
5. **Soil Degradation:** Forest soils are loaded with nutrients. These fires kill beneficial soil microorganisms that are responsible for breaking down the soil and promoting soil microbial activities. Further, the wildfires also make soils vulnerable to soil erosion.
6. **Destruction of Watersheds:** Trees and vegetation cover acts as watershed protectors since approximately all the water comes from forest-derived water tables. Whenever they burn, the natural protection systems for water tables, streams, and rivers may be affected.
7. **Triggers Global Warming cycle:** When plant life is exterminated by fires, the quality of the air we breathe in declines and greenhouse gasses increase in the atmosphere leading to climate change and global warming. This is reflected in the following diagram.

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Government Initiatives to prevent Forest Fires in India:

1. Since 2004, the Forest Survey of India(FSI) developed a **Forest Fire Alert System(FFAS)**. The system will monitor wildfires in real-time. So far, the government released three versions of FFAS.

2. **Using the MODIS sensors**(Moderate Resolution Imaging Spectroradiometer) Real-time information of fire hotspots is collected and sent to the Forest Survey of India. The FSI will forward the data by email to state, district, circle, division, range and beat levels. People in the locality will also receive SMS alerts.

3. The government also prepared the **National Master Plan for Forest Fire Control.** Under this, the government aims to introduce a coordinated and integrated fire-management programme. The other provisions of the plan include,

   o Fast-tracking the initial response.
   o Introduction of forest fuel modification system
   o Prevention of human-caused fires through education and environmental modification
   o Developing a **National Fire Danger Rating System (NFDRS)** and **Fire Forecasting System** for faster detection and control of fire.

Suggestion to reduce wildfires

1. **Capacity development** of forest departments' officials at different levels (national, regional, local) to reduce the vulnerability of Indian forests fire.

2. **Creating forests fire control manuals** for field staff. Thus suggesting steps to early detection, reporting and controlling the fires.

3. **Policy at the national level:** A cohesive policy or action plan should be formulated to set forth the guiding principles and framework for wildfire Management. The policy should also **incorporate the dimension of climate change.**

4. **Using indigenous knowledge and techniques** of local and tribal people in comprehensive wildfire management.

5. **Improving the Staffing and capacity of firefighters in the country.** For example, construction of watchtowers and crew stations, hiring seasonal fire watchers to spot fires, etc.

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6. **Technology:** Modern firefighting techniques such as the radio-acoustic sound system for early fire detection and Doppler radar should be adopted.

Overall, forest fires are necessary to clean up the dead and decaying matter in the forest. Further, they can help forests to regenerate. But all this will happen only if the fires occur at the optimum level. To prevent and manage forest fires, not only the government have to take adequate steps, but also the people have to be responsible.

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Issue of food wastage in India – Explained, pointwise

Introduction

India witnessed an enormous increase in food production especially after the green revolution of the 1960s. Based on the success, the government introduced other revolutions like white, blue, pink, etc. All of these ensured enough food for everyone. However, still many in India are devoid of quality food due to a significant amount of food wastage in India.

Recently, the UNEP's Food Waste Index Report 2021 highlights the magnitude of wastage. Although the government has taken robust steps towards wastage prevention. To sensitize the masses towards food wastage India needs to do much more.

Key Findings of Food Waste Index Report 2021

- Approximately, 17% (931 million tonnes) of total global food production was wasted in 2019.
- Among them, 61% of the global waste came from households, 26% from food service and 13% from retail.
- Household per capita food waste generation is broadly similar across country income groups.
- In 2019 alone hunger impacted some 690 million people. Another three billion were unable to afford a healthy diet.

Status of food wastage in India

There are various reports that pointed out some important observations about food wastage in India. These are,

- Per person from Indian homes are throwing away 50KG of food as wastage every year.
- On the other hand, the FAO's (Food and Agricultural Organisation) mention that nearly 40 percent of the food produced in India is wasted every year.
- All this food wastage was present throughout the supply chain. This starts from initial agricultural production to final household consumption.

Impacts of food wastage

- **Prevalence of Hunger:** If more food is wasted, then the remaining food is available at higher prices. This excludes many people from accessing quality food owing to poor socio-economic conditions. In the 2020 Global Hunger Index, India ranks 94th out of the 107 countries.
- **Environment Impact:** Around 8-10% of global greenhouse gas emissions are associated with food that is not consumed. Food waste can reach landfills and emit potent greenhouse gases which have terrible environmental implications.
- **Economic Impact:** Food loss and waste cause about $940 billion per year in economic losses to the world. So, India wasting 40% of food can save the economic cost associated with food.
- **Wastage of resources**: If the food is wasted, then the cost of factors of production such as land, water, energy, and inputs used to produce food goes in vain.

Steps taken by Government to reduce Food Wastage

The government has taken various steps to reduce food wastage in India. This includes steps such as,

- **SAMPADA** (Scheme for Agro-Marine Processing and Development of Agro-Processing Clusters) scheme was launched in 2016.

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- o One of the core components of the scheme involves developing an **integrated cold chain and value addition infrastructure**.
- o Similarly, **Mega Food Parks** also getting developed in India. They will provide adequate and appropriate storage facilities as well as process food. This will improve food preservation and elongate its shelf-life.
- **The National Food Security Act, 2013** places an obligation on the government to deliver quality food at affordable prices to the poor. This places an indirect obligation on the government to reduce food wastage in order to achieve the mission's objectives.
- **Linking of the Aadhaar card with the Ration card** ensured better identification of beneficiaries under the Public distribution system. This reduced the demand for excess food.

Challenges in reducing food wastage in India

- **Inefficient Supply chains:** In India, farmers don't have easy access to efficient transportation, storage, and marketing of agricultural products. This hinders the prudent collection and distribution of food. This is leading to wastage and distress sales. Few examples,
  - o Essential commodities get exemptions from movement restrictions. However, farmers across the country struggled to access markets. This results in tonnes of food waste in India.
  - o Similarly, surplus stocks of grain (65 lakh tonnes) in the first four months of 2020 continued to rot in godowns across India.
- Gaps in Public Distribution System: The PDS in India has a better supply chain system than farmers. But maintenance of warehouses and poor utilization of buffer stocks leads to a lot of food wastage in India.
- **Lack of Data**: There is a shortage of credible data on food waste in India. For example, there is no data available at the national, state, and district level. This hampers policy formulation and subsequent assessment of government programs.
- **Awareness Deficit**: This leads to a greater stocking of food than the desired amount. This will lead to greater wastage and non-judicious usage. For example,
  - o During the COVID-19 pandemic, huge amounts of food wasted as the affluent class stocked huge food quantities than their required amount.
  - o Similarly, Food wastage in India is a common phenomenon in Indian weddings.
- **Attracting Marketing practices**: Big supermarkets offer discounts on bulk buying and large portion sizes. This boosts consumption and sales but certainly augments food wastage.

Suggestions

- India should include Food wastage as a core component of its **Nationally Determined Contributions (NDCs)** under the Paris Summit. This will place great accountability and motivate the country to take more concrete and innovative steps.
  - o Currently, only 11 countries mention Food waste as part of their NDCs.
- Multilateral platforms like the **UN Food Systems Summit** can be used to improve cooperation and collaboration among countries.
- India can utilise the knowledge and practice of **UNEP's Regional Food Waste Working Groups.** Especially to share and learn good practices with peer countries.
- **Sufficient support in the form of incentives and other rebates** should be given to innovative food conservation models.

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- o For instance, **Adrish** is India's first chain of zero-waste concept stores. They aim to shift people from harmful, artificial consumption to an eco-friendly, zero-waste lifestyle.
  - o Similarly, **India Food Banking Network (IFBN)** is bringing the government, private sector and NGOs together to fight hunger and malnutrition in India. It aspires to **create one food bank** in every district of India by 2030.
- The government has to conduct **Awareness and Sensitisation drives** to inculcate a behavioural change in food usage. For example, changes like,
  - o Ordering consciously from restaurants
  - o **Feed someone with extra food** or make a **compost** out of it.
  - o Focus on traditional **nose-to-tail cooking** when it comes to meat and seafood. There are certain regional Indian recipes that encourage this practice. The government has to encourage this. For example, Surnoli, a Mangalorean dosa or gobhi danthal sabzi made with cauliflower stalks and leaves in Punjab.

  Nose-to-tail cooking: It is the method of including as much as of an animal/vegetable in cooking.

At the community level – People can associate with organisations like **No Food Waste.** It is a Coimbatore-based organisation that aims to redistribute excess food to feed the needy and hungry.

Conclusion

India needs a more proactive approach towards Food wastage that should involve a blend of incentives, penalties and behaviour changing measures. This will ensure judicious food utilisation and would also help in achieving SDG 12.3 that aims to halve global food waste by 2030.

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Production-Linked Incentive or PLI Scheme and its challenges – Explained, pointwise

Introduction

Recently the Ministry of Commerce & Industry submitted the **Status of Production-Linked Incentive Schemes** in India. PLI Schemes are a cornerstone of the Government's push for achieving an Atmanirbhar Bharat. In the Union Budget 2021, the Finance Minister announced an outlay of **INR 1.97 Lakh Crores** for PLI Schemes in **13 key sectors**.

So far 9 of the 13 PLI schemes are notified and another four **Schemes** are in process. Let's have a look at the associated benefits and challenges with PLI schemes.

About the Production-Linked Incentive(PLI) Schemes

The PLI Scheme was launched as a part of the National Policy on Electronics 2019 to give incentives of 4-6% to electronic companies. Especially for the companies manufacturing electronic components like mobile phones, diodes, transistors, etc.

1. The **major aim** of the scheme was to invite foreign investors to set up their manufacturing units in India. Similarly, the PLI scheme aims to promote the local manufacturers to expand their manufacturing.
2. **Features:** Under the Scheme, companies will get incentives on **incremental sales** from products manufactured in domestic units.
3. **Implementation:** The scheme is implemented by the concerned ministries/departments.

Initially, the Scheme focussed on three sectors.

Sl. No	PLI Scheme	Concerned Ministry/Department
1	Mobile Manufacturing and Specified Electronic Components	Ministry of Electronics and Information Technology (MeiTY).
2	Critical Drug Intermediaries, Active Pharmaceutical Ingredients	Department of Pharmaceuticals
3	Manufacturing of Medical Devices	Department of Pharmaceuticals

Expansion of the PLI Scheme to other sectors

In, 2020 the Cabinet gave its approval to introduce the Production-Linked Incentive(PLI) Scheme for another 10 key sectors. Of these, the government notified the PLI Scheme for 6 sectors so far. These are,

Sl. No	Notified PLI Scheme	Concerned Ministry/Department
1	Electronic/Technology Products	Ministry of Electronics and Information Technology
2	Pharmaceutical drugs	Department of Pharmaceuticals
3	Telecom & Networking Products	Department of Telecom
4	Food Products	Ministry of Food Processing Industries.
5	White Goods (ACs & LED)	Department for Promotion of Industry and Internal Trade.

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| 6 | High-Efficiency Solar PV Modules | Ministry of New and Renewable Energy |

The government is actively pursuing along with the concerned ministry/department for PLI Scheme in the following sectors.

Sl. No	Other PLI Schemes	Concerned Ministry/Department
1	Automobiles & Auto Components	Department of Heavy Industries
2	Advance Chemistry Cell (ACC) Battery	NITI Aayog and Department of Heavy Industries.
3	Textile Products (MMF segment and technical textiles)	Ministry of Textiles
4	Speciality Steel	Ministry of Steel

Need for PLI Scheme

The government expanded the PLI Scheme for fulfilling various needs in the manufacturing sector. Such as,

1. The PLI Scheme provides enough **support to Sunrise industries at their initial stage**.
   Sunrise Industry: These are relatively new industries but growing fast at present. Further, these are expected to become important in the future. For Example, Solar energy industries, Food Processing Industries, etc.
2. Further, India despite dominating the services sector, contributes very little to the **global supply chain**. PLI scheme can help India to **build an export base.**
   For example, According to the Parliamentary report, the **minimum production** in India due to PLI Schemes is expected to be **over US$ 500 billion in 5 years**.
3. At present, there is a growing demand for **diversification of supply chains.** Especially to avoid the dominance of China. The PLI Scheme by increasing production can reduce Chinese demands.
4. **Attract the global investment to India** after the Covid-19 pandemic. India is a consumer-based economy. By providing incentives, the PLI scheme attracts more foreign investment to India.

Advantages of PLI Schemes

The Scheme provides various advantages to the Indian Manufacturing sector.

1. **Firstly, Expansion of the present capacity:** The PLI Scheme augments the present achievements of India. For example,
   a. Indian Textile Industry is one of the largest in the world
   b. India is the second-largest producer of steel Introducing the PLI Scheme in these sectors will further expand these sectors.
2. **Secondly**, India is expected to have a USD 1 trillion digital economy by 2025. The projects like Smart City Mission and Digital India require huge investments. India at present importing the equipment and raw materials. On the other hand, the PLI Scheme will **provide low-cost indigenous products**. So the cost associated with other projects will also come down.

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3. **Thirdly,** the government **can not make sustained investments** in capital-intensive sectors. Because they have a longer gestation period. But the PLI Scheme based on incremental output is more effective than the **other grant-based input subsidy schemes** like Mega Food Parks, etc. This will **reduce the Government expenditure**.

4. **Fourthly, Generate employment opportunities**: The sectors such as textile, steel are labour-intensive in nature. By increasing manufacturing in these sectors, India can **reduce the unemployment ratio and also create skilled manpower**.

5. **Fifthly, Encouraging local manufacturing units:** The scheme aims to develop local industries. Further, the scheme also facilitates **innovation and research, development and up-gradation of technology** of Indian firms. Thus, the local manufacturing units can become globally competitive in the long run.

Challenges associated with the PLI Schemes

1. The scheme contains a financial cap on incentives. This makes an over-performing company not to reap the benefits of its over achievements.

2. In India for the majority of the PLI Scheme focussed sectors the **effective cost of manufacturing is higher** than the competitors. For example, **Ernst & Young study** shows that if the cost of production of one mobile is Rs.100. Then the effective cost of manufacturing the mobile is 79.55 in China, 89.05 in Vietnam, and 92.51 in India (including PLI). So, the investors will prefer other countries despite the PLI scheme.

3. Apart from that, the scheme did **not address the core challenges faced by the Sunrise industry manufacturers**. Such as,
   o First, **less presence of domestic firms**: The Scheme will benefit the international player more than the Domestic firms. As the international players can invest their revenues and produce in India and take domestic market share. Thus, the domestic manufacturer will be in a disadvantage position. For example, About **99% of Xiaomi phones sold in India were made in India**. So, Indian firms might face challenges in getting market share.
   o Second, **the problem of Cheap imported material**: Domestic firms may also face competition from cheap imports. Especially from Chinese in Solar PV Modules, White Goods etc.
   o Third, **lack of cutting edge technology and Foundries:** India so far not focussed on adequate R&D development and Raw machinery. This resulted in poor talent retention and eventually 'brain drain'. So, the development of industries under the PLI Scheme is questionable.

4. The **Challenge of WTO**: In September 2019, Chinese Taipei contested the raise in tariffs under the Phased Manufacturing Programme(PMP). If the PMP is found to be the **WTO non-compliant**, then the growth of domestic industries is limited.

Suggestions

To make India a global manufacturing hub along with the PLI Schemes, certain reforms are necessary. These include,

1. **Focus on supply chain co-location:** The government has to encourage the Foreign firms under the PLI policy to co-locate (placement of several entities in a single **location**) with their established industrial ecosystems. This will reduce government expenditure to invest and develop the ecosystems for the investor. This will bring the assemblers and component manufacturers together. So that, it reduces the effective cost of manufacturing.

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2. Further, the government must also **focus on the service industry** also. As other countries like China focus on the development of both Manufacture and Service sectors simultaneously in the long run.
3. India also needs to focus on other key challenges of the manufacturing sector through initiatives such as,
    o **Reduction in costs**– India also needs to consider reducing its factor costs of power and logistics.
    o **Encouraging states to be competitive** and not indulge in trade-restrictive practices like Job reservation for locals, etc.
    o Further, Implementing structural reforms such as Land reforms, etc.
    o Also, India needs to improve human capital to meet the demands of the sunrise industries.
4. **Profiting from Anti-Chinese Sentiments**: The global players including the USA, Australia aims to diversify their supply chains and also raise allegations against China. India should utilize this golden opportunity to act fast to attract outgoing investment from China.

Conclusion

India's **PLI scheme was** so far has been able to attract 22 top companies, including Apple and Samsung mobile phones in the electronics manufacturing segment. Apart from that, it is also expected that, over the next five years, a manufacturing capacity of over $150 billion and exports of $100 billion will be tied up through the **PLI scheme**. Further, the government needs to rectify the challenges faced by Indian firms in manufacturing. Else India can become a **global manufacturing hub of International companies**.

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Tribunal Reforms Ordinance 2021 – Explained, Point wise

Introduction

Recently President of India promulgated Tribunal Reforms (Rationalisation and Conditions of Service) Ordinance 2021. The Ordinance dissolves certain existing appellate bodies and transfers their appellate authority to other Judicial Bodies. Further, the ordinance also amends the Finance Act 2017.

The government also introduced the Bill in Lok Sabha on the same subject. The bill also aims to achieve aims similar to the ordinance. The government introduced the ordinance for improving the quality of Justice, But the ordinance also takes away few advantages associated with the Tribunals.

What are Tribunals?

- **The Tribunal** is a quasi-judicial institution. They were set up to deal with problems such as resolving administrative or tax-related disputes.
- Initially, Tribunals were not a part of the Constitution. **Swaran Singh Committee** recommended including Tribunals as a part of the Constitution.
- Based on that, the 42nd Amendment Act, 1976 provided constitutional status to Tribunals. Tribunals were placed under Part XIV-A. This part has only two articles:
  - Article 323-A deals with Administrative Tribunals. These tribunals resolve disputes related to the recruitment and service conditions of persons engaged in public service.
  - Article 323-B deals with tribunals for other matters. These tribunals resolve disputes related to Taxation, Foreign exchange, Industrial and labour, Land reforms, import and export, Food, Ceiling on urban property, etc.
- Few differences between these tribunals are

• **Article 323-A (Administrative Tribunals)**	• **Article 323-B (Tribunals for other matters)**
• Parliament alone can establish these tribunals	• Both Parliament and State Legislatures can establish these tribunals
• Only one tribunal at the center level and Only one for each state(or two or more states)	• Government can establish the hierarchy of Tribunals

About the Tribunal Reforms Ordinance 2021

The Tribunal Reforms (Rationalisation and Conditions of Service) Ordinance 2021 seeks to dissolve certain existing appellate tribunals and transfer their functions.

The appellate tribunals formed through the following legislations are transferred. These include,

Acts and associated Tribunals	Appeals will hear by
The Cinematograph Act, 1952	High Court
The Trade Marks Act, 1999	High Court
The Copyright Act, 1957	Commercial Court Constituted under the Commercial Courts Act, 2015 **or** the Commercial Division of a High Court
The Customs Act, 1962	High Court
The Patents Act, 1970	High Court
The Airports Authority of India Act, 1994	The Central government, for disputes arising from the disposal of properties left on airport premises by

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	unauthorised occupants. High Court, for appeals against orders of an eviction officer.
The Control of National Highways (Land and Traffic) Act, 2002	Civil Court
The Geographical Indications of Goods (Registration and Protection) Act, 1999	High Court

Changes to the Finance Act 2017

Apart from these changes, the ordinance also amended the Finance Act to include the following changes.

- ▪ **The ordinance empowers the Central Government** to make rules for qualifications, appointment, term of office, salaries and allowances, resignation, removal, and other terms and conditions of service of Members of Tribunals.
- ▪ **Search-cum-Selection Committee:** The ordinance also provides that the central government will appoint the Chairperson and Members of the Tribunals. A **Search-cum-Selection Committee** will make the recommendations for such appointments.
- ▪ **Tenure:** Now, The tenure of Chairperson of a Tribunal is for a term of four years or till the age of 70, whichever is earlier. Members of a tribunal will also have a tenure of four years or until they turn 67.

Need for the Tribunal Reforms Ordinance

The government introduced these radical changes due to the various challenges faced by the Tribunals in India. Such as,

1. **Huge unfulfilled Vacancy:** Different qualification requirements for different tribunal leads to a high level of vacancy in the appellate tribunals. For example, In 13 tribunals alone, nearly 138 posts lying vacant out of 352 posts.
2. **Poor Adjudication & Delay in Judgement:** The 272nd Law Commission Report mentions the Tribunals such as Central Administrative Tribunals and others had a pendency of 2.5 Lakh cases. Combined with the Vacancy they cannot determine the appeals. So the ordinance is necessary.
3. **Lack of independence:** An interim report titled, Reforming The Tribunals Framework in India mentioned that the tribunals are not independent. The Executive holds key positions in Tribunals and the government is the biggest litigant. So the cases might not be decided fairly. So, the ordinance by shifting the appeals to the Judiciary will enable fair trial.
4. **Non-uniformity across tribunals** with respect to service conditions, tenure of members, varying nodal ministries in charge of different tribunals. This created and contributed to **malfunctioning in the managing and administration of tribunals**.
5. **Ad-hoc regulation of Tribunals:** The tribunals fall under various ministries subjects to frequent ad-hoc regulatory changes. By abolishing the appellate tribunals there won't be any such possibility for ad-hoc regulations.
6. **Bypassing the jurisdiction of the High Court in certain Tribunals:** Few tribunals like NGT, NCLAT, CAT, etc have provisions allowing for direct appeals to the Supreme Court. Even though the Supreme court in the **L. Chandra Kumar case** criticised them for such practice. The Supreme Court held that it will create congestion in SC and also make the Justice costly and inaccessible.
7. Thus, the ordinance for abolishing the appellate tribunals and vesting that power to the High Courts is a solution to the problem.

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Challenges with the Tribunals Reforms ordinance

Even though the ordinance solves many problems, there are few main challenges with the same.

1. **Burdening Judiciary:** It is not only the tribunals that have long pendency of cases and vacancies, but also the constitutional courts, i.e. the High Courts and the Supreme Court. Shifting the entire appeals towards High courts will provide more burden to the Judiciary.

   For example, A law commission report says that the top five central tribunals in India have taken over 3.50 lakh cases pending from the judiciary.

2. **The high disposal rate of cases** in Tribunals is accepted by the 272nd Law Commission Report also. So abolishing the appellate tribunals is not considered a right move.

3. **Against the Flexibility in the Justice delivery system:** The introduction of tribunals engendered flexibility and versatility in the judicial system of India. Unlike the procedures of the ordinary court which are stringent and inflexible, the administrative tribunals have a quite informal and easy-going procedure.

Suggestions to improve the tribunals

1. Firstly, SC has cautioned on the continuous creation of tribunals. So the Government has to stop creating new Tribunals and **focus on bringing standardisation** in Tribunals instead of abolishing them.

2. Secondly, the government has to **amend the provisions of Tribunals that left High Courts out of its Jurisdiction**.

3. Thirdly, adopting a **methodology of a merger** like the United Kingdom. The UK also suffered a similar problem to India with Tribunalisation. Further, both countries have similar administrative frameworks. This was highlighted by Supreme Court in NCLT Case. Further, the SC also mentions few significant recommendations. Such as,

   a. **Leggatt Report** of the UK is also applicable to the problem faced by Tribunals in India.

   b. India has to create a single tribunals service and nodal agency based on the Leggatt Report

4. Fourthly, 74th Parliamentary Standing Committee Report on 2015 also mentioned a **single nodal agency** for monitoring Tribunals, Appellate Tribunals and Other Authorities

The Tribunals in India serve some important purposes. Instead of abolishing appellate tribunals, the government can try implementing the Leggatt Report. As it will not only solve the problem with appellate tribunals but also solve the problems other tribunals as well.

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Insolvency and Bankruptcy Code Ordinance 2021 – Explained, Pointwise

Introduction

The Parliament passed the Insolvency and Bankruptcy Code (IBC) in 2016. It is a comprehensive insolvency code encompassing all companies, partnerships and individuals (other than financial firms).

Based on the last five-year experience, the government wanted to introduce few changes to make the IBC more effective. Subsequently, The President recently promulgated the Insolvency and Bankruptcy Code (Amendment) Ordinance 2021. This aims to fulfil the intended objectives of IBC.

Insolvency and Bankruptcy Code, 2016

- The code replaced all the existing laws and created a uniform procedure to resolve insolvency and bankruptcy disputes.
- It allows creditors to assess the viability of a debtor as a business decision. Further, the creditors can agree with the plan for its revival or suggest for a speedy liquidation.
- The Code creates **a new institutional framework.** This framework facilitated a formal and time-bound insolvency resolution process and liquidation. The framework includes:
  - o **Insolvency Professionals**: They will **administer** the resolution process. They also manage the assets of the debtor and provide information for creditors to assist them in decision-making.
  - o **Insolvency Professional Agencies**: The insolvency professionals will be registered with insolvency professional agencies. The agencies would conduct examinations to certify the insolvency professionals and enforce a code of conduct for their performance.
  - o **Information utilities**: They will keep a record of debts given by creditors along with details of repayments/ dishonour of debt.
  - o **Adjudicating authorities**: They will give the approval to initiate the resolution process, appoint the insolvency professional, and approve the final decision of creditors.
    - ▪ **National Company Law Tribunal(NCLT):** It is the adjudicating authority for companies and limited liability entities
    - ▪ **Debt Recovery Tribunal:** It is the adjudicating authority for individuals and partnership firms.
  - o **Insolvency and Bankruptcy Board:** The Board will **regulate** insolvency professionals, insolvency professional agencies and information utilities set up under the Code.
- The code aims to resolve insolvencies in a strict time-bound manner – the evaluation and viability determination must be completed within 180 days.
- Moratorium period of 180 days (extendable up to 270 days) for the Company. For startups and small companies, the resolution time period is 90 days which can be extended by 45 days.

Basic Terminologies
- ▪ **Insolvency**: It is a situation in which a debtor is unable to pay his/her debts.
- ▪ **Bankruptcy**: It is a legal proceeding involving an insolvent person or business that is unable to repay its outstanding debts.
- ▪ **Liquidation**: It is a process of bringing a business/company to an end. It involves the distribution of the company's assets among creditors and other claimants.

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About Insolvency and Bankruptcy Code (Amendment) Ordinance 2021

- **The Amendment** allows the use of Pre-Packaged insolvency resolution as an alternative resolution mechanism for MSMEs. The threshold limit to trigger the Pre-Packaged insolvency resolution is between Rs 10 lakh to 1 Crore.
- **Section 54A:** It allows the use of **Pre-Packaged insolvency resolution(PPIR)**.
  - PPIR is a form of restructuring that allows creditors and debtors to work on an informal plan and then submit it for approval.
  - Under this system, financial creditors will agree to the terms of a potential investor. Further, they will seek approval of the resolution plan from the National Company Law Tribunal (NCLT).
  - However, the submission of the resolution plan cannot happen directly to NCLT. It requires approval of **a minimum of 66% of financial creditors** that are unrelated to the corporate debtor before submission of a resolution plan.
- The threshold limit to trigger the PPIR is between Rs 10 lakh to 1 Crore.
- The NCLTs must consider a pre-pack insolvency proceeding before allowing a Corporate Insolvency Resolution Process(CIRP).
  - CIRP is the process of resolving corporate insolvency according to the provisions of the Insolvency and Bankruptcy Code, 2016.

Benefits of Insolvency and Bankruptcy Code ordinance

- **Quicker Resolution**: Over 86% of the ongoing insolvency resolution proceedings crossed the 270-day threshold as of December 2020.
  - However, the process under PPIR is limited to a maximum of 120 days. Further, only 90 days are available to the stakeholders to bring the resolution plan to the NCLT.
- **Greater Autonomy to Debtor:** As the existing management retains control in the case of pre-packs. On the other hand, A resolution professional takes control of the debtor as a representative of financial creditors. This results in a cost-effective and value maximising outcome for the debtor.
- **Prevents misuse by errant promoters**: The PPIR gives significant consent rights to the financial creditors. For instance, it requires approval of a minimum of 66% of financial creditors before submission of a resolution plan. This prevents any misuse from financial creditors.
- **Amicable settlement**: The amendment has made sure that both debtors and creditors have a say in the resolution process. This is a deviation from the earlier approach. As the IBC 2016 gives excessive focus on creditors in resolution.
- **Prevents job losses**: Under PPIR, there is less probability of liquidation. Thereby ensuring continuity of business and resulting in fewer layoffs for workers.

Challenges in Insolvency and Bankruptcy Code

- **Poor Approval rate**: As per the IBBI's data, (Insolvency and Bankruptcy Board of India) a mere 15% approval rate has been shown by NCLT in corporate insolvency cases from 2016-19.
- **Greater Focus on liquidation:** The objective of IBC was to promote entrepreneurship and promote resolution. But ironically IBC put more focus on liquidation. This hinders the economic potential of the country.
  - In 2019, almost 1/3rd of all corporate cases filed for resolution ended up towards liquidation.
- **Supreme Court Judgement:** The Government had placed a compulsory deadline of 330 days if 270 days mark got breached. However, the SC in **the Essar Steel**

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insolvency case relaxed the criteria of "mandatorily" resolving the CIRP within 330 days. This judgement can be used to breach the deadline of the PPIR process also.

- **Resource Deficit**: The government had proposed to set up 25 additional single and division benches of NCLT in July 2019. They were established at various places including Delhi, Jaipur, Kochi, etc. However, most of these remain non-operational or partly operational on account of lack of proper infrastructure or adequate support staff.

Suggestions to reform IBC process

- There is a need to **increase the number of NCLT benches** and **appoint more competent professionals**. This will ensure that the IBC platform is not used as a recovery but more as a resolution tool.
- Further masses should be aware of **alternate dispute resolution mechanisms** like Lok Adalat, Arbitration etc. This can reduce the workload on insolvency tribunals.
- The government can place companies such as construction, electricity (that do not have hard assets) outside the NCLT. This would save resources and time in pursuing IBC for these companies.

Conclusion

The ordinance will be beneficial for the small players and would encourage time-bound resolution of stressed assets under the IBC model. Nonetheless, further augmentation is necessary for the success of IBC.

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UGC's new Learning Outcomes-based Curriculum Framework (LOCF) -Explained, Pointwise

Introduction

The UGC (University Grants Commission) recently released a new document on the undergraduate history curriculum. It is named "Learning Outcomes-based Curriculum Framework (LOCF), 2021".

The LOCF aims to change the syllabus for the undergraduate history curriculum in India. Further, it aims to provide a focused, outcome-based syllabus at the undergraduate level. Further, the LOCF also has an agenda to restructure the teaching-learning experiences in a more student-centric manner. However, the changed syllabus of the undergraduate history curriculum falls short to meet its desired objectives and requires reconsideration.

Key provisions of Learning Outcomes-based Curriculum Framework (LOCF)

The Learning Outcomes-based Curriculum Framework (LOCF), 2021 for undergraduate education in history begins with the declaration: "History, as we all know, is a vital source to obtain knowledge about a nation's soul".

- Firstly, the document seeks to **create a student body** that will compete globally and be aware of its glorious past.
- Secondly, under the LOCF, the Undergraduate education qualification will be awarded on the basis of demonstrated achievement of outcomes.
- Thirdly, these outcomes are expressed in terms of knowledge, understanding, skills, attitudes and values.
- Further, it also specifies the expected known, understandable to do things for graduates completing a particular programme of study.

Overall the document is a policy directive to **mould the entire undergraduate history education** in India.

About New Curriculum for History under LOCF

- To acquire a degree in BA History a student must study
  - Fourteen Core Courses (CC)
  - Four Discipline Specific Elective Courses (DSE)
  - Four interdisciplinary General Elective Courses (GE)
  - Two discipline centred Skill Enhancement Courses (SEC)
  - Two Ability Enhancement Courses (AEC)
- The new curriculum is based on a choice based credit system. Under this, a student has the flexibility to choose their course from a list of elective, core, and soft skill courses.
- The first paper of course is titled '**Idea of Bharat.**' It seeks to study the primitive life and cultural status of the people of ancient India.
- The five units of this paper cover:
  - The concept of Bharatvarsha
  - Indian knowledge traditions, art and culture
  - Indian economic traditions
  - Dharma, philosophy and 'Vasudhaiva Kutumbakam'
  - Science, environment and medical sciences
- The third paper includes features of the "Indus-Saraswati Civilisation" and its continuity, fall and survival.
- Similarly, there are other changes in other papers as well.

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Intended objectives the LOCF

The LOCF aims to achieve the following objectives. Such as,

1. **Use history as a vital source** to obtain knowledge about a nation's soul.
2. **Create a conscious student body** that is aware of India's glorious past and can compete at the global level.
3. **Build a new narrative** about the nation through a dialogue between past and present.
4. **Bring out the best intellect** of the student and also allow him/her to keep pace with the contemporary development.

Benefits of LOCF

If implemented the LOCF will yield the following benefits. Such as,

- The curriculum will **break the stereotypes** of History learning and also creates **interest amongst students** to study History.
- **It provides great flexibility to students.** As the curriculum offering a large amount of choice. So the students can tailor their education on the basis of their interests.
- Further, the LOCF **enables a student of History to be well versed with other complementary subjects.** As it offers a balanced combination of Core, Discipline Specific Electives and Skill Enhancement Courses.
- Moreover, its **interdisciplinary nature** would open multiple career paths for students like:
  o Administrative Assignments
  o Foreign Assignments for building International Relations
  o Journalism and Media
  o Policy Making and Governance
  o Public Life and People's Representation

Concerning Issues of LOCF

1. **Improper representation of Bharatvarsha:** Under the unit of ' The concept of Bharatvarsha', little focus is paid towards the contributions of the south, east and northeast people.
   a. Further, the struggle of the masses in the freedom movement is also not given its due space in the creation of Bharat.
2. **Regional Bias:** The curriculum is biased towards the history of North India. The rich sociocultural, economic and political changes of other regions has not provided adequately. Further, some regions introduced only as political formations.
3. **Weakens the social fabric**: The paper on medieval and the early modern India (History of India, 1206-1707) shows that Hindus and Muslims as two separate entities. This would strengthen the belief in separate nations for Hindus and Muslims which led to the country's partition in the past.
4. **Violence as a Major Driver of change**: The use of force is projected as the main driver of change in society. For example, the case of Aryan, Mughal or any other invasion in new curriculum. This kind of narrative portrays violence as the sole reason for the change.
5. **Disputed Findings**: The Saraswati (a mythological river) is mentioned in the Vedas, but its existence is disputed amongst historians.
6. **Ignoring Multilayered Explanations:** The new curriculum adopts the categorization methods of colonial historians. It ties the history to the story of dynasties and rulers who mainly operate under the force of religion.

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a. This undermines the Multilayered Explanations that state social, economic and cultural changes occur as long-term processes. These are hard to pin down to specific dates or years or dynasties.

Pedagogical challenges with the LOCF

1. The style of pedagogy is more **textbook-oriented**. The book is less emphasised towards the archaeological artefacts, coins, visits to monuments and museums etc. Further, this hinders the better understanding of the subject.
2. **The new framework does not encourage reading a diversity of opinion.** This will restrict the students only to limited sources.
3. The curriculum **ignores the finest writings in Indian history**. The bulk of readings span from the 1900s to the 1980s, with a heavy dependence on the work of Indologists. This curtails their resource base.
4. The linkage of **critical 21st-century issues like climate change, democracy, social justice** etc. with the historical framework is also missing.

Suggestions to improve the LOCF

- Firstly, the UGC should re-include the works **by prominent historians** in the curriculum. As it would ensure a better understanding of the history by the students.
  - This includes R.S. Sharma's book on ancient India and Irfan Habib's book on medieval India.
- Secondly, the LOCF also has to include **New modes of thinking** especially about Big Data, digital mapping and visualisations, critical study of the environment etc.
- Thirdly, apart from that, there should be a **re-adoption of inclusive and secular texts** like Kautilya's Arthashastra, the poems of Kalidas, Ayurvedic text Charak Samhita etc.
- fourthly, apart from that, the UGC can arrange a **meeting with eminent persons** (representing diverse sections) in order to re-examine the proposed syllabus.

Conclusion

The shortcomings of the curriculum have to address efficiently through cautious discussion. In conclusion, the LOCF should make it more rational, objective and comprehensive in order to deliver optimum outcomes.

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US's Freedom of Navigation Operation in India's EEZ – Explained, Pointwise

Synopsis: The recent Freedom of Navigation Operation (FONOP) of the US in India's EEZ is in violation of UNCLOS.

Introduction

Recently, the US 7th Fleet announced that one of its warships, USS John Paul Jones carried out Freedom of Navigation operation(FONOP). The FONOP operation carried out approximately 130 nautical miles west of Lakshadweep Islands. This is inside India's E**xclusive Economic Zone (EEZ)**.

It is a cause of concern as the US warship did not request India's permission before sailing through its Exclusive Economic Zone. This FONOP challenged India's maritime claims.
This is more surprising due to the fact that India-US relations are improving. For example, the US-led Quad Leaders virtual meeting and major Indo-US military exercise happened recently. This step may create a disruption in good India-US relations.

What was the stand of the US and India?

This operation, according to the US 7th Fleet, was to assert navigational rights and freedoms. Moreover, it also claims that this move was in accordance with the 1982 United Nations Convention on the Law of the Sea (UNCLOS).
On the other side, India has raised its concern to the US, through diplomatic channels. Further, India also said that UNCLOS does not authorize military maneuvers on the continental shelf or EEZ. That too without the prior consent of a country.
Also, it is against India's domestic law — the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones of India Act of 1976

About the UN Conference on Law of the Seas (UNCLOS) 1982

UNCLOS came into force in 1994. About 168 nations including India ratified the convention. But the US never signed and ratified.
The UN Secretariat not charged any country with the role of overseeing or enforcing the implementation of UNCLOS. So, the US asserted itself as a "**global-cop**" role in its implementation(without ratifying it)
Events in formulating the UNCLOS:
   ▪ In 1945, then **US President** Harry Truman **declared US jurisdiction over all natural resources on their continental shelf**.
   ▪ Following that, Some states extended their sovereign rights beyond 200 miles. On the other hand, some other states declared their territorial limits as they liked.
   ▪ To bring uniformity at the global level, the UN convened conferences for codifying laws of the seas.
   ▪ UNCLOS entered into force on 16 November 1994.
   ▪ The provisions of UNCLOS divided the oceans in the following ways.
      o **Internal water:** It includes all water on the continental side of the baseline. For ex.; lakes and lagoons. No foreign vessel can have any right of passage through internal waters.
      o A territorial sea extends to 12 miles from the baseline. The coastal state is free to set laws, regulate use, and use any resource. Foreign vessels enjoy the right of innocent passage.
      o A 24-mile contiguous zone: A state can prevent or stop infringement of its customs, fiscal, immigration, or sanitary laws and regulations

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- o A newly conceived "exclusive economic zone" (EEZ). It will extend up to 200 miles.
    - o The coastal state will have the sole rights over natural resources (Fishing, Mining, energy, etc.) in the EEZ.
    - o However, Coastal state does not have a right to prohibit or limit freedom of navigation or overflight.
  - o The area outside EEZ is called High Seas or International waters. It does not belong to any State's jurisdiction.

However, Innocent passage to foreign vessels is subject to certain restrictions. It shall not threaten sovereignty, territorial integrity or political independence of the coastal State. Also, it does not allow military practice with weapons.
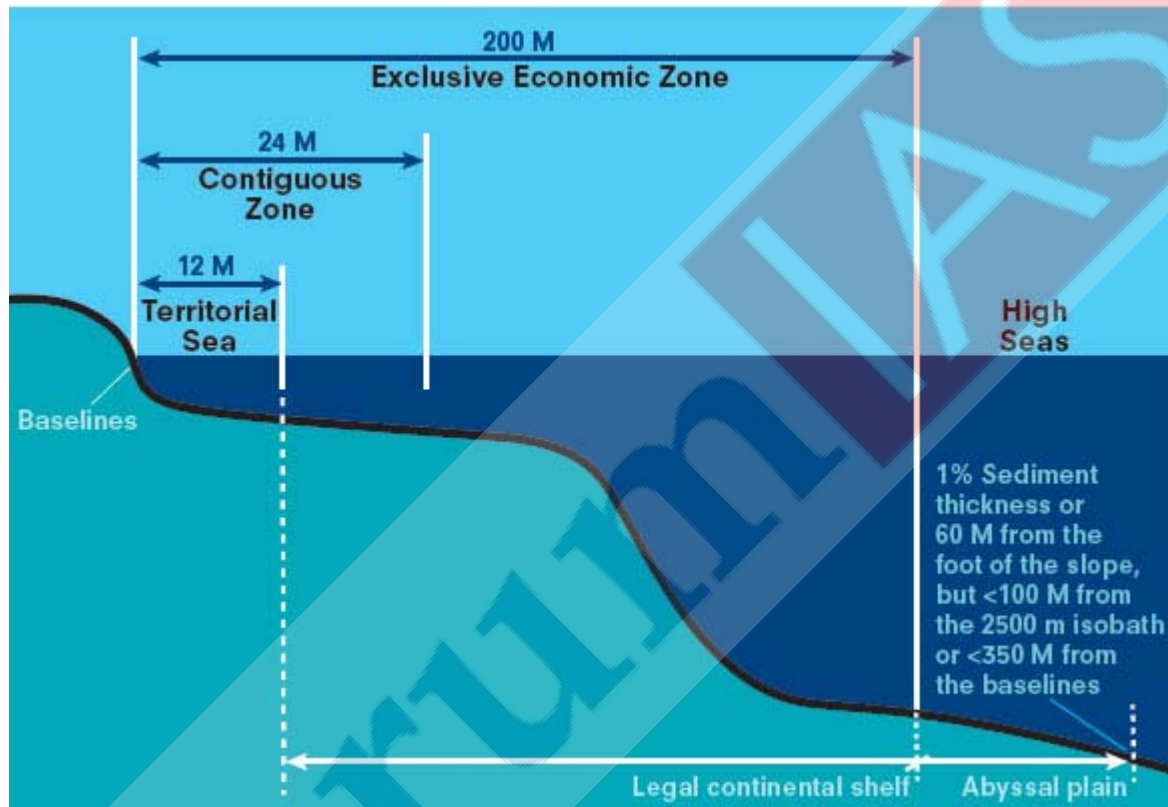
Source: reparation law

India's Exclusive Economic Zone Act of 1976

In this act, India legally defined the concept of EEZ and also regarding the passage of vehicles.

Section 4(2) of this act allows foreign warships including submarines to enter or pass through the territorial waters. However, it requires prior notice to the Central Government. They are also required to navigate on the surface and show their flags.

Freedom of Navigation Operation or FONOPs

- ▪ The US Navy conducts such operations in the exclusive territorial waters of coastal nations.
- ▪ These operations denote that the US does not agree to the exclusive maritime claims of coastal nations. Thus, it prevents those claims from becoming accepted in international law.
- ▪ **According to the US Department of Defense(DoD),** the FONOP Program has existed for 40 years. The program continuously reaffirms the US policy of exercising and asserting its navigation and freedom rights around the world.

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▪ Under the same program, the US continuously challenges China's claims in the South China Sea. It also challenged China's claim to straight baselines enclosing the Paracel Islands.

Implications for India

1. Firstly, It would make it difficult for India to trust the US intentions. This US move came after so many positive developments in its relations with India.
2. Secondly, it encourages other regional navies to violate India's domestic regulations in the waters surrounding the Andaman and Nicobar Island.
3. Third, It would also disrupt other international initiatives, like QUAD in the Indo-Pacific region.

Flaw in UNCLOS

1. The UNCLOS is silent on controversial issues, especially with military or security implications i.e. passage of warships.
2. Further, the UNCLOS has **no specific provisions for the resolution of disputes**.
    a. Many states preferred "negotiating in good faith". Few states resort to the International Tribunal for the Law of the Sea or a Court of Arbitration for resolving disputes.
3. There are other areas of contention in the interpretation of rules as well. This includes the following,
    a. Applicability of the EEZ concept to rocks and islets
    b. The right of innocent passage for foreign warships through territorial seas
    c. Conduct of naval activities in the EEZ
    d. Pursuit of marine scientific research in territorial waters and EEZ.

Suggestions

1. The UNCLOS is a great first step towards uniformity. But it is time for the members of the UNCLOS to convene another conference to review laws and resolve issues.
2. Similarly, the FONOP patrols of the US Navy have to identify the real threat to freedom of navigation(China). This is evident from the following events.
    o China has an "**anti-access, area-denial" or A2AD capability.** China while trying to control the South China Sea, also developed a layered deterrent threat to the US navy.
    o In 2013 China started an intense campaign to build artificial islands in the Spratly and Paracel group of islands. Today, three Chinese outposts, Fiery Cross, Mischief & Subi Reefs, have airstrips and harbors. Further, these are fortified with missiles and radars.
    o In 2016 **China rejected the verdict of the UN Court of Arbitration** in its dispute with the Philippines.
    o So far many US presidents aimed to threaten China. But nothing significant happened in reality. For example, Obama's US Pivot/Re-balance to Asia, Trump's Indo-Pacific Strategy, and Asia Reassurance Initiative Act have failed to create any impact on China.

So, the worldwide FONOP campaign needs to done carefully. The campaign has to deter adversaries and not alienate friends.

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Issue of Nuclear Waste pollution – Explained, Pointwise

Introduction

The establishment of nuclear plants happened as an alternative to thermal power stations due to their low carbon footprint. However, a particular issue associated with their functioning is the generation of nuclear waste (or radioactive waste). This waste is highly contaminated and requires proper processing and treatment before its release into the environment.

The issue of nuclear waste has again come to the limelight. Japan decided to release the accumulated wastewater in Fukushima nuclear power plant into the Pacific Ocean.

What is Nuclear Waste?

- Radioactive (or nuclear) waste is a by-product of nuclear reactors, fuel processing plants, hospitals, and research facilities.
- It can be in gas, liquid, or solid form. The level of radioactivity can also vary depending on the radioactive waste.
- The waste can remain radioactive for a few hours or several months or even hundreds of thousands of years.
- These Radioactive wastes can be classified into the following types.
  - **Exempt waste** – It includes waste that meets the criteria for clearance, exemption, or exclusion from regulatory control for radiation protection purposes.
  - **Low & Intermediate level (LIL) waste:** These have low levels of radioactivity. It includes
    - The material used to handle the highly radioactive parts of nuclear reactors (i.e. cooling water pipes and radiation suits).
    - Waste from medical procedures involving radioactive treatments or x-rays etc.
  - **High-Level Waste**: These have high levels of radioactivity and are mainly produced during reprocessing of spent fuel.
    - The waste includes uranium, plutonium, and other highly radioactive elements made during fission.
    - They have **extremely long half-lives** (some longer than 100,000 years). This means it take long time periods before the waste settles to a safer level of radioactivity.

Current Scenario

- Japan has decided to release more than 1 million tons of treated radioactive water (or wastewater) into the Pacific Ocean. This radioactive water belongs to the Fukushima nuclear plant.
- **Fukushima Nuclear Power Plant** is located in the town of Okuma, Japan. The reactor is located on the country's east coast. It is about 220 km north-east of the capital Tokyo.
- The 2011 Earthquake(magnitude 9.0), destroyed the Fukushima Nuclear Power Plant's electricity and cooling capacity. Since then, Japan is struggling with the piling-up of contaminated water from the nuclear plant.
- This includes liquid used for cooling and rain and groundwater that has seeped in.

How is Japan Planning to Treat Radioactive water?

1. Japan is using an extensive pumping and filtration system known as "ALPS (Advanced Liquid Processing System)". The ALPS process helps in extraction of tonnes of newly radioactive water each day.

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2. However, **it cannot remove some radioactive isotopes. Such as tritium**, a radioactive isotope of hydrogen.
3. Japan is planning to release the contaminated water containing tritium into the ocean.
4. The country believes that the release of wastewater is the most realistic option, and unavoidable in order to achieve Fukushima's recovery.

Arguments supporting the release:

- Japan has **robust treatment plants** that can dilute toxins in wastewater to permissible international standards.
  - For instance, ALPS extracts tonnes of newly contaminated water each day and filters out most radioactive elements.
- The **storage capacity** at the Fukushima site will run out in 2022.
- The **International Atomic Energy Agency(IAEA) supports the decision** as:
  - Radioactive elements (except tritium) will be removed from the water before it is discharged.
  - Tritium is considered relatively harmless because it does not emit enough energy to penetrate human skin
  - Further tritium will also be reduced to small quantities before its release into the ocean. Also, it is harmful only in large quantities.
  - Nuclear plants around the world use a similar process to dispose of wastewater

Impact of releasing radioactive wastewater into the Pacific Ocean

1. **Health Impacts:** Environmental groups like Greenpeace say that radioactive materials (like carbon-14) can remain in water post-discharge. It results in their concentration in the food chain, and further creates multiple health problems.
2. **Effect on Marine Ecosystem:** There is a fear that some aquatic animals may die. As the waste discharge might hamper the stability of the marine ecosystem.
3. **Blow to Fishing Industry**: Water release will also threaten the confidence of the masses regarding the quality of seafood. People might start consuming less. Thus hampering the livelihood of fishermen.
4. **Mistrust among neighbours:** Both China and South Korea have criticised the Japanese plan to release radioactive water. This may hinder their future relations.

Nuclear Waste Disposal in India:

1. In India the nuclear waste disposal is based on the concept of – 'Delay and Delay', 'Dilute and Disperse', 'Concentrate and Contain'.
2. Effective management involves segregation, characterization, handling, treatment, conditioning, and monitoring of nuclear waste prior to its final disposal.
3. **A low level of waste** is stored for 10- 50 years. It allows most of the radioactive isotopes in low-level waste to decay. After that, it is disposed of as normal refuse.
4. The management of **high-level waste** in the Indian context encompasses the following three stages:
   - **Immobilization of high-level liquid waste into vitrified borosilicate glasses** through the process of vitrification.
   - **Vitrification** is the rapid cooling of the liquid medium in the absence of ice crystal formation. The solution forms an amorphous glass as a result of rapid cooling.
   - India has operating vitrification plants at **Tarapur and Trombay**.

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- o Engineered interim storage of the vitrified waste for passive cooling & surveillance over a period of time, qualifying it for ultimate disposal.
- o Ultimate storage/disposal of the vitrified waste in a deep geological repository.

Concerns associated with Nuclear Waste

1. **Long Half-Life:** The products of nuclear fission have long half-lives. This means that they will continue to be radioactive for thousands of years and pose a risk to the surrounding environment.
2. **Storage Sites:** It is very difficult to find a suitable disposal site for them due to environmental and public concerns.
3. **Grave health impacts**: The biggest concern is the negative effects it can have on the human body when exposed to radiation. Long-term exposure to nuclear waste radiation can even cause cancer.
4. **Adverse impact on nature**: Not disposing of nuclear waste properly can have huge environmental impacts. It can cause genetic problems for many generations of animals and plants. Further contamination of water, air, and soil can also occur.
5. **Financial Strain**: If any nuclear accident occurs, then the cost of cleaning everything up and making everything safe once again is very high.

Suggestions

1. Japan should release the wastewater gradually in consonance with international standards. Further Fukushima's food products in Fukushima have to **adhere to the 50 Bq/kg radiation.** This will win consumer trust.
   - Becquerel is the SI unit of radioactivity. Bq/kg refers to becquerels of radioactivity per kilogram.
2. **In the Indian context**, India should construct a **deep geological repository for disposing of high-level waste.** The government has to give priority to the areas having remoteness from the environment and the absence of circulating groundwater in such construction.
   - Further, the repository must have the ability to contain radionuclides for geologically long periods of time.
3. Similarly, due adherence to **Environmental impact assessment** also observed before establishing a waste disposal facility.
4. India also has to enable **Greater Research and Developmen**t towards the development of new vitrification technologies like **Cold Crucible Induction Melting (CCIM)**.
   - It has the capability to treat various high-level waste forms with better waste loading and enhanced melter life.

Conclusion

India requires nuclear energy in the form of an alternate fuel that would meet its future demand and climate commitments. Nuclear plants can be established and operated only when there is significant public trust in their functioning. This automatically demands the safe disposal and management of nuclear waste.

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Reviving India-Russia Relationship – Explained, Pointwise

Introduction

Recently Russia's foreign minister visited India and Pakistan. During his Pakistan visit, he mentioned that Russia is "open for any cooperation" with Pakistan. The Pakistan officials consider this as Russia's "blank cheque" in the relationship. Apart from that, Russia also removed few restrictions in the Russia-Pakistan relationship. On the other hand, India Russia relationship is not in the golden days.

Russia's foreign minister did not meet the Indian PM as the PM was in the election campaign. On the other hand, the US presidential envoy met the PM on next day. Russian foreign minister might come a day late to India or wait one day like the US envoy. But neither occurred.

For the first time in two decades, the annual India-Russia summit got cancelled in 2020. Even the virtual summit was not considered as an option. Some experts also project India's proximity with the US as the main reason for reduced involvement in the India-Russia relationship. But this is not completely true. Relationship with Russia is a key pillar of India's foreign policy. Further, India Russia relations are still indispensable for both countries.

Historical relationship between India-Russia

India Russia relations started during the Russian Revolution itself. After India's independence, it improved further.

1. Indian PM Jawaharlal Nehru went to Russia in 1955. This is followed by the visit of the First Secretary of the Communist Party to India.
2. During that, he mentioned the support of the Soviet Union for India's **sovereignty over the disputed territories of Kashmir and Portuguese coastal enclaves such as Goa**. Even after the abrogation of Article 370 Russia still supports India's claim over Kashmir.
3. The USSR agreed to transfer technology to co-produce the Mikoyan-Gurevich MiG-21 jet fighter in India in 1962. But the USSR rejected a similar move to China.
4. India signed the **Indo-Soviet Treaty of Friendship and Cooperation** in 1971 during the Bangladesh liberation war.

Post-Soviet era India-Russia relationship:

During this phase the important development include,

1. Russia and India entered into a new **Treaty of Friendship and Cooperation** in 1993
2. In 2000, the Russian President visited India and underlined the importance of **Strategic Partnership**. The other important events in this visit are,
   o Both countries also signed a "**Declaration on the India-Russia Strategic Partnership**"
   o Further, India and Russia also **institutionalised annual meetings**(India-Russia summit)**.** Since then the annual meetings

Major components of Present India-Russia relationship

- **Political relations:**
   o This includes **Russia's support for India's permanent seat in the UNSC**.
   o Russia's support in Kashmir Issue
   o Engagement of India and Russia in regional forums like BRICS.
- **Economic relations:**
   o India and Russia both **institutionalised CEO's Forum** and agreed to liberalize

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business travel. Further, Both countries **achieved a bilateral trade of $20 billion** and set **investment targets** of achieving $50 billion by 2025.
- o Russian firms showed interests in investing in India especially in construction, major infrastructure projects, make in India projects, smart city projects, etc.
- o Indian companies also invest in Russia. Especially in natural resources such as coal, fertilizers, hydrocarbons, minerals, rare earth metals, etc.
- **Defence relations:**
  - o Two sides agreed that the **Kamov 226 helicopter will be manufactured** in India.
  - o Indian government already moving ahead to **purchase the S-400 supersonic air defence systems**. This is significant as the US threaten to impose Countering America's Adversaries through the Sanctions Act on India.
- **Anti-terrorism relations:**
  - o Both countries strongly condemned terrorism in all its forms and all terrorist "safe havens".
- *Civil nuclear energy relations:*
  - o India and Russia jointly developed Kudankulam Nuclear Power Plant (KKNPP).
  - o Both signed agreements on the construction of **12 nuclear power plants** in India during the coming decades
- **Space relations:**
  - o Both C-DAC and GLONASS signed the agreement for cooperation in technologies based on **satellite navigation**.
  - o 2015 was the **40th Anniversary** of the launch of India's first satellite "Aryabhatt" on a Russian launch vehicle 'Soyuz.'
  - o Russia also signed an agreement to **train Indian astronauts** for India's first manned space mission(Gaganyaan Project)
- **Other relations:**
  - o Recently India approved Russian Vaccine Sputnik V under emergency use authorisation.
  - o Apart from Hindi, languages such as Tamil, Marathi, Gujarati, Bengali, Urdu, Sanskrit and Pali are also taught in Russian Institutions.
  - o India extended $1 billion as a line of credit for the development of the Russian Far East.

Challenges in India Russia Relationships

1. **The rapid expansion of India-US relations:** This is one of the most cited reasons for strain in India-Russia relations. The development of India US defence cooperation is rapid since 2008.
   a. **India-US nuclear deal in 2008** facilitated closer India-US relations.
   b. In 2014 **US emerged as the top arms supplier to India by** overtaking Russia.
   c. In 2016, India became a **major defence partner of the US.**
   d. Further, India also signed all the Foundational agreements with the US. Such as LEMOA, COMCASA, BECA.
   e. Due to these developments, Russia changed their decades-old policy and start supplying **China** with weapon systems like **Sukhoi 35** and the **S-400 missile defence system**.
2. **Closer proximity of Russia towards China:**

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a. Russia already proposed a **Russia-India-China (RIC) forum** of foreign ministers**.** But, there is no major diplomatic success of RIC due to India's unresolved issues with China.

b. **China-Russian ties are growing due to their shared interest in opposing the US**. The intense geostrategic rivalry between China and the US in the region. Russia which opposes the US joined hands with China. This is evident as Russia joined the Chinese One Belt One Road initiative.

3. *The difference in understanding the Indo-Pacific:*

4. Both India and Russia have a difference of opinion in understanding the concept of the Indo-Pacific. Russia opposes the term Indo-Pacific.

   a. As the term is primarily a US-led initiative aimed to contain China and Russia.

   b. The concept undermines ASEAN centrality in the development of the region.

   c. This will increase the US presence in the region, Further, it will reduce Russia's involvement as Russia maintained a cordial relationship with Asian countries in the region. For this reason, Russia **does not accept the concept of QUAD.**

   d. Instead, Russia supports the **concept of Asia Pacific**.

5. **Other reasons include**

   a. **Russia's increased engagement with Pakistan**. As Russia involved in few projects in Pakistan, increased its military cooperation by bilateral exercise (Friendship), etc.

   b. **Internal Issue in Russia:** Russia at present is facing protests over corruption and State lawlessness in nearly 200 cities across Russia.

Suggestions to improve India-Russia Relations

1. Both **India and Russia have to identify their strengths and common concerns** like developing **joint projects in third countries.** Such as the involvement of India and Russia in the **Rooppur nuclear plant project** in **Bangladesh.**

2. **Focus on Eurasia:** India and Russia have to explore their opportunities in the Eurasian region. India can study the possibility of expanding Russia's idea of **"extensive Eurasian partnership"** involving the EAEU(Eurasian Economic Union) and China, India, Pakistan, and Iran.

3. India must take advantage of **Russia's capacity in helping India to become self-sufficient in Defence**. For example, India's collaboration with Russia in **Brahmos Missile** made India to export such missiles to countries like the Philippines. Further, India is also in talks with Thailand for the export of Brahmos.

4. India needs to balance its relationship between Russia, China and the US. This is essential after the US conducted a Freedom of Navigation operation(FONOP) in India's Exclusive Economic Zone.

5. India has to utilise the scientific and technological base in Russia for the development of India's problems.

Conclusion

In conclusion, though India-Russia relations have reduced to some extent, the recent defence and energy engagement between both the countries along with the US's FONOP provided an opportunity to build the India-Russia relationship further. Both have to utilise the opportunity, as India and Russia can complement each other in the post-pandemic recovery.

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