



7 PM COMPILATION

April, 2021

Features of 7 PM compilation

- ❖ Comprehensive coverage of a given current topic
- ❖ Provide you all the information you need to frame a good answer
- ❖ Critical analysis, comparative analysis, legal/constitutional provisions, current issues and challenges and best practices around the world
- ❖ Written in lucid language and point format
- ❖ Wide use of charts, diagrams and info graphics
- ❖ Best-in class coverage, critically acclaimed by aspirants
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- ❖ Best cost-benefit ratio according to successful aspirants

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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.

- India took active participation during the formation of UDHR.
- 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)

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

Other Convention on Human rights

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

United Nation Human Rights Council (UNHRC)

- 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**.
- It conducts a **Universal Periodic Review** of all the UN members once in four years.
- 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.

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.

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.

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 **Climate 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,

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

- **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%.
- **Access to technologies:** The report mention by adopting the target India can fast pace access to technologies such as biofuels, etc.
- **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

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**.

- 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.

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.

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.

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.

- **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
 - **Security-related measures** – Providing Central Armed Police Forces battalions, training, funds for modernization of State police forces, equipment & arms, sharing of intelligence, etc.
 - **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.
- **Lacunae 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.
 - 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.

- 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.

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

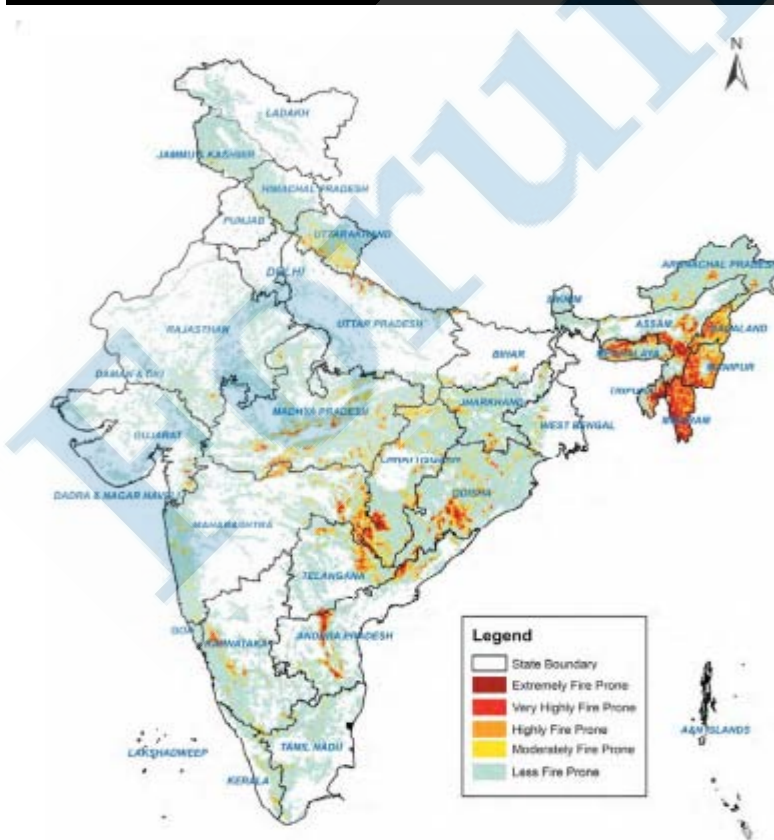
According to the Uttarakhand Forest Department data, since October 1, 2020, alone 1,028 incidents of wildfires have occurred. Further, it has also affected more than 1,359 hectares of forest land. The forest areas of districts of Nainital, Almora, Tehri Garhwal, and Pauri Garhwal have all seen the fires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

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
<p>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.</p>	<p>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.</p>
<p>Campfires: During camping or outdoor activities people normally leave lit fires or combusting materials unattended. That will ignite wildfires.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>
<p>Fireworks: Fireworks are used by humans for various reasons such as festivals. However, their explosive nature can start wildfires.</p>	<p>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,</p> <ul style="list-style-type: none"> ▪ ○ Longer duration of fires ○ High-intensity fires ○ Fires of high-frequency
<p>Slash and Burn Cultivation: This is one of the major reason for the fire in India's Northeastern region.</p>	<p>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.</p>
	<p>Lack of soil moisture: The dryness in the soil triggers fire in forests. For example, the recent Uttarakhand wildfires are due to this.</p>

Why peak forest fires occur during the spring?

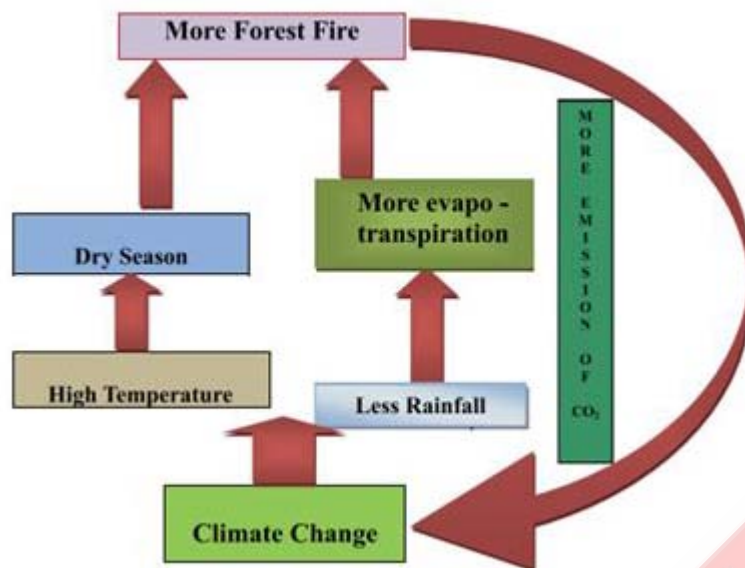
The Spring season in India occurs between March and April. In India, the occurrence of wildfires will be at peak during spring season. The reasons are,

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.



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.

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.

ForumIAS

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.

- One of the core components of the scheme involves developing an **integrated cold chain and value addition infrastructure**.
- 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,
 - 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.
 - 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,
 - During the COVID-19 pandemic, huge amounts of food wasted as the affluent class stocked huge food quantities than their required amount.
 - 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.
 - 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.

- 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.
 - 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,
 - Ordering consciously from restaurants
 - **Feed someone with extra food** or make a **compost** out of it.
 - 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.

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.

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

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,
 - 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.
 - 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.
 - 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.

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,
 - **Reduction in costs**– India also needs to consider reducing its factor costs of power and logistics.
 - **Encouraging states to be competitive** and not indulge in trade-restrictive practices like [Job reservation for locals](#), etc.
 - Further, Implementing structural reforms such as [Land reforms](#), etc.
 - 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** 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**.

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

	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.

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.

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:
 - **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.
 - **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.
 - **Information utilities:** They will keep a record of debts given by creditors along with details of repayments/ dishonour of debt.
 - **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.
 - **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.

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**

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](#).

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.

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:
 - Administrative Assignments
 - Foreign Assignments for building International Relations
 - Journalism and Media
 - Policy Making and Governance
 - 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.

- 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.

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 **Exclusive 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.

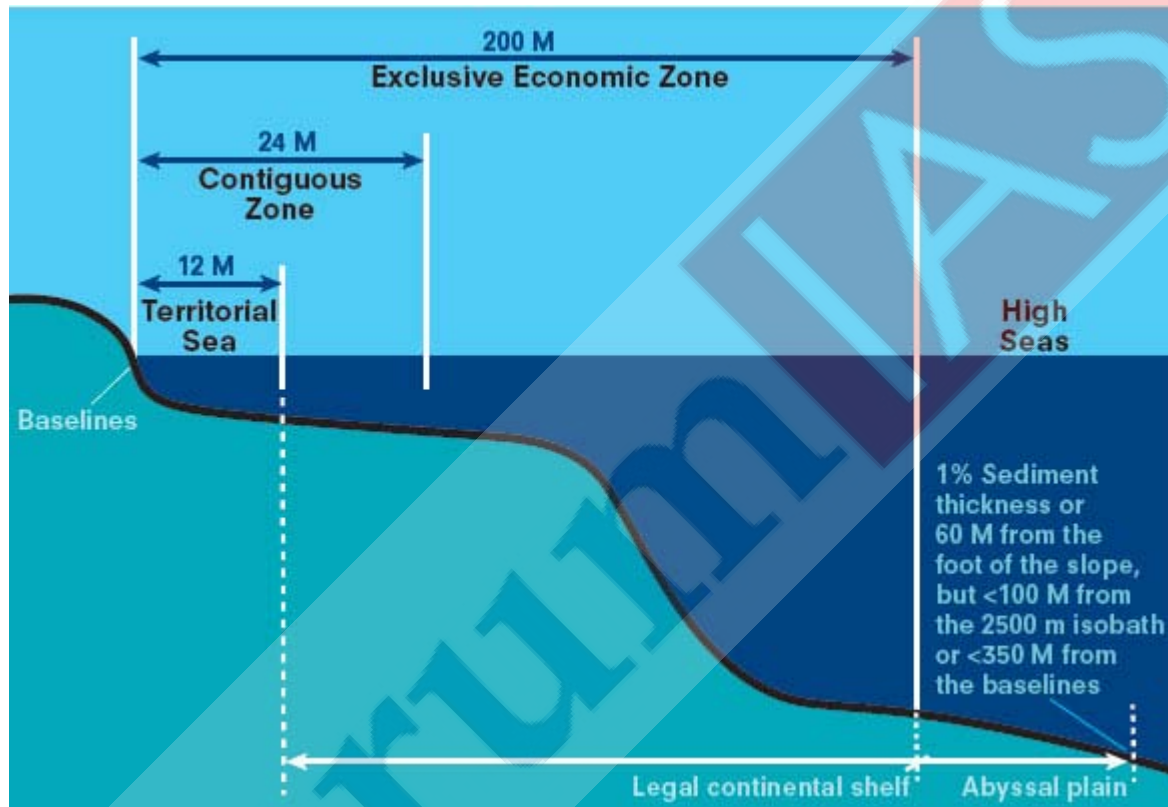
The UN Secretariat not charged any country with the role of overseeing or enforcing the implementation of UNCLOS. So, the US asserted itself as a “**global-cop**” role in its implementation(without ratifying it)

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.
 - **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.
 - 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.
 - A 24-mile contiguous zone: A state can prevent or stop infringement of its customs, fiscal, immigration, or sanitary laws and regulations

- A newly conceived “exclusive economic zone” (EEZ). It will extend up to 200 miles.
- The coastal state will have the sole rights over natural resources (Fishing, Mining, energy, etc.) in the EEZ.
- However, Coastal state does not have a right to prohibit or limit freedom of navigation or overflight.
- 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.
 - 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.
 - 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.
 - In 2016 **China rejected the verdict of the UN Court of Arbitration** in its dispute with the Philippines.
 - 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 be done carefully. The campaign has to deter adversaries and not alienate friends.

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 takes 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.

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**.

- Engineered interim storage of the vitrified waste for passive cooling & surveillance over a period of time, qualifying it for ultimate disposal.
- 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 Development** 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.

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

business travel. Further, Both countries **achieved a bilateral trade of \$20 billion** and set **investment targets** of achieving \$50 billion by 2025.

- Russian firms showed interests in investing in India especially in construction, major infrastructure projects, [make in India](#) projects, [smart city projects](#), etc.
- Indian companies also invest in Russia. Especially in natural resources such as coal, fertilizers, hydrocarbons, minerals, rare earth metals, etc.
- **Defence relations:**
 - Two sides agreed that the **Kamov 226 helicopter will be manufactured** in India.
 - 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:**
 - Both countries strongly condemned terrorism in all its forms and all terrorist "safe havens".
- **Civil nuclear energy relations:**
 - India and Russia jointly developed Kudankulam Nuclear Power Plant (KKNPP).
 - Both signed agreements on the construction of **12 nuclear power plants** in India during the coming decades
- **Space relations:**
 - Both C-DAC and GLONASS signed the agreement for cooperation in technologies based on **satellite navigation**.
 - 2015 was the **40th Anniversary** of the launch of India's first satellite "Aryabhata" on a Russian launch vehicle 'Soyuz.'
 - Russia also signed an agreement to **train Indian astronauts** for India's first manned space mission([Gaganyaan Project](#))
- **Other relations:**
 - Recently India approved Russian Vaccine [Sputnik V](#) under [emergency use authorisation](#).
 - Apart from Hindi, languages such as Tamil, Marathi, Gujarati, Bengali, Urdu, Sanskrit and Pali are also taught in Russian Institutions.
 - 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:**

- 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.

Phasing Out Coal in India – Explained, Pointwise

Introduction

Coal is the largest source of electricity in the world. Recently, the UN Secretary-General urged wealthy nations to end coal use by 2030. But, about **30% of the primary energy supply of the G20 countries** depends on coal. Further, only a **negligible decrease in coal use**(0.9%) is observed between 2012 and 2017 in G20 Countries. So phasing out coal is not an easy step despite setting [Net Zero carbon emission](#) by developed countries. Phasing out coal in India is a bigger challenge than in developed countries.

A few of the International Organisations and few developed countries are asking India to adopt a net-zero emissions target. But it is not an easy step. According to The Energy and Resources Institute(TERI), to achieve net-zero greenhouse gas emissions India needs to **phase out coal altogether by 2050**. This is because coal is the most important and abundant fossil fuel in India.

According to the 2017 data, almost 94 GW of coal-based power plants are planned(announced, pre-permitted or permitted) or already under construction in India. Further, India also has the 2nd largest coal share in electricity generation globally. This underlines the challenge in phasing out coal in India.

Needs to phase out coal

1. **Climate change:** Coal-fired electricity generation accounts for 30% of global **carbon dioxide (CO2) emissions in 2018**. According to the IPCC's Special Report Global Warming of 1.5 °C, a near-total reduction in the use of coal and other fossil fuels for electricity generation by 2050 is necessary to limit global warming to 1.5 °C. So to achieve the [Paris climate deal](#) reduction of coal is essential.
2. **Health benefits:** Coal is a major and is often the **leading contributor to air pollution**. Estimates found that coal burning is responsible for more than 800,000 premature deaths per year globally. Further, coal is also the reason for many millions of cases of serious and minor illness. This also has economic implications, like increased healthcare costs and a higher number of lost working days.
3. **Costs:** Renewable energy rapidly emerged as the lowest cost option of new power generation. **By 2025, electricity generation from new renewable energy infrastructure will get cheaper** than power generation from new coal infrastructure.
4. **Energy independence and fiscal benefits:** Reducing coal imports **promotes energy independence, improves the balance of payments**. Further, it can also reduce geopolitical tensions in purchasing coal. For example, India can reduce importing coal and save Forex reserves.

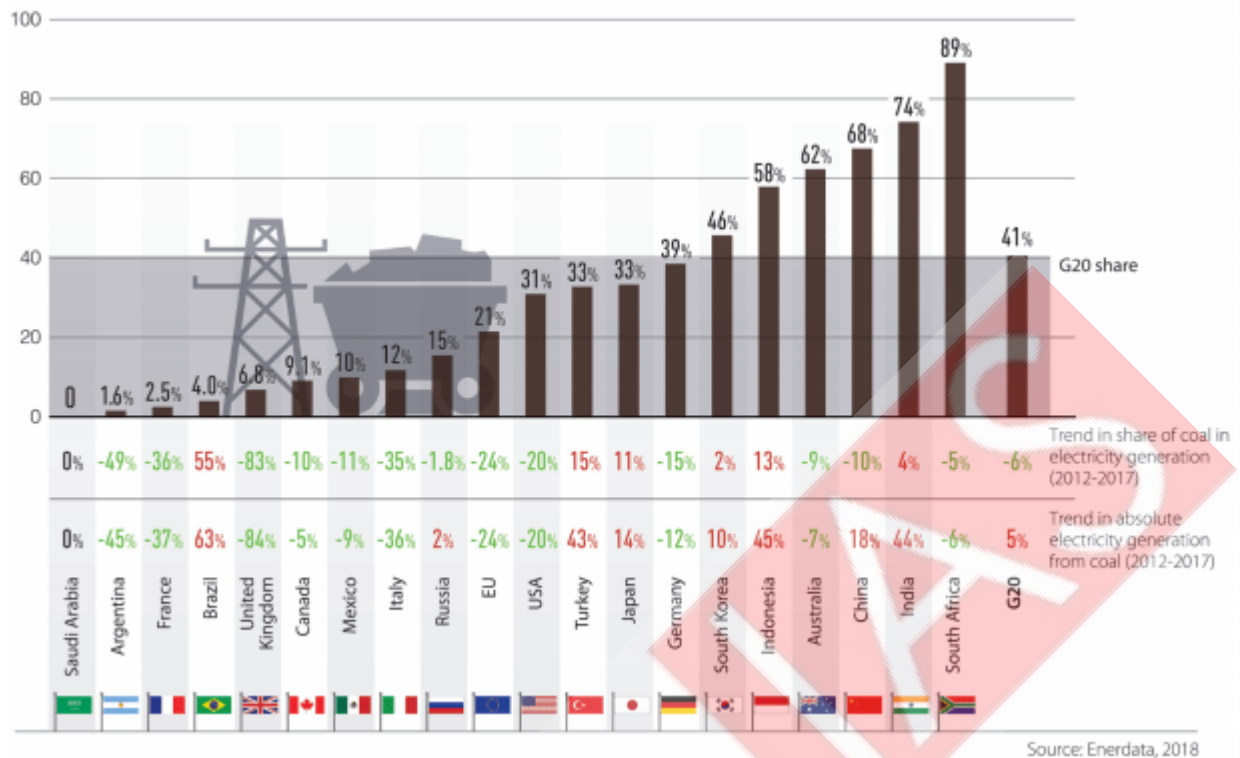
Capacity of Coal usage around the world

China has the biggest energy supply from coal. China alone accounts for nearly half of the world's coal consumption.

In 2017, the G20 countries accounted for 85% of global coal exports. The major exporters include [Australia \(37% of global coal exports\)](#), Indonesia (16%), Russia (12%). So **phasing out coal will impact their coal export revenue and create associated job loss**, etc.

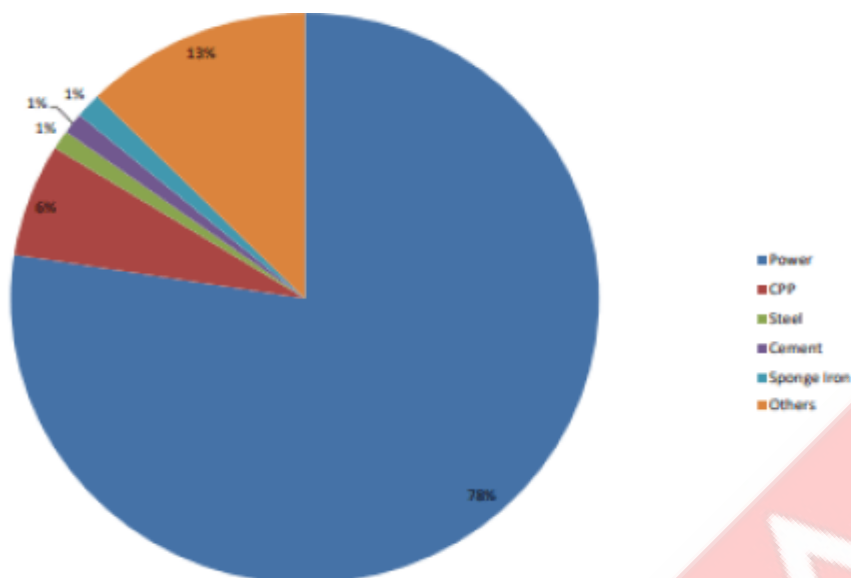
However, countries like the **UK, Italy, France, the European Union, the United States** shows strong commitment and reduction in coal usage due to their policies. Such as pre-retiring coal plants, the [introduction of the carbon tax](#), etc.

The following image shows the share of coal in electricity generation in 2017.



Capacity of Coal usage in India

1. India holds the 5th biggest coal reserves in the world. Around 7% of the world's proven [coal reserves are located in India](#).
2. According to the Ministry of renewable energy, the total installed capacity of renewable energy is 368.98 GW. But still this only accounts for 23.39% of India's energy mix. On the other hand, the coal sector accounts for more than 60% of India's energy mix. This shows the importance of Coal in India.
3. In FY20, India consumed approximately 942 million tonnes (MT) of coal. Of that 730 MT was produced domestically.
4. India is also the **3rd biggest coal importer** among G20 countries. Further, India also accounts for 12% of global coal imports.
5. According to the **monthly production pattern of the Ministry of Coal**, the Majority of Coal was used in Power production and Captive Power Plant (CPP).



Challenges in Phasing out coal in India

Phasing out the entire [coal sector](#) is not an easy task in India. There are many associate issues involve in phasing out coal. Such as,

1. **Depriving the geographic advantage of resource-rich state:** According to the Geological Survey of India, India has 319.02 Billion tonnes(bt) cumulative coal reserves in India. Of these 219.65 bt(**68% of total reserves**) **present in only 3 states. Jharkhand, Orissa, and Chhattisgarh.** The entire economy of these states depends upon coal for other developments. Phasing out coal will reduce their economic capacity.
2. **Reduction in Taxes:** In FY20, the Centre alone collected approximately Rs 29,200 crore in GST compensation cess from coal. Phasing out coal will impact India's tax collection
3. **The economic influence of coal in freight movement:** Coal alone accounts for 40 percent of the total freight revenue in Indian Railways and trucks. So, phasing out coal will reduce the revenue of Railways in India.
4. **The impact of Job loss:** Using different employment factors, one study has mentioned direct coal jobs at 7,44,984. This figure does not include contract employees, Captive mine workers, employees in coal transportation, coal consuming sectors like steel, power, etc. **Phasing out coal in India will create a huge job loss across the sector.**
5. **Stranded assets risk:** Economic shifts and policy changes may turn coal-fired power plants into stranded assets(non-performing assets). This will rapidly decrease their value, or they may turn into liabilities. This process is already observed in some G20 countries.
6. **Economic Cost in phasing out:** Phasing out coal is not an easy task considering the associated cost involved in the transition. For example, The German coal phaseout plan calls for an investment of more than 50 billion euros for mining and plant operators, impacted regions and employees. Similar investment is not feasible in India.

Suggestions to phase out Coal in India

1. **Deployment of clean energy on a mass scale:** According to The Energy and Resources Institute(TERI), If India needs to achieve a net-zero greenhouse gas emissions target, then the share of renewables in the power mix needs to climb to 90%(From 23.39% now). So India needs to [deploy clean energy on a large scale](#).
2. **Adopting net-zero emissions target:** Various environmentalist and even the CEO of NITI Aayog wants [India to embrace the Net-Zero emission target](#). It is important to note that there is also a **Private member bill submitted in Lok Sabha, urging the**

Indian government to commit a net-zero emissions target by 2050. So, India needs to adopt such a target.

3. **Focus on energy efficiency:** Instead of phasing out coal immediately, India can move towards energy-efficient buildings, lighting, appliances, and industrial practices. This will **help faster phase-out of coal in the future.**
4. 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.
5. **Other initiatives like,**
 - India also has to develop both natural and man-made **Carbon Sequestration practices.**
 - **Use of biofuels:** Can help reduce emissions from light commercial vehicles, tractors in agriculture.

Conclusion

Phasing out coal is essential not only for India but for all countries. But developed countries that started their Industrialisation by burning coal has to adopt the Common but differentiated responsibilities and respective capabilities (CBDR-RC) for phasing out coal. This will not only provide adequate time for developing countries like India and Least Developed Countries but also fix their responsibility also.

Issue of Gender Gap in Judiciary – Explained, Pointwise

Introduction

The issue of a gender gap in the [judiciary](#) is in the spotlight after a plea filed by the Supreme Court Women Lawyers Association in Supreme Court (SC). The plea advocated for increasing women participation in the judicial set up in order to [augment gender justice](#). The participation of women in the judiciary so far has remained minuscule, especially at higher levels. Therefore, an attitudinal change, along with a strong will to attain gender equality is needed amongst the male judges, in order to curb the gender gap in the judiciary.

Current Gender Gap in Judiciary

- Almost 70 years have passed since the independence, but, the Supreme Court could witness **the appointment of only 8 women judges so far**.
- 1. Justice Fathima Beevi became the first [woman to be appointed as SC judge](#) in 1989.
- 2. After this, there are only 7 more appointments to date. The last ones being [Justices Indu Malhotra](#) and Indira Banerjee in 2018.
- 3. Currently, one woman judge is present in the SC.
- 4. So far, No women Judge has held the position of the [Chief Justice of India](#).
- In 25 [High Courts](#), only 81 women judges are present out of 1078. This portrays the glaring inequalities in the judicial setup.
- Similarly, women represent 48 per cent of our population, but they constitute only 28 per cent of district court judges

Why is such a Gender Gap is prevalent?

Both the government and [collegium system](#) is responsible for such dismal performance.

- The government appointed **only one woman judge till 1989**, while hundreds of males got appointed to SC.
- After 1993, the [collegium](#) became the ultimate authority to recommend names to SC. But this group also missed the opportunity to recommend more women judges. So far only 7 women judges have been appointed to the SC based on the recommendation of the Collegium.
- Important Article and cases
- **Article 124(2)** of the Indian Constitution provides that the Judges of the Supreme Court are appointed by the President. He/she should consult such a number of the Judges of the Supreme Court and of the High Courts in the States as he/she may deem necessary for the purpose.
 - First Judges Case – In this case, the court held that the President is not bound by CJI's advice.
 - From the Second Judges Case (1993) – the [Collegium system](#) evolved and start making appointments.

Need to bridge the gender gap in Judiciary

1. **Principle of Reasonable representation:** As per this, there has to be more women judges as they constitute almost 50% of the Indian population, but are highly underrepresented in the judiciary.
2. **The credibility of Judgements:** The judiciary is the protector of fundamental rights. Further, it gives various judgements for enhancing **inclusive participation and equality** in society. If the institution itself lacks these principles, then the worth of its judgements/ advisories/ directives will get diminished.

3. **Public Confidence:** More women will bring diversified perspectives that would improve fairness in decision-making. This will automatically strengthen the public's confidence in the judicial setup.
4. **International Obligations:** Sustainable Development Goal 5 of UN calls for attaining gender equality. Greater participation of women in the judiciary will act as a prudent step in this direction.
 - Lack of Gender sensitivity in the Court Judgements:
 - There are cases in which marital rape was not acknowledged as a crime. Few For example,
 - SC recently granted bail to a government servant who is accused of repeated rape and torture of a 16-year-old child.
 - During this hearing, CJI questioned that "When two people are living as husband and wife, however brutal the husband is, can the act of intercourse between them be called rape?"
 - There are also instances when the court **upheld the superiority of society's attitude** toward women against the rights of Women.
 - For example, **In Narendra vs K. Meena (2016)**, the SC said that under Hindu traditions, a wife after marriage is supposed to fully integrate herself with her husband's family. Further, the court held that the **refusal of women to live with in-laws** amounts to cruelty. Therefore, the **husband is entitled to divorce her** under the Hindu Marriage Act.
 - Apart from that, there are other instances as well when women protection laws are diluted without considering the sensitivity of the issue. Such as the intervention of the court against the right of a woman to marry according to her will. For example,
 - The **infamous Hadiya (2017) case:** The woman's father accused her that she was forcefully converted to Islam. Though, Hadia had denied it repeatedly. But, the court ordered an investigation by the National Investigation Agency for looking into the matter of marriage of two adults.

Challenges in bridging the gender gap in the judiciary

There are some hurdles to bridge the gender gap in the judiciary.

1. **Seniority Principle:** This principle is followed in case of appointments to the higher judiciary. However, strict adherence to this also discourages more women appointments.
2. **Insensitive Attitude:** Many judges feel that there are fewer women judges, and they also lack the desired qualities of Judges.
3. **Neglect of Academic Community:** The collegium or government **doesn't appoint any distinguished jurist (like a law professor) to the supreme court.**
4. **Liberal stance of Collegium might impact the quality of Justice:** Providing reservations for women might impact the quality of Justice as there might be a chance where a woman Judge is get appointed only to fill the reservation.

Suggestions to improve Gender Gap in Judiciary

- The willpower towards women empowerment needs to be enhanced in the judicial branch **through sensitization workshops and gender-sensitive training.**
 - They must realize that women take a longer path to success that is often interrupted by childbirth and childcare.
- The government and Judiciary can provide relaxation to the **seniority principle.** This will ensure gender balance on the bench of the top court.
- The **collegium should diversify the appointment process** in order to bridge the humongous gender gap. They can also recommend a **distinguished women jurist** for appointment to SC as permitted by **Article 124** of the Indian Constitution.

Such appointments can help in tackling the criteria of geographical representation in the supreme court, as many times there are no women judges in a particular geography.

- **Encouraging more women to take up the profession:** Both the government and the Bar Council of India has to take adequate steps to include more women to take up the Lawyer profession. This will improve the quality of women lawyers in the long run.
- **Creating a road map towards bridging the gender gap:** SC has to take the plea filed by Supreme Court Women Lawyers Association as an opportunity. Utilising that, the SC has to **create a vision document** to [bridge the gender gap in Judiciary](#).

Conclusion

The collegium should now take a liberal stance towards women judges and must ensure at least 5-6 women judges are present in SC at least within a decade. This will not only ensure gender parity but will also give India its first female chief justice.

Extradition of Fugitives to India – Explained, Pointwise**Introduction**

Recently, the U.K's Home Secretary approved the [extradition of diamond merchant Nirav Modi to India](#). He is wanted in India, in connection with the Punjab National Bank(PNB) fraud.

However, the extradition will happen only when the U.K's cabinet minister approves this order. Till then, Nirav Modi can also make an appeal against the home secretary's order in the court.

Therefore, the Indian agencies need to enhance their cooperation with the British authorities. This will ensure the smooth extradition of Nirav Modi. Further, it will also open gates for extraditing other fugitives like Mehul Choksi and Vijay Mallya.

About the case

1. The CBI had registered the case on January 31, 2018, against Nirav Modi, Choksi and others including then officials of Punjab National Bank.
2. As per CBI, the accused plotted a criminal conspiracy to **defraud the public sector bank** by fraudulently issuing Letters of Undertaking.
 - LOUs are a guarantee that a bank gives to banks abroad where its client approaches for credit.
 - The figure of LOUs amount to 13000 crores as they were issued without any sanctioned limit or cash margin. Further, these were not entered into the core system of the bank.
3. However, Modi had escaped from India on January 1, 2018, before the registration of the case in CBI.
4. A non-bailable arrest warrant was issued by the trial court against him. This was followed by a [red corner notice](#) in June 2018 by [Interpol](#).
5. The UK Police arrested him in London in March 2019. Finally, in February 2021, a district court accepted the reasonable grounds of a warrant against Modi in Indian courts.
 - Under the UK Extradition Act 2003, the judge sent his findings to the Secretary of State for Home Affairs.
 - Secretary of State makes a decision based on 3 things:
 1. Extradition shouldn't result in Death Penalty
 2. Rule of speciality must be followed post the extradition
 - **Rule of speciality or Principle of Specialty:** This states that the extradited person cannot be punished for any other offence but only for the offence for which he is being extradited. So, India cannot conduct a trial on Nirav Modi for any other pre-extradition offences.
 3. The fugitive is shouldn't have been extradited to U.K from another country
 - Post this, the UK Cabinet minister is authorised to order extradition under the **India-UK Extradition Treaty**. He has two months to make the decision.

About Extradition

Extradition is the formal process of one state surrendering an individual to another state for prosecution or punishment for crimes committed in the requesting country's jurisdiction.

- It typically is enabled by a bilateral or multilateral treaty.

Other Related terms:

- **Deportation:** Under this, a person is ordered to leave a country and is not allowed to return to that country.

- **Exclusion:** In exclusion, a person is prohibited from staying in a particular part of a sovereign state.
- **Repartition:** It is the process that enables the transfer of foreign prisoners to their native country where they can serve their remaining part of their sentences.

Extradition in India

1. In India, the extradition of a fugitive (accused or convicted) is governed by the **Extradition Act, 1962**.
2. The extradition of a fugitive depends upon the treaties/conventions/arrangements entered into by India with other countries
3. The **Ministry of External Affairs** is the nodal body for extradition matters in India.
4. At present, India has bilateral extradition treaties with 43 countries and extradition arrangements with 10 countries.
 - Extradition arrangements are non-binding and do not impose any legal obligations on party states. On the other hand, treaty mechanisms are binding.
5. India is also a party to several multilateral conventions. They provide a binding extradition framework for curbing transnational crimes such as drug trafficking, terrorism, and aircraft hijacking.
 - Based on this an extradition request can be made under:
 - **United Nations Convention Against Corruption** (2003),
 - **United Nations Convention against Transnational Organized Crime** (2000) etc.
6. Requests for the surrender of fugitives can also be made to non-treaty states. These requests will be considered in accordance with the laws and procedures of the foreign state.

Principles Governing Extradition

Apart from the **Principle of Specialty**, there are other principles as well in extradition. This includes,

- **Firstly, Principle of Dual Criminality:** This requires that the offence that the fugitive is alleged to have committed, should be an offence both in the requesting as well as the requested state.
- **Secondly, Principle of Reciprocity:** Countries must show reciprocity in the exchange for fugitives between requesting and requested State.
- **Thirdly, Principle of Competence:** The requested state must be satisfied that the requesting state has a right to prosecute the fugitive.
- **Fourthly, Principle of proportionality between offence and sentence:** Punishment for a particular crime should not be excessively harsh or inhuman upon the fugitive. European countries generally don't extradite when the requesting country has the potential to inflict capital punishment on the fugitive.
- **Fifthly, Principle of relative Seriousness of the offence:** Extradition is usually permissible only for relatively more serious offences, and not for trivial misdemeanours or petty offences.

Status of extradition in India

- India has been able to extradite back many of the fugitive offenders in the past. However, failures were also witnessed in the case of many offenders.
- **Successful cases of Extradition:**
 1. **AgustaWestland chopper deal** co-accused Rajiv Saxena was extradited from the United Arab Emirates in Jan 2019.

2. Mohammed Yahya, who faced cases of cheating, forgery, and criminal conspiracy, was extradited from Indonesia on October 12, 2018.
 3. Vinay Mittal, who faces cases of cheating, forgery, and criminal conspiracy, was extradited from Indonesia on September 9, 2018.
 4. **Chhota Rajan** was extradited from Indonesia on November 6, 2015, on charges of murder and kidnapping.
 5. **Abu Salem** was extradited from Portugal in 2005 to face trial in the 1993 **Mumbai bomb blasts case**.
- **Ongoing extradition cases:**
 1. India is in the process of extraditing Mehul Choksi and Vijay Mallya from the U.K. for their criminal charges of financial frauds.
 2. Similarly, Tahawwur Rana, a key accused in the **26/11 Mumbai terror attack**, will soon be extradited from the US.
 - **Failed:**
 1. India failed to Extradite Lalit Modi (**IPL Betting Case**) from the UK
 2. Similarly, India also failed to extradite David Headley (Conspirator of 2008 Mumbai attacks) from the US

Need for Extradition

- **Sovereign constraint:** Since the territorial constraints stop the victim state to effectively exercise its jurisdiction, extradition alone offers the legal avenue to overcome the jurisdictional hardship.
- **Upholding Justice:** Bringing back offenders from foreign countries is essential for providing timely justice and grievance redressal.
- **Provides a sense of gratification:** Punishment of the criminal in the same country in which the crime is committed provides a sense of gratification and security for the public of that country.
- **Act as deterrence:** It serves as a deterrent against offenders who consider escape as an easy way to subvert India's justice system.

Issues with Extradition

1. **Delayed Response by Indian Agencies:** This sometimes gives an impression that the requesting state is not serious about extraditing the fugitive. It results in the denial of an extradition request by the extraditing state.
 - For example, the extradition request against former IPL chief Lalit Modi was filed after a decade.
2. **Poor Prison Conditions:** The Indian prisons fall short of desired facilities like quality food, bedding, health facilities, etc. This discourages western nations from extraditing fugitives on grounds of human rights violations.
 - Eg – Karamjit Singh Chahal (charges of separatism), Sanjeev Chawla (illegal betting) and Kim Davy (terrorism) escaped extradition due to poor prison conditions.
3. **Disregard to extradition clauses:** India was criticized by Portugal for the violation of the **Principle of Specialty**. As India imposed additional cases on Abu Saleem. The same is also feasible in the current extradition cases also. This damages India's image for upholding extradition laws, especially from the EU.
4. **Less number of bilateral extradition treaties:** India has a fewer number (43) of bilateral extradition treaties compared to other countries. The US and the UK, for example, have extradition treaties with over 100 countries each.
5. **Political Nature:** It is often argued that extradition is as much a political process as it is a judicial one. Therefore, it sometimes gets rejection on political grounds in spite of passing the judicial test.

- Eg – **Warren Martin Anderson was not extradited** by the U.S to India in spite of being the CEO of Union Carbide Corporation. UCC was the parent company of UC India limited that was responsible for the Bhopal Gas tragedy in 1984.
- 6. **Double standards for Wealthy individuals:** Countries are sometimes accused of having a soft corner for wealthy fugitives. For instance, Jan Marsalek of the Wirecard scandal and former Renault CEO Carlos Ghosn were not extradited by Russia and Lebanon respectively.
- 7. **Double jeopardy:** The “double jeopardy” clause debars punishment for the same crime twice. This is the primary reason why India has been unable to extradite David Headley from the US.

Suggestions to improve extradition

1. India needs to **sign the UN Convention against Torture** that will generate greater trust in its prisons and police personnel.
2. The country needs to improve the capacity and efficiency of investigating agencies to conduct speedy investigations. The government should **establish a central agency** to take up larger cases involving extradition.
 - The **Justice Malimath Committee report** (2003) **recommended setting up a Central Agency**, on similar lines with the Federal Bureau of Investigation (USA). This would exercise jurisdiction over crimes and offences affecting national security.
3. India should push the adoption **of its nine-point agenda** by the G 20 countries. The agenda contains a comprehensive framework of action against fugitive economic offenders.
4. The country should enact **complementary legislation** that smoothen the extradition process. For instance, the government can change some of the critical provisions in the **Fugitive Economic Offenders Act**.

Conclusion

India needs to strengthen its domestic framework and maintain harmonious relations with other countries. The fulfilment of these twin objectives are a requirement in ensuring a smooth, transparent, and speedy extradition process.

The Issue of Medical Oxygen in India-Explained, Pointwise

Introduction

A number of states are reporting shortage of medical oxygen after an increase in the number of Covid-19 patients. So, India is [planning to import at least 50,000 metric tonnes of medical oxygen](#) to cater to the rising demand. With the Covid-19 cases increasing day by day, the demand for medical oxygen is going to increase in near future.

Bridging the shortage of oxygen supply is essential to avoid a situation like the Gorakhpur Hospital tragedy that occurred in 2017. In 2017, 72 children of Uttar Pradesh's Gorakhpur BRD Medical College died due to a lack of medical oxygen supply. So, in this article, we will explain the importance of medical oxygen and its impact on health care.

About the decision to import medical oxygen

- According to industry experts, India has the capacity to produce **more than 7,000 metric tonnes of medical oxygen**.
- **Maharashtra** has the total capacity to produce 1,250 tonnes/day. But according to the government sources, Maharashtra has already exceeded its production capacity. Further, they are also procuring 50 tonnes from Chhattisgarh and 50 tonnes from Gujarat daily to meet their regular medical oxygen demands.
- **Madhya Pradesh**, on the other hand, does not have its own manufacturing plant and relies on Gujarat, Chhattisgarh, and Uttar Pradesh for oxygen supply. With 59,193 active Covid-19 patients as of April 16, it requires 250 tonnes of oxygen daily.
- Similarly, Gujarat's Oxygen requirement has increased to 500 tonnes per day.
- Further, As India touches 16 lakh active Covid-19 infections, many states reported a shortage of medical oxygen.
- So the Health Ministry decides to **import 50,000 metric tonnes of medical oxygen**.

What is medical oxygen?

- **Medical oxygen** is high purity oxygen suitable for use in the human body. So, it is used for medical treatments.
- The Medical Oxygen cylinders contain a high purity of oxygen gas(99.5% purity). **No other types of gases** are present in the medical oxygen cylinder. This is to prevent contamination.
- The cylinders previously used for other purposes have to be evacuated, thoroughly cleaned, and labelled appropriately before filling up oxygen.

Application of Oxygen in medical field

Due to the indispensable use of medical oxygen, the World Health Organisation include this on their **List of Essential Medicines**. Today modern medicine almost depend on the support of oxygen supplies. Benefits include,

- Provide a basis for virtually all modern anaesthetic techniques.
- Restore tissue oxygen tension by improving oxygen availability. This is used for a wide range of conditions such as shock, severe haemorrhage, carbon monoxide poisoning, major trauma, cardiac/respiratory arrest.
- Provide life support for artificially ventilated patients.
- Aid cardiovascular stability of patients.
- To aid heartbeat stability in an acutely ill patient

Side effects of medical oxygen

If it is used above the prescribed amount, the medical oxygen creates certain side effects. This is why the doctor prescription of oxygen is essential. The side effects include,

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- **Convulsions or seizure** will appear in patients after a few hours of exposure to oxygen at pressures above 3bar(g).
- It can cause **Retrolenticular fibroplasia** in premature infants if they exposed to oxygen concentrations greater than 40%. In short, it is a condition of abnormal growth of blood vessels in the eye. Retrolenticular fibroplasia is the leading cause of child blindness today in the world.
- Some patients will also develop **coughing and breathing difficulties** after they put under medical oxygen.
- **The issue of Oxygen toxicity:** Excessive or inappropriate supplemental oxygen can cause severe damage to the lungs and other organ systems.

Why there is a shortage of medical oxygen in India?

1. **Lack of cylinder and cryogenic tankers:** India does not have enough cryogenic tankers to ensure 24×7 road transport of oxygen. Similarly, smaller suppliers do not have enough jumbo and dura cylinders to supply medical oxygen to remote locations. This results in higher prices for an oxygen cylinder. Thus raising the cost of oxygen.
2. **Setting up a medical oxygen plant is a time-consuming process:** It is not feasible to set up new oxygen manufacturing plants or expanding existing plants within a month. For example, A private company that starts to install a new oxygen-producing facility in the past took almost 24 months to properly installing one manufacturing plant.
3. **Oxygen wastage and unnecessary use in hospitals:** In the past, the Health Ministry repeatedly demanded hospitals to reduce wastage and unnecessary oxygen use in Hospitals. But the hospitals not yet take any decision on this. Industrial experts also **raised concerns over possible leakages** in hospital pipelines that supply oxygen.
4. **Heavy reliance on private players:** Of the total medical oxygen supply **nearly 60%** is manufactured by only one private firm.

Regulatory provisions of medical oxygen in India

- According to the **Drug Prices Control Order, 2013**, Medical oxygen is placed under the **National List of Essential Medicines (NLEM)**.
- The **National Pharmaceutical Pricing Authority** will monitor and control the prices of the **National List of Essential Medicines (NLEM)**.
- So, the NPPA controls and monitors the medical oxygen prices in India.
- **NPPA:** It is an independent body set up in 1997. It is under the Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers.
- **Mandate:** To fix/revise controlled bulk drug prices and formulations, enforce prices and availability of medicines under the Drug(Price Control) order, 2013.

Government initiatives to increase the availability of medical oxygen

During the Covid-19 pandemic, the government initiated various steps to increase the production of oxygen and also maintaining the prices. This includes,

1. Under the **Disaster Management Act, 2005**, the Ministry of Health & Family Welfare(MOHFW) delegated its powers to the NPPA. Especially to take all necessary steps to regulate the availability and pricing of liquid medical oxygen (LMO) and oxygen cylinders.
2. Further, to ensure the availability of oxygen at a reasonable price **the NPPA capped the price of medical oxygen cylinders** and LMO for six months(in September).
3. Recently, Central Mechanical Engineering Research Institute(CMERI) develops an [oxygen enrichment unit\(OEU\)](#) that could provide crucial support to COVID-19 patients. An oxygen enrichment unit is a device that concentrates the oxygen from the surrounding air.

4. **Mapping of oxygen sources for 12 high burden state:** The Centre-appointed Empowered Group-2 mapped the medical oxygen capability in 12 States having high disease burden. Such as Maharashtra, Tamil Nadu, Kerala, Gujarat, Delhi, etc.
5. **Identification of hospitals for installing PSA plants:** Recently the MOHFW sanctioned the installation of 162 Pressure Swing Adsorption plants at hospitals to augment oxygen capacity by over 154 Metric Tonnes.
6. During the first wave of the Covid-19 pandemic, industrial oxygen producers were allowed to produce LMO.

Suggestions to improve medical oxygen

1. **Fixing the PSA Plants in remote locations:** This will make hospitals manufacture their own oxygen and make the hospitals self-reliant. Further, it will reduce transportation costs and delays in oxygen supply.
2. **Exploring alternate mode of oxygen transportation:** At present, oxygen transportation relies primarily on road transport. Industry experts suggest using trains to transport oxygen faster.
3. **Converting surplus industrial oxygen into medical oxygen:** Empowered Group-2 suggested using argon and nitrogen tankers in oxygen transport to fulfil the demand. It also suggested using industrial cylinders for refilling. The government can implement the suggestions.
4. **Curbing oxygen wastage and unnecessary use in hospitals:** The MOHFW repeatedly warned against this. The health ministry even appointed an **expert committee to fix medical oxygen for patients**. The committee suggested the following,
 - **Firstly**, fixing the oxygen supply to 40 liters in intensive care units and 15 litres in normal wards per patient per minute.
 - **Secondly**, providing oxygen only to patients having oxygen saturation levels below 94%. (Oxygen saturation in the blood below the level of 94 is considered as a matter of concern for people suffering from Covid-19).
5. The hospitals have to follow this limit as it will reduce wastage.
6. Oxygen is essential for hospital care. India is improving its capacity drastically. But till then it is the responsibility of doctors to use the oxygen effectively.

Post-Pandemic School Education System: Issues and Challenges – Explained, Pointwise

Introduction

The pandemic highlighted the shortcomings of our school education system that is more focused on rote learning. This system pays very low regard to the creativity and mental wellbeing of children. The government tried to cope up with the pandemic by focusing on [digital education but failed to deliver the desired results](#).

The issue has again come in news after the government's directive to cancel the class 10th board examination and postpone the class 12th examination. Revamping the education system is an essential condition for delivering an inclusive, sustainable, and quality education for every citizen.

Current Scenario of School education system

- The rising Covid-19 cases and the onset of the second wave in India induced many activists and parents to demand the cancellation of exams.
- This created pressure on the government. Finally, the government canceled Class X Boards and the postponed Class XII Board in 25000 CBSE affiliated schools.
- The government is again focusing on the same steps as it did in 2020 i.e. sustaining the education system through the online mode.

Government steps to improve the online education system

- The government used various means such as text/video/audio content through SMS, WhatsApp, radio, and TV programs to reach out to students and engage them.
- Further, the government also used [various free e-learning platforms](#) to deliver education. This includes,
 - **Diksha portal:** It contains e-learning content aligned to the curriculum.
 - **e-Pathshala:** It is an app by the National Council of Educational Research and Training (NCERT) for Classes 1 to 12 in multiple languages
 - **SWAYAM:** It consists of 1,900 complete courses including teaching videos, computer weekly assignments, examinations, and credit transfers. It caters to both school and higher education.
 - **SWAYAM Prabha:** It is a group of 32 direct-to-home channels devoted to the telecasting of educational programmes.

Challenges with online education system

1. **Millions out of the education network:** As many don't have access to digital devices like mobile phones and internet routers. Further, a study points out that inability to attend online school was the [biggest challenge girls faced](#).
 - It also disrupts the significant school programmes that enhance enrolment levels like the [Mid-Day meal scheme](#).
2. **Neglect of Child emotions:** Children in the pandemic are undergoing emotional turmoil due to reduced peer to peer interactions, confinement in homes and enhanced grip of adults on the lives of children. These all impact the child's basic emotions.
3. **Poor Learning Outcomes:** Teachers lack the skill and expertise to impart digital education. Similarly, children copy from textbooks during their exams as there is a shortage of invigilating software programs to check malpractice.
 - A study by Azim Premji university estimates that 92% of students from Classes II to VI have [lost at least one specific foundational ability](#) in languages.

4. **Neglect of physical and mental well-being:** Excessive focus on academic learning reduced the focus on physical fitness through sports and mental well-being through moral education.
5. **Mismatch with Industrial requirements:** India Skills Report 2021 estimates that **only 45.9%** of Indian youth possess sufficient employability skills. Online learning will further affect the employability of students. This shows lacunae in the quality of the higher education curriculum.
6. **Appeasement Tools:** Imparting education through a digital medium is just an appeasement policy that doesn't cure the real problem in the education system.

Causes for these challenges in school education system

1. **Excessive focus on rote learning:** The curriculum tries to encourage memorisation of text rather than cultivating a conceptual understanding of issues. To cater for the changing needs of online education, the government did not modify the rote learning education curriculum. Instead, the government continued with the same syllabus in an online way.
2. **Exams define intelligence:** The system equated passing of exams with a student's intelligence level. Online education also places excessive focus on completing the exam cycle and giving multiple exams.
3. **Discourages Creativity:** Parents and teachers want to see children as doctors, engineers, bureaucrats etc. Children are rarely encouraged to become writers, artists or adopt any other vocational skill.
4. **Myopic View of Education:** The **focus** of online education also tuned **solely on syllabus completion**. Thus, the education neglected other key elements like peer interaction, physical fitness, moral education etc.
5. **Digital Vulnerability:** The digital systems of many schools and universities are using obsolete technology. This makes them prone to greater connectivity and security issues
6. **Greater hardships for the teachers:** The school/college administrators failed to assess the mental health of teachers and non-teaching staff. They were forced to deliver regular lectures irrespective of their online teaching skills.
7. **Not considerable as a permanent option-** Despite the high momentum, online options are still not considered permanent alternatives to classrooms.

Suggestions to improve school education system

1. The government should adopt a new system of education that is **fair, robust, and removes the dependency on time-tabled exams**. It must focus on unleashing the creative potential and imparting greater resilience in children.
 - o In this regard, there must be a prudent implementation of [National Education Policy \(NEP\) 2020](#) that aims to achieve this purpose.
2. There has to be a **bridge between higher education institutions and schools to ensure a seamless movement into tertiary learning**.
 - o For this, the government need to review the higher education entrance exams and make necessary changes as per the new learning of this century.
 - o Further, the focus must be on imparting new-age skills like Big Data Analytics, Artificial intelligence, Digital Marketing etc. This will improve the employability potential of students.
3. Schools should **adopt novel methods of teaching**. For instance, other states might adopt the Delhi government's happiness curriculum for improving the mental well-being of students.

4. The **assessment of students must be based on an integrated approach** rather than mere textbook exams. Under this weightage should be given to indicators like peer interaction, curiosity potential, creativity acumen etc.
5. The bureaucracy must recognise that universities and schools have their own academic considerations. They must **refrain from standardising academic** requirements, calendars and learning processes.
6. Finally, to implement all these measures we need to support the education sector with **adequate budgetary resources**. Hence, it is important to increase the share of education to 6% of GDP as envisaged by NEP 2020.

Conclusion

India has an opportunity to reimagine and modernise learning in order to combat future uncertainties. It must adopt a multi-step strategy for a more equitable and resilient educational system thereby coming closer to the realisation of SDG -4 (Providing Quality Education).

Covid-19 Pandemic and Internal Migration in India- Explained, Pointwise

Introduction

As per the 2011 census, there are **450 million** (38% of the population) internal migrants in India. The World Bank report titled '[Migration and Development Brief](#)' mentions that nearly **40 million internal migrants** are affected by the Covid-19 Pandemic. Further, the Internal migrants in India faced various challenges in their migrated state, migration path and home state.

The Covid-19 second wave is presently forcing states to implement lockdown. This once again highlighted the challenges faced by internal migrants in India.

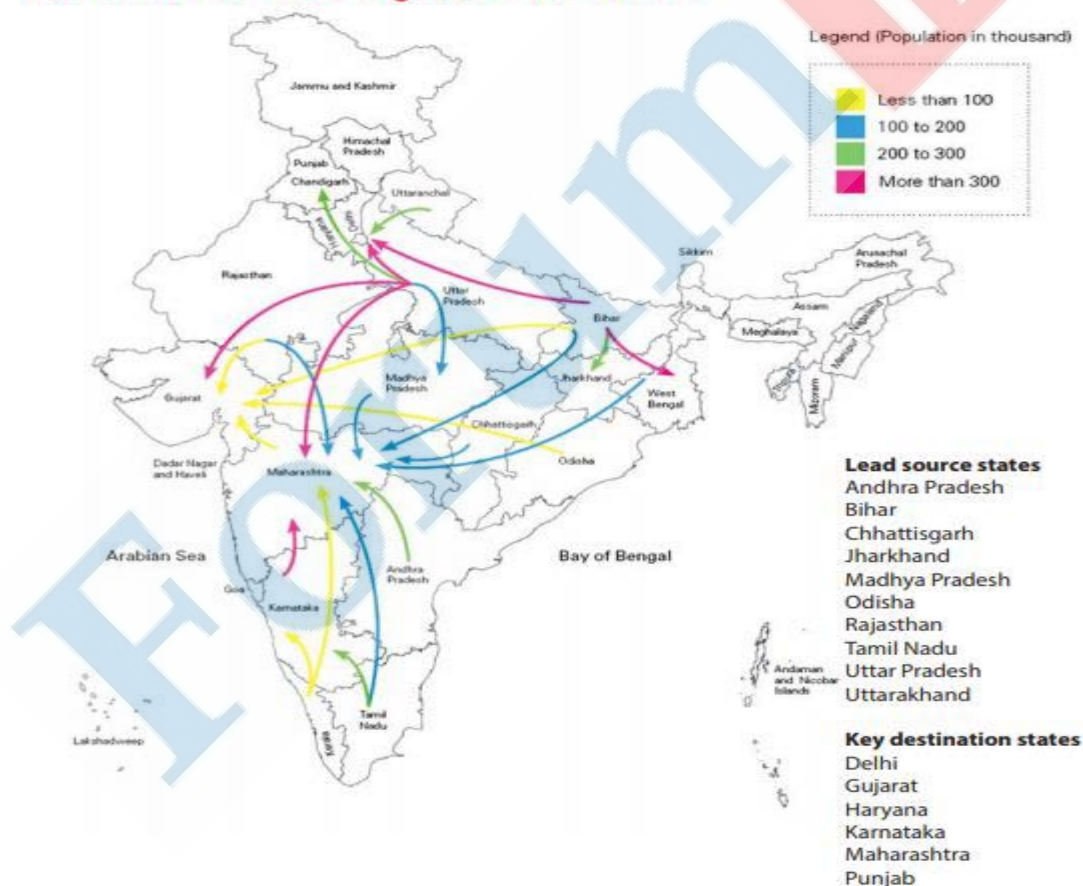
The amount of Internal Migrants in India

According to the World Economic Forum's '**Migration and Cities**', India's internal migration is growing at 4.5 per cent annually.

The Economic Survey of India 2017 estimates that the magnitude of inter-state migration in India was close to 9 million annually between 2011 and 2016.

- UP, Bihar, Rajasthan and MP had the highest 'outmigration'.
- Maharashtra, Delhi and Gujarat had the largest 'in-migration'.

Major Net Migration Flow in India (duration 0-9 years), 2001



Bhagat and Mohanty, 2009.

Causes of Internal Migration in India

1. **Urbanization:** Rural-urban migration is a major characteristic of urban transition in India. The rates of urbanization influence rural-urban wage differences. An increase in the demand for labour in urban areas and better wages increase migration.
2. **Marriage:** Marriage is an important social factor for migration. As observed by Census 2011, the majority of the women migration is due to marriage.
3. **Employment:** The prime reason for migration from rural to urban areas and urban to urban areas in search of better employment in industries, trade, transport and services.
4. For Example, significant numbers of people from drought-prone regions—e.g. from areas of Andhra Pradesh, Karnataka, and Maharashtra—migrate seasonally to work in brickmaking, construction, tile factories, and agricultural work. Such migration is of both rural-rural and rural-urban streams.
5. **Education:** Due to the lack of educational facilities in rural areas, people migrate to urban areas for better academic opportunities. In the 2011 census, about 1.77% of people migrated for education.
6. **Lack of security:** Political disturbances and interethnic conflicts is another reason for internal migration.

Impact of Covid-19 pandemic on internal migration

According to the International Labour Organization (ILO) and the Asian Development Bank (ADB) report 4.1 million youth lost Jobs during the pandemic.

- o Construction and agriculture witnessed major job losses among seven key sectors.
- o The worst-hit migrant is “**vulnerable circular migrants**”. Almost 200 million of them were affected by the Covid-19 disruption.
- o Further, the Centre for Monitoring Indian Economy (CMIE) mentions that **three-quarters of these job losses** were at small traders and wage labourers level.

Vulnerable circular migrants: These are the migrants who also have a foothold in rural and urban areas. For example, They might work in construction sites, rickshaw pullers in cities, etc. But when these urban jobs face any issues they will go to their rural areas in search of Job.

- o Migrant workers from the **Textile and garment industry and construction industry and other migrants in brick kilns** were also affected by the Covid-19 Pandemic induced lockdown.

Impact of the pandemic on internal migrants

Migrants are less familiar with their new environment. So the pandemic caused various social, economical, psychological and emotional trauma on internal migrants.

1. **Associated non-covid death of internal migrants:** nearly 1.14 crore migrant workers moved towards their home. This is more than the population of Uttarakhand state. Overall there is at least 971 non-covid death. In that, nearly 96 workers died on trains.
2. **Increased demand in MGNREGS jobs:** According to Government data, over 11 crore people worked under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) during the financial year 2020-21. This is the first time since the launch of the scheme there were 11 crore beneficiaries. This is due to the returning of internal migrants.
3. **Challenges in the distribution of essential items and relief materials:** As there is a lack of credible data or registration of migrants the migrants not received their essential items and relief materials. This is because the last migration survey by the National Sample Survey was conducted in 2007-08.

4. **A rise in the level of inequality:** The [Oxfam international](#) points out the level of increased inequality due to the internal migrant movement in "[The Inequality Virus report](#)". The migrant exodus worsened the level of inequality further.
5. **Challenges under temporary shelters and quarantine centres:** During they move towards their home state they have to cross various states. As each state followed different protocols for quarantine the migrants faced both mental trauma and physical challenges.
6. **Absence of effective laws:** As there is no coherent law on the unorganized sector. Migrant workers were not able to demand their rights and entitlements. Further, there is also a **Poor implementation of protections under the Inter-State Migrant Workmen Act, 1979**. The **ISMW Act** provides protections for inter-state migrant workers, especially from exploitation. But the Act poorly implemented as the penalties are lower.

Impact of the pandemic induced reverse migration on economy

Indian economy suffered largely due to massive reverse migration(exodus). The impacts include,

1. **The collapse of mini-economies:** Migrants remain as a sustainable labour supply in urban areas. The sudden internal migrant exodus changed this drastically. For example, closure of small petty shops in front of urban offices.
2. **Increase in cost of labour:** This is witnessed especially in industrialised and manufacturing states. The internal migrants supplemented the local workforce. But since they move to their home state, the high demand for labour increased the cost of labour.
3. **Production delay:** India's GDP aggregate depends on high growth industrial or trade centres. For example, the Covid-19 mask manufacturing unit in Tamil Nadu and Maharashtra faced a shortage in labour as the Internal migrants moved to home states.
4. **Stress on MSMEs:** The MSME sector that relied on cheap labour and ancillary inputs also faced challenges. Further, there was also a domino effect in the MSME sector due to the hardships of bigger companies.
5. **Framing of local reservation policies:** Since migrant workers faced challenges at local, regional and national levels, the states try to protect them by making reservation laws. These laws aimed towards providing reservation for locals in private jobs. States such as [Haryana](#), Madhya Pradesh, Karnataka, Andhra Pradesh tried to implement them.
6. **Crowded agricultural sector:** The migrant workers who lost a job in manufacturing moved to the rural areas and demanded jobs at very low wages. This made the agriculture sector more crowded and also created Stagnation in agricultural wages.

Suggestions for improving the conditions of internal migrants

- India needs to formulate migration centric **policies, strategies, and institutional mechanisms**. Such as,
 1. Providing equal or better wages to migrant workers by **implementing national minimum wage**.
 2. The government can also explore displacement allowance, home journey allowance, free medical facilities, etc for internal migrants.
 3. Creating **present migrant data pool** instead of relying on past information like NSSO, Census, etc.
 4. The state governments have to generate decentralised data and enforcement officers for implementing the labour codes, ISMW Act, etc.
 5. The government has to provide amenities and social securities for the migrant population. For instance, pan India implementation of the **Kerala government's Aawaz health insurance scheme** for migrant workers.

- The government can also assess the implementation of [NITI Aayog's "draft national policy on migrant workers"](#). The [important recommendations](#) of the policy are,
 1. The Ministry of Labour and Employment has to create a special unit to help converge the activities of other Ministries. This unit would manage migration resource centres in high migration zones.
 2. **Role of Panchayats:** Panchayats should maintain a database of migrant workers. It would issue identity cards and passbooks to workers.
 3. **Inter-state migration management bodies** should be set up to cover the nation's key migration corridors: Uttar Pradesh and Mumbai; Bihar and Delhi; Western Odisha and Andhra Pradesh, etc

Conclusion

The world reports points out that India's internal migration is growing 4.5 percent annually and the urban population is expected to be 50 per cent by 2050 India needs to take care of the situation of internal migrant effectively. But for that, India has to start working on the current data of internal migrants. Further In-depth understanding of the cause and effect of internal migration is the need of the hour.

Introducing National Digital Currency in India – Explained, Pointwise

Introduction

There is uncertainty over the legal status of [digital currencies](#) in India. An unofficial estimate mentions that Indian investors holding around \$1.5 billion (Rs 10,000 crore) in digital currencies. The inter-ministerial committee (IMC) suggested a ban on private digital currencies, but it favors RBI-backed National Digital Currency or central bank digital currency (CBDC).

The draft Cryptocurrency and Regulation of Official Digital Currency Bill, 2021 aims to prohibit all private cryptocurrencies. The Bill also aims to lay down the regulatory framework for the launch of an “[official digital currency](#)”.

What is the CBDC or National Digital currency?

A Central Bank Digital Currency (CBDC), or **national digital currency**, is simply the digital form of a country's fiat currency. Instead of printing paper currency or minting coins, the central bank issues electronic tokens. This token value is backed by the full faith and credit of the government.

The growth of cryptocurrencies such as [Bitcoin](#), [Dogecoin](#), Ethereum etc raised challenges to fiat currencies. Along with their other vulnerabilities made the central bank of each country explore the possibility of introducing their own digital currencies.

According to the Bank for International Settlements, more than 60 countries are currently experimenting with the CBDC. There are few Countries that already rolled out their national digital currency. Such as,

- **Sweden** is conducting real-world trials of their digital currency (**krona**)
- **The Bahamas** already issued their digital currency “**Sand Dollar**” to all citizens
- **China** started a trial run of their digital currency e- RMB amid pandemic. They plan to implement pan-china in 2022. This is the first national digital currency operated by a major economy.

National Digital Currency in India

With the growth of digital currencies worldwide, various start-ups dealing with cryptocurrency have come up in India, such as Unocoin in 2013 and Zebpay in 2014. Further, their volatility is a cause of concern for India.

So the government-appointed **SC Garg Committee** for suggestions. The committee recommended banning cryptocurrencies and allow an official digital currency. Further, the committee also drafted a bill Banning of Cryptocurrency & Regulation of Official Digital Currency Bill.

Important recommendations of the panel:

1. The panel recommended banning anybody who mines, hold, transact or deal with cryptocurrencies in any form. Further, the panel recommend a jail term of one to 10 years for exchange or trading in digital currency.
2. The panel also proposes a monetary penalty of up to three times the loss caused to the exchequer or gains made by the cryptocurrency user whichever is higher.
3. The panel also recommended completely banning all private cryptocurrencies in India.
4. However, the panel said that the government should keep an open mind on the potential issuance of cryptocurrencies by the Reserve Bank of India.
5. Post submitting the panel report and the draft bill the government held discussions with stakeholders and conduct Inter-ministerial discussions. The government decided to provide a 3-6 month exit period prior to banning the trading, mining, and issuing of cryptos. The RBI also already started working on CBDC.

Challenges with non-state digital currency

1. **Safety and security of cryptocurrencies:** This is one of the key issues with cryptocurrency. **Mt Gox bankruptcy case** is a highlight of this. Mt gox is a Tokyo-based cryptocurrency exchange. After the cyberattack, several thousands of bitcoin went lost and the company is yet to settle the claim.
2. **No investor protection:** Since the cryptocurrency transactions are anonymous in nature, there is no investor/consumer protection in cryptocurrencies.
3. **Conflict of interest:** Globally, crypto-currency exchanges act as both custodian and a regulator. So, their own interest and consumer protection get into conflict.
4. **Non-regulation:** There are some cryptocurrency regulators who often indulge in money laundering and terrorism financing. Further, they are immune to the Central Bank regulation of various countries.
5. **The volatility of cryptocurrency:** Many cryptocurrencies have only a limited amount of coins. For example, Bitcoins fixed the maximum possible number as 21 million. This creates an increase in demand with each passing day and creates instability in exchange rates. This made the cryptocurrency more volatile in nature.

Advantages of rolling out National Digital Currency

1. **Improving efficiency in the financial system:** As the currency in digital form, it can provide an efficient way for financial transaction. Further, digital currency also solves the challenges with Cash and coins. Cash and coins require expenses in storage and have inherent security risks like the [recent heist in the RBI currency chest](#).
2. **Reducing systemic risk:** There are about 3,000 privately issued cryptocurrencies in the world. According to IMF, the key reason for considering national digital currency is to counter the growth of private forms of digital money. There is a possibility of these companies going bankrupt without any protection. This will create a loss for both investor and creditor. But the National Digital currency has government backing in case of any financial crisis.
3. **Opportunity to private players:** As the state-backed digital currency can provide investor/consumer protection, the private can confidently invest in the associated infrastructure without any doubts over its regulation. This will improve the services to people.
4. **Reduce volatility:** The national digital currency will be regulated by the RBI. So, there will be less volatility compared to other digital currencies.
5. **Helps in better macroeconomic management:** Current RBI's work on [inflation targeting](#) can be extended to national digital currency also. Since India is planning to ban other cryptocurrencies, the RBI can better regulate digital and fiat currency. Thus upgrading to digital currency and balancing the macroeconomic stability.

Challenges in rolling out National Digital Currency

1. **Potential cybersecurity threat:** India is already facing [many cyber security threats](#). With the advent of digital currency, cyberattacks might increase and threaten digital theft like **Mt Gox bankruptcy case**.
2. **Lack of digital literacy of population:** Introduction of digital currency is technological advancement. But as per Digital Empowerment Foundation in 2018 report, around 90% of **India's** population is digitally illiterate. So, without creating enough literary awareness introduction of digital currency will create a host of new challenges to the Indian economy.
3. **Challenge in regulation and taxation:** Introduction of digital currency also creates various associated challenges in regulation, tracking investment and purchase, taxing individuals, etc.

4. **Threat to Privacy:** The digital currency must collect certain basic information of an individual so that the person can prove that he's the holder of that digital currency. This basic information can be sensitive ones such as the person's identity, fingerprints etc.

Suggestions

1. The government can follow the western concept of **treating digital currency as property** and imposing capital gains tax.
2. **Enhance digital literacy:** The government has to create enough awareness campaigns and inform people about identifying fraudulent methods. This will reduce India's digital divide.
3. **Creation of adequate cybersecurity methods:** Before the introduction of National Digital currency the government has to create certain important things, such as,
 - Training of law enforcement agencies on handling any threats
 - Creating a **policy of basic information** assessed while issuing, verifying someone's digital currency.
4. There is no doubt that the introduction of National Digital currency prevents the various threats associated with the private-owned cryptocurrencies and take India the next step as a digital economy. But the government has to create necessary safeguards before rolling out.

The issue of Urban Fires in India – Explained, pointwise**Introduction**

Urban fire has the potential to rapidly spread to adjoining structures. These fires not only take life but also damage and destroy properties such as homes, schools, commercial buildings, etc.

The issue of urban fires came in the news after a fire caused the death of 15 Covid-19 patients in the intensive care unit (ICU) of Vijay Vallabh Hospital in Virar, 50 km from Mumbai. This raises a question on the efficacy of fire safety norms that fail to prevent such tragic incidents.

Current Scenario of urban fires

- It was suspected that the fire at the Virar Hospital Fire begun from the compressor unit of the AC. It took the lives of 15 patients.
- The CM has announced a grant of 5 lakh to the family members of the deceased and 1 lakh for injured persons.
- The current tragedy comes within a month of the Bhandup Hospital Fire in Mumbai that led to the death of nine COVID-19 patients.
- **Data on Urban Fire incidents**
- India has witnessed many tragic fire incidents. Eg – Uphar cinema, New Delhi (1997); Kamala Mills, Mumbai (2017) and Taxila Coaching Centre, Surat (2019).
- According to National Crime Records Bureau figures, 17,700 Indians died due to fire accidents in 2015.
- **Maharashtra and Gujarat**, our two most highly urbanised states, account for **about 30% of the country's fire accident deaths**.
- The **India Risk Surveys 2018** has placed India at 3rd position in fire incidents. This signifies the grave risks of fire incidents to urban habitats.
- **Causes for urban fire accidents**
- **Faulty Electrics:** These are the **biggest cause of workplace fires**. Loose wires, overloaded plugs, old equipment etc. can all result in a fire accident.
- **Flammable and Combustible Materials:** Urban premises that hold any number of materials that are flammable or combustible represent a dangerous hazard.
- **Human Error:** When staff are not trained properly, they are at risk of making catastrophic mistakes. Accidents such as placing liquid near electrical equipment, burning food in the kitchen or spilling flammable liquids have occurred due to human error.
- **Lack of awareness among people:** In many accidents, it was observed that firefighting equipment was installed. But there is no knowledge training for the persons to handle the equipment.

Fire Safety Management in India

- **Fire service is a state subject** and also has been included as a **municipal function** in the XII schedule of the Constitution.
- Many states have established **Fire & Emergency Services** through a statutory Act. These acts were based on the **Model Fire Service Bill** circulated by the Ministry of Home Affairs.
 - Similarly, in some states, municipal corporations and local bodies are responsible for providing fire services.
- Currently, the **National Building Code -2016** is the basis for fire safety norms in India.

- Apart from that, India is also taking certain proactive institutional mechanisms to address fire risk. This includes,
 - At the Central level, the Director-General of Civil Defense, Home Guards, & Fire Services under the Ministry of Home Affairs is assisted by the **Fire Adviser**. He will deliberate upon the management of fire services.
 - In addition, the **Standing Fire Advisory Committee** provides inputs for improving fire management in the country.
 - The **National Fire Service College, Nagpur** provides training and education.

Issues in Urban Fire Safety Management

- **Lack of robust fire mitigation technologies:** Most of the modern Buildings in major cities lack sufficient in-built fire safety services such as smoke alarms and sprinkler systems. These systems operate as early warning systems and fire control measures.
- **Poor adoption of Model Fire Safety Bill:** The centre has introduced a model bill in 2019 for Maintenance of Fire and Emergency Services of a state. This focused on prevention, mitigation and response of Fire incidents, but many states have failed to adopt its provisions, resulting in greater fire incidents.
- **Lack of compliance:** Many buildings in heavily congested areas of India do **not adhere to the National Building Code** and do **not have fire clearance certificates**.
 - For instance, the Surat Coaching centre building didn't have any emergency exit. This forced the students and the instructors to jump off the building to escape the fire. However, in the process, they lost their limbs and life as well.
- **Rapid Urbanisation:** This has increased the proliferation of high rise buildings due to scarcity of land. However, ensuring fire safety in them is a complex affair due to lengthy exit routes and more fire-prone areas.
- **Development creating greater risks:** The sectoral advancement in the country has enhanced urban fire safety concerns –
 - In the industrial areas, wear and tear of machinery, storage and new materials etc. add new urban fire risks every day.
- **Problems associated with Fire Services:** There are certain inherent concerns with the fire services. Such as limited financial resources, working in high-crime areas. Further, they are poor in leveraging relationships with citywide institutions, reaching out to residents to focus on fire safety.
 - Further, there is an inadequate number of fire stations and high traffic congestion thereby leading to greater response time.

Suggestions to control urban fire

- **Enactment of a Fire Act in every state:** The states which have not enacted their own Fire Act should immediately enact a suitable Fire Act based on the 2019 model bill.
- **Following Fire Safety Standards:** The Home Ministry must make sure that National Disaster Management Guidelines on Scaling, Type of Equipment and Training of Fire Services. The States has to duly follow them.
- **Regular Auditing:** There should be time-bound fire and electric audits of all hospitals within the municipal area. Moreover, the government has to conduct third-party fire safety audits throughout the urban areas.
- **Mock Drills:** The fire services have to **conduct regular fire safety drills** so that people are aware of what to do in the event of such a tragedy.
- **Awareness Generation:** A significant emphasis needs to be placed on creating awareness among different stakeholders like citizens, administrators, politicians, builders, engineers etc.

- **Infrastructure and Technology:** Simple interventions like constructing water storage tanks at suitable locations can provide water during fire emergencies. In addition, **adopting modern technology** such as water mist and drones is the need of the hour.
- **Financial support to the fire safety department:** The government should provide financial support and assistance in augmenting and [modernising the fire departments](#).
 - For urban areas, the government can **impose a fire tax/levy**. The government can earmark the revenue generated for the improvement and upkeep of the fire services.
 - Similarly, fire management has to incorporate **innovative funding** through public-private partnerships.

Conclusion

Through conscious planning, the government has to strengthen and upgrade the Fire services in India. To achieve this facet, a robust institutional mechanism and coordinated approach including all concerned stakeholders is desired.

Changing dynamics of India-US Relations – Explained, Pointwise**Introduction**

The dynamics of India-US relations are changing. Since the formation of the Biden government, there have been many ups and downs in the relations. Initially, India and the US were seen cooperating in the QUAD summit but, in the last few weeks, the US has taken many steps that go against India's interests. In the most recent of such steps, the US put a restriction on the export of Covid-19 vaccine raw materials to India. Although it lifted the restrictions later.

What was the issue?

The 'Covishield' vaccine produced in India requires **bio-reactor bags** from U.S. firms as a raw material. These bags are used to grow cells for vaccine manufacturing. Apart from that, Indian firms also use **filters, microcarrier beads and cell culture media** from US companies.

But recently the US administration invoked their **Defence Production Act**. This emergency law requires domestic manufacturers to prioritize federal(central) government purchase orders. The American companies have no option but to produce Coronavirus vaccines and Personal Protective Equipment for the US only. This resulted in restricting the global exports. This is like an outright ban on the export of such materials.

India is the world's largest vaccine manufacturer. According to Ministry of External Affairs statistics, up to April 13, India alone supplied over 65 million vaccines to 90 countries globally. So the US decision impacted India more. Further, the Serum Institute of India (SII) CEO(produces Covishield) has also requested the US administration to lift the ban. But the US administration mentioned that this is not an "outright ban" and the priority of their domestic demand. The global community criticised this as the US **forget to act like a citizen of the globe**.

However, in the most recent event, the US has lifted this ban and promised to cooperate with India.

Just like this incident, there are many recent instances when US was seen going against India's interests. It is despite cooperating recently in the QUAD and visit of US Official to India.

Recent positive developments in India-US relations

From 1999 to 2018, trade in goods and services between the two countries surged from \$16 billion to \$142 billion. In 2019, overall U.S.-India bilateral trade in goods and services reached \$149 billion.

1. In 2014 **US emerged as the top arms supplier to India by** overtaking Russia. The U.S. categorized India as "a Major Defence Partner" in 2016.
2. The US helped India to join the export control regimes (Australia Group, Missile Technology Control Regime and Wassenaar Arrangement). Now India is trying to be part of the Nuclear Suppliers Group. The US not only supports India's membership in the NSG but also provided certain relaxations to India.
3. **The development of QUAD:** This is an informal strategic dialogue arrangement between India, the USA, Japan and Australia. The recent COVID-19 pandemic, China's bullying nature, changing geo-economic interests in the region, etc. helped Quad to evolve faster. This resulted in the Quad meeting and the first-ever virtual Quad summit recently.
4. **Signing military agreements:** India so far signed all the Foundational agreements with the US. Such as LEMOA, COMCASA, BECA. This brought both the countries closer to each other.

5. **India's participation in Five eye grouping:** In 2020, India made its first-ever participation in the Five-eyes grouping. This facilitates intelligence-sharing among the US, Canada, UK, Australia, and New Zealand.
6. **Development of Indo-Pacific** – The US under its **Pivot to Asia policy and Indo-Pacific Strategy** views India as an ideal balancer to check the aggressive rise of China. Therefore, the US formulated the concept of Indo-Pacific to counter China in the South China Sea and the Indian Ocean.
7. **Cooperation in Climate change:** Recently the US president on [Earth Day](#) conducted the [Leaders Summit on Climate change](#). During the summit **India-US** jointly announced a **climate and clean energy Agenda 2030 Partnership**.

Some recent concerns in India-US relations

There is a lot of dynamism in the India-US relations. Despite the above-mentioned developments, there are certain concerns such as,

1. **India's defence ties with Russia:** The US vies development of [India Russia relations](#) especially the defence ties as a threat to their bilateral relations.
 - The US did not like India's decision to manufacture [Kamov 226 helicopter in India](#).
 - Further, the US did not like India's **decision to purchase the S-400 supersonic air defence systems**.
 - The US even threatens to impose [Countering America's Adversaries through the Sanctions Act](#) on India.
2. **US's violation of India's Maritime rights:** Recently, one of the US warships carried out its [Freedom of Navigation operation\(FONOP\)](#) in [India's Exclusive Economic Zone](#). The FONOP operation carried out approximately 130 nautical miles west of Lakshadweep Islands. This is a clear India's **Exclusive Economic Zone (EEZ)**.
3. **The US on India's Human rights:** Recently the US state department released its [2020 Human Rights Report](#). The report mentions India has several human rights issues such as **restrictions on freedom** of expression and the press, **Crimes involving violence** and discrimination targeting members of minority groups, etc.
4. **Currency manipulator tag for India:** Recently, the United States added India to the '[monitoring list](#)' of [currency manipulating countries](#). The US Treasury department defines currency manipulation as when countries deliberately influence the exchange rate between their currency and the US dollar to gain an unfair competitive advantage.
5. **India as a Country of Particular concern:** The US Commission on International Religious Freedom recommended classifying [India as a Country of Particular Concern\(CPC\)](#). Further, the USCIRF also recommend targeted sanctions on Indian individuals and entities for 'severe violations of religious freedom'

Reason behind US Foreign Policy shifts on India

1. **Frequent policy shift:** The foreign policy of the US always varies from one President to another. So, carrying long-term India-US relations is not an easy step. [For example](#), The Obama administration worked hard to sign the Iran nuclear deal. But the Trump administration revoked that. With the advent of the Biden administration now they are again working on revamping the [JCPOA \(Joint Comprehensive Plan of Action\)](#).
2. **Dealing with Afghanistan and Pakistan:** The US does not see India as part of the Afghan solution. This is because India firmly supports the Ashraf Ghani government and refusing to engage the Taliban. So, in Afghan matters, the US will seek more support from Pakistan than India.

3. **The neutral stance of India on certain US-related issues:** India follows the foreign policy based on its own interests. Further, India did not follow the policy followed by US allies like Saudi Arabia, Australia, etc.
- For example, India maintains a neutral relationship between Iran and Saudi Arabia. The US on the other hand supports its ally, Saudi Arabia.
 - Similarly, India maintains a neutral relationship with Palestine and Israel. The US on the other hand supports Israel in general.

Suggestions to improve India-US relations

1. Both India and the US have to take certain steps to improve their bilateral relations. Such as,
 - Expand dialogue on emerging threats in the cyber and space domains.
 - Broader collaboration between defence industries.
2. Instead of conducting FONOP patrols in the EEZ's of friendly countries, the FONOP patrols of the US Navy have to identify the potential threat (China) to freedom of navigation in the region. This is evident from China's "**anti-access, area-denial**" or **A2AD capability** and its rejection of the **UN Court of Arbitration verdict in its dispute** with the Philippines.
3. The Indian government has to push for getting relaxations from the US. Such as getting permissions for the S-400 missile system purchase and receiving an exemption from the **CAATSA** sanctions.
 - India can utilise the strong people-to-people ties of the [Indian diaspora in the US](#) to claim such relaxations.
4. The US government also has to see the big picture. Such as,
 - **Understanding the global situation** of Covid-19 and permitting the exports of raw materials.
 - Taking **proactive steps towards stable foreign policy** development.
5. Overall, India-US relations so far have many ups and downs. But the relationship continued to improve by addressing the challenges through negotiation. This time too, negotiation with the US is one of the key ways to resolve the ban on vaccine raw material.

Universal vaccination in India : Challenges and way forward – Explained, Pointwise**Introduction**

The daily cases of Covid-19 infections are breaking new records. India is almost touching 4 lakh cases per day. Moreover, India's health care infrastructure is also falling short of taking care of that many cases at once. Thus, the majority of experts are of the opinion that the only way out of this crisis is universal vaccination in India. It means the majority of the population should be administered vaccines to achieve a herd immunity.

India started its coronavirus vaccination drive almost three months ago. According to the data from the Ministry of Health and Family welfare, so far, India has vaccinated only 146 million people (less than 2% of the population has received both the doses). With the universal vaccination in mind, India recently released a [new vaccination policy](#). But to vaccinate the remaining population, India has to face various challenges and need innovative solutions.

India's vaccination policy so far

- India so far released three phases of vaccination policy
- The first three phases vaccinated healthcare workers, frontline workers, and those above the age of 45.
- The Centre procured the entire quantity of vaccines from manufacturers Serum Institute of India and Bharat Biotech([Covishield and Covaxin respectively](#)). The centre then distributed them to states for vaccination.
- The states distributed the stock to government vaccination centres. These government centers administered the vaccine free of cost. Private hospitals charged recipients Rs 250 per dose.

Salient features of India's new vaccination policy

The new vaccination policy is the fourth phase of India's Covid-19 vaccination policy. Under this phase, there are few changes,

1. Changes for Citizens:

- All adults over the age of 18 will be eligible for vaccination starting from May 1.
- Those eligible in the earlier phases can continue to get the free doses provided by the Government of India.

2. Changes for distribution:

- Under the new rules, the Centre will automatically receive only 50% of vaccines produced by manufacturers. It will allocate these to states based on the extent of infection (active cases) and performance (speed of administration).
- The remaining 50% can be acquired by the states directly or by private hospitals and industrial establishments.
- The Centre will allow the imported, fully ready-to-use vaccines to be entirely utilised in the other-than-Government of India channel.

Other steps taken towards universal vaccination in India

- **[Electronic Vaccine Intelligence Network\(EVIN\)](#):** It is an innovative technological solution aimed at strengthening immunisation supply chain systems across the country. The EVIN shows real-time information on vaccine stocks and flows and storage temperatures across all cold chain points in the country. During the Covid-19 vaccination, the delivery system will use this EVIN solution.
- **[CoWIN platform and CoWIN App](#):** It is a digitalised platform launched by the Ministry of Health and Family Welfare (MoHFW). It aims to help agencies to keep a track of the Covid-19 vaccination programme in real-time. Further, the app also allows Indian

citizens to apply for a Covid-19 vaccine shot. The app also provides a **QR based Certificate** once the person is vaccinated.

- Further, India's drug regulatory authority relaxed Imports restrictions on COVID-19 vaccines. Also, it approved the restricted use of vaccines, which are already approved for restricted use by the US in emergency situations.

Need for achieving universal vaccination in India

1. **Reducing daily caseload and eliminating Covid-19 altogether:** At present India's daily caseload is the highest in the world. India will soon register half a million cases each day. Universal vaccination will not only reduce the Covid-19 cases but also help India to achieve Covid-19 free status.
2. **Reducing infection to the vulnerable sections:** Covid-19 infects senior citizens and people having comorbidity such as diabetes, blood pressure, etc. By vaccinating them India can prevent the life of countless individuals.
3. **Vaccines are the most effective health intervention against Covid-19:** Universal vaccination in India will prevent various health intervention costs and economic cost of the Indian economy. Universal Vaccination will provide relief to
 - Heavily burdened health infrastructure and health care professionals.
 - The Covid-19 induced lockdown and associated economic losses, etc
4. **Can help to achieve herd immunity before universal vaccination:** Herd immunity is the indirect protection from an infectious disease if a population is immune either through vaccination or immunity developed through the previous infection. WHO supports achieving 'herd immunity' through vaccination. India needs to vaccinate around 70-75% of its population to achieve herd immunity. So, in process of Universal vaccination, India can reach herd immunity.
5. **Past Experience:** Vaccination is the most effective way to reduce the impact of epidemics and pandemics. Universal vaccination in India has eliminated smallpox, polio. They also reduced the impacts of serious diseases including measles, mumps, rotavirus, etc. Further, India's Universal Immunisation Programme (UIP) provides free vaccines against 12 life-threatening diseases, to 26 million children annually. But achieving a similar feat against the Covid-19 is not an easy task.

Challenges to universal vaccination in the Covid-19

The population of India is 1.3 billion. If the Covaxin and Covishield require two doses then India needs to vaccinate 2.6 billion doses across the nation. This itself is a challenge.

1. **Infrastructure challenges:** This is one of the biggest [hurdles in India's universal vaccination programme](#) against the Covid-19. This includes,
 - a. **Unequal distribution of cold storage facilities among states.** For example, out of the 28,932 cold chain points, half are in the five southern states, Maharashtra and Gujarat. Whereas the eight states in the North and Odisha that account for over 40 per cent of the country's population have only 28 per cent of the cold chain points.
 - b. **Other Infrastructure challenges:** Both the Covaxin and Covishield requires to stored within a temperature of 2-8 degree Celsius. But the temperature-controlled boxes face challenges like frequent power supply interruption, lack of storage facilities at the remote location, etc.
2. Challenges related to affordability:
 - a. Under the new vaccination policy, vaccine producers can sell 50% of their production directly to State governments and private hospitals. Further, the price of vaccines to state and private is not fixed.
 - b. So, the private manufacturers may make a huge profit. This creates problems in affording the vaccine. This is evident as **both vaccine manufacturers hiked their**

prices after the launch of the policy. For example, the Serum Institute mentions Rs 400 for state government and Rs 600 for private parties.

3. **Creation of Interstate equality:** With the new vaccination policy states are responsible to vaccinate their people. With every state individually contacting the suppliers and bargaining price and supply, the discretion will be with the supplier. So this will create interstate inequities and make poorer states suffer more. This is a clear **deviation from universal vaccination** in India.
4. **Production-related challenges:** The world's largest vaccine maker, Serum Institute of Technology initially promised to supply 100 million doses of vaccines a month. But in reality, it only provided between 50 million to 60 million doses. India so far exported 66.4 million vaccines (As of April 27). With the government commitment to export vaccines along with the production gap, India is facing a **delay in universal vaccination** and facing a **demand-supply mismatch**.
5. The issue of vaccine hesitancy:
 - a. In simple terms, it refers to delay in acceptance of vaccines or refusing vaccines despite their availability. In the past three months, only 40 percent of the 30 crore high-risk population were vaccinated, partly due to the initial vaccine hesitancy.
 - b. There is a non-transparency of data related to the two vaccines proposed for use in the program.
 - c. Furthermore, acquiring the data for under the 50s with **comorbidities** will also be a challenging and difficult one.
6. **The Issue of Vaccine wastage:** According to the RTI information, India has wasted more than 44 lakh of 10 crore doses (Till April 11). Tamil Nadu wasted over 12 percent, followed by Haryana (9.74%), Punjab (8.12%). Ideally, a vaccination centre must have 10 recipients to make optimal use of a single 10-dose vial. If the person is not available then that vaccine vial becomes a waste.

Suggestions to improve universal vaccination in India

1. **Conducting a detailed demand-supply analysis:** To conduct a calibrated expansion of the eligibility criteria India needs to conduct a detailed analysis including the vaccine manufacturers' real-time production capability, the supply chain delays, etc.
2. **Reducing vaccine hesitancy:** The only way to counter that is to be open and honest about adverse effects and make available relevant information in the public realm. So, both the state government and the centre need to be more transparent in the Universal vaccination process.
 - India can establish an independent team of experts under the aegis of the WHO to ensure adherence to recruitment standards, consent conditions, adverse event record management, compensation standards. This will improve public confidence and provide enough data for the future policies of the government.
3. **Encourage stakeholder participation:** The government have to rectify the issues with the new vaccination policy with better stakeholder participation.
 - Stakeholders should include not only state governments but also the local bodies that are struggling to control the pandemic.
4. **The government can ask private companies towards cartelisation:** (It means the group of industry participants coming together to fix the price of products and services.). Since the foreign players are also producing vaccines, India can work towards the cartelisation efforts. This will fix the price of Covid-19 vaccines. In case of any failure in the process, India **can invoke compulsory licensing** and reduce the vaccine prices towards universal vaccination in India.
5. **The move towards zero-wastage:** The state governments have to use each and every vaccine in an effective way. States wasting the vaccine can follow zero-wastage states like

Kerala, West Bengal, Himachal Pradesh, etc. For example, the Kerala model includes the following steps. such as,

- Training health care staffs including ASHA workers towards the importance of vaccine usage
- Creating efficient inventory management for managing vaccines.
- Mobilise beneficiaries after they register for the vaccine.

Conclusion

“None of us will be safe until everyone is safe”, so the government has to take necessary steps towards universal vaccination. The need of the hour is a winning strategy against an epidemic that has drained us economically, socially and psychologically. The winning strategy is feasible when all the stakeholders come together to address the grievances.

MGNREGA: Issues and Significance – Explained, pointwise**Introduction**

The government of India has been running the world's largest employment guarantee program since 2005 under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). It has been in implementation for more than 15 years and has delivered optimum results. Although some issues thwart its success which must be resolved.

About MGNREGA

- It guarantees 100 days of work a year to every rural household with an aim to enhance the livelihood security of people.
- The National Rural Employment Guarantee Act, 2005 introduced the scheme. In 2010, NREGA renamed as MGNREGA
- The Act currently covers all districts except for those that have a 100% urban population.
- The Ministry of Rural Development (MRD) in association with the state governments monitors the implementation of the scheme.

Key Features of the MGNREGS

1. **Demand-driven scheme:** Worker will get the work whenever he demands and not when the Government has work available.
2. **Employment Allowance:** Gram Panchayat has the mandate to **provide employment within 15 days of a work** application. If it fails, the worker will get an **unemployment allowance**.
3. **Timely Payment:** Payment of wages within 15 days of completion of work. In case of failure, the worker will get a delay compensation of 0.05% per day of wages earned.
4. **Women empowerment:** Minimum **one-third of the workers should be women**
5. **Minimum wages:** Wage payment should be according to the Minimum Wages Act 1948 for agricultural laborers in the State.
6. Gram Sabhas conduct Social audits to enable the community to monitor the implementation of the scheme.
7. Both the Center and the States share the funding of the scheme.

Performance of MGNREGA so far

- It has generated more than 31 billion person-days of employment in the last 15 years.
- The government has spent over Rs 6.4 lakh crore in the last 15 years on this demand-driven program.
- Since 2006, more than 30 million water conservation-related assets have been created in the country's rural areas.

Performance of MGNREGA during Covid-19 Pandemic:

- According to the government data, over [11 crore people worked under MGNREGS](#) during the financial year 2020-21 alone. Few other achievements of the Scheme last year are,
 - This is the first time since the launch of the scheme in 2006-07 that the MGNREGS numbers crossed the 11-crore mark in a year.
 - Further, the 11 crore mark is also higher by about 41.75% if we compare 2019-20 data (about 7.88 crores worked).
 - In 2020-21, the total expenditure was 62.31% higher than in 2019-20.
 - As part of the economic package during the Covid-19 pandemic, the government announced additional funding of Rs 40,000 crore for the MGNREGS over and above the budgetary allocation of 2020-21.

Significance of MGNREGA

- **Rural Development:** The programme mandates that at least 60 percent of the works undertaken must be related to land and water conservation. The creation of these productive assets boost rural incomes as the majority of villages are agrarian.
 - For instance, In Barmani village of Madhya Pradesh's Sidhi district, the MGNREGA created water conservation assets. So the [internal migrants](#) went home started resuming farming and stayed there after the situation turns normal.
- **Tackling Water Stress:** The water conservation structures built under MGNREGA have potentially conserved at least 28,741 million cubic metres of water in the past 15 years. This is an immense achievement to tackle the approaching water stress.
- **Curtailling Distress Migration:** The scheme provides support in times of distress and individuals are not forced to migrate into cities.
 - For instance, distress migration has stopped in Bandlapalli village in Andhra Pradesh's Ananthapuramu district and the village is drought-proof today.
- **Women Empowerment:** This is a natural result of employing women to 1/3rd of all MGNREGA jobs.
 - Eg – MGNREGA has led to the formation of the country's largest group of trained women well-diggers in Pookkottukavu village of Kerala's Palakkad district.
- **Battling Uncertainties:** The program provided a sigh of relief to millions of migrants and other people who lost their **livelihood in the pandemic times**. The scheme ensured that the vulnerable get access to basic income thereby decreasing suicide rates in the country.
- **Community Assets:** The scheme has led to the [creation of common community assets](#). These assets are built by communities on common lands thereby **creating a sense of responsibility** towards the structure which results in better care.
 - For instance, many Johads (percolation ponds) had remained abandoned for several years in many villages of Haryana. However, villagers revived them under the MGNREGA.

Issues with MGNREGA

- **Data on the impact of productive assets:** The government does not monitor whether a structure has actually helped water conservation. Further, there is no government data on the impact on groundwater levels, improvements in livelihoods etc. post the creation of assets.
- **Poor maintenance:** Many structures created under MGNREGA become defunct due to poor maintenance. This simply implies the wastage of time, energy, and resources.
- **Inadequate Funds:** A huge surge in demand for MGNREGA works has been witnessed in pandemic times. But the government hasn't duly allocated funding in a similar proportion.
 - Rs. 73,000 crores have been allocated for the year 2021-22. It is greater than the original allocation of Rs. 61,500 crores for 2020-21. But this is 34.5% lower than the revised estimate of Rs. 1,11,500 crores.
- **Insufficient support:** With the unemployment rate reaching a 45-year high at 6%, giving merely 100 days of employment is not sufficient.

Suggestions to improve the MGNREGA

- The villages must learn from the success of fellow villages. In this regard, every panchayat should ensure caution while framing and implementing the mandatory five-year plan under MGNREGA.

- The government must now measure the potential outcome from the assets created under MGNREGA. For this, it must track the impact of water harvesting structures in terms of local land and water resources.
- For constant monitoring and maintenance of water work, the government can get the support of communities and civil society organizations like the **Paani Foundation**.
- Adequate facilities such as soap, water, and masks, etc. must be provided free of cost to workers during the pandemic.
- The government should provide greater funds for the proper implementation of the scheme. It currently provides 0.47% of GDP while **the World Bank recommends 1.7 %** for the optimal functioning of the program.
- The government can enhance the number of days to 150-200 days depending on the vulnerability in a particular state.
 - The states can increase it as done by **Odisha and Himachal Pradesh** which have added 50 days and made it 150 days in a year

Conclusion

The government must fill the lacunas in MGNREGA. The government can then see a variety of benefits such as: vulnerable section gets due relief, villages get productive assets, the burden on cities will get reduced etc. Apart from that, it will also fulfil the constitutional duty under Article 41 (Right to work in certain cases).

New Umbrella Entity for Payment System – Explained, Pointwise

Introduction

The RBI in August last year released a framework for setting up New Umbrella Entity or entities. These Entities will carry out various payment services, similar to the ones being provided by the NPCI right now.

Recently the Reserve Bank of India said that it is not in favour of having direct and supervisory control over the [New Umbrella Entities](#). Instead, the RBI wants agencies such as the National Payments Corporation of India (NPCI) or a newly formed body to take over the role.

However, creating a regulatory agency is not only time and money consuming but also reduces RBI's power to control the entity itself.

What is New Umbrella Entity?

In February 2020, RBI proposed to create an alternative umbrella organisation for retail payments. This is to prevent the monopoly of the [National Payment Corporation of India\(NPCI\)](#). Presently NPCI is taking care of all retail payments systems in India.

As envisaged by the RBI, New Umbrella Entities will be a not-for-profit company. They will set up, manage and operate new payment systems. New payment systems include wallet transactions, [Aadhaar-based payments, and remittance services](#), [UPI transactions](#), ATMs, white-label PoS, etc.

Need for New Umbrella Entity:

1. **Enhance competition:** At present, the NPCI is the only entity handling the payment system. So, it is not for sure that the transaction costs are the lowest, or they cannot be reduced further. Similarly, the competition will also provide a variety of product offerings in the payment system.
2. **The monopoly of NPCI:** Private players in the payments space have expressed few concerns with the NPCI. Further, the NPCI is the only entity managing all retail payments systems in India. So, the New Umbrella Entities will enhance the competition and improve the service delivery in the retail digital payment ecosystem.

Functions of New Umbrella Entities

As per the RBI, the following will be the functions of these NUEs;

- They will develop new payment standards, methods, and technologies.
- They will **operate in clearing and settlement systems**. Furthermore, they will also **identify and manage relevant risks**. This includes **risks** related to settlement, liquidity, credit, and operation.
- New Umbrella Entities will also preserve the integrity of the retail payment system.
- These entities will monitor the system both nationally and internationally to prevent shocks, frauds, and challenges that affect the system in general.

RBI framework related to the New Umbrella Entities

The RBI in its framework mentioned certain [guidelines for New Umbrella Entities](#). These are,

- **Capital:** The pan-India new umbrella entity(NUE) or entities will focus on retail payment systems with a minimum paid-up capital of Rs 500 crore.
 - However, the RBI will not permit any single promoter or group to hold more than 40% investment in the NUE. Also, the NUE should maintain a minimum net worth of Rs. 300 crore at all times.

- **Ownership:** Further, the promoter or the promoter group of the NUE should be 'owned and controlled by residents' with 3 years of experience in the payments ecosystem.
- **Governance:** The entity has to follow corporate governance norms set by the RBI. The RBI will retain the right to approve the appointment of directors and nominate a member on the entities' board.
- **Foreign Investment:** As long as the NUE's comply with the other guidelines the Foreign Investment is allowed.

Need for the New regulator/NPCI to regulate New Umbrella Entities

1. **The quantum of digital transactions in the country:** The retail transfers in the country expanded enormously. For example, in 2020-21 alone Rs. 165 lakh crores of money transferred in 27 billion transactions. This requires a regulator to oversee the transactions and ensure proper service delivery.
2. **RBI is not having the capacity:** RBI will need a huge upfront cost to create a regulatory body for these NUEs. So the RBI thinks it can be left to NPCI or any new regulator.
3. **Better functioning of NUEs:** The new regulator/NPCI can handle the customer queries, granting licenses, monitoring the functions of the NUE in a better way.

Challenges with vesting the regulatory control of NUE to NPCI or a new regulatory body

1. **Various challenges with letting NPCI regulate NUEs:**
 - Many of the New Umbrella Entities are also the shareholders of the NPCI. So, if the regulatory control is vested with them, then there will be a conflict of interest between developing the NUE and controlling NUE.
 - Further, the NPCI is seen as a competitor to the NUEs. So letting them regulate might diminish the competition.
 - Also, the NPCI is performing very well in promoting the digital leap of India. Asking it to take over the regulatory function will also reduce its capacity and hamper India's digital progress.
2. **Various challenges associated with creating a new regulator:**
 - Creating a new regulator with enough capacity, manpower and regulatory capability from the top-down is a great challenge.
 - Delay in creating the regulator or hurrying it to work faster will pave way for the New Umbrella Entity to exploit the loopholes.
3. **Other challenges:** By leaving the power of regulation to NPCI or a new body will distant the RBI from the digital payment ecosystem. As the digital payment ecosystem is considered as the future of the economy, thus it is important that it is regulated directly by a capable body like RBI.
4. **The question of data privacy and data theft:** The new regulator/NPCI will have to strengthen the data security infrastructure right from the beginning as digital payments are already increasing in the country. For example, the recent data breach in BHIM and Mobikwik payment apps.
5. **Ambiguity in the function of the regulator:** There is no clarity on RBI's relationship with the regulator post the formation. For example, will the RBI have regulatory control over the regulator? If the regulator is independent, then it may not function as efficiently as the RBI.

Solutions to regulate New Umbrella Entities:

- **Create a new body or restructuring the NPCI:** The RBI can set up a new regulator for NUEs, or it can restructure the NPCI board to avoid conflict of interest.
- **The RBI has to take up the regulatory responsibility of NUEs.** Because;
 - The RBI can use the existing capacity to generate enough infrastructure to regulate these NUEs.
 - Also, the cost of setting up the infrastructure for the regulator will be the least for a regulator like RBI than the new regulator. As there is enough manpower, capital, technological capability available.
 - So, the RBI has to set up a separate branch/division to regulate these New Umbrella Entities.
- **The multiplicity of the regulator:** India so far has created too many regulatory bodies in the financial space such as RBI, SEBI, PFRDA, IRDAI, etc. So, the government has to perform the **review and consolidation of these regulatory bodies**. This will ensure consistent and predictable signals to the market. Further, limited regulators can work cohesively and efficient manner.
- **Building privacy by design:** The government has to **pass the [Data Protection Bill](#)**. This will make NUE store data within India and provide users the right to privacy in the digital space. Further, the government has to strengthen the RBI's digital capability.

Conclusion

The New Umbrella Entities are transforming India's retail payment system from cash to cashless transactions. With further digitization, their operations are going to expand. So regulating them is a necessary step to infuse checks and balances in the retail [digital payment space](#). But, the RBI has to take responsibility for that, instead of transferring power to others.

Intellectual Property Rights (IPR) and Universal Vaccination – Explained, Pointwise

Introduction

The Covid-19 cases in India are increasing at a very high rate in India. According to the government data, the number of positive cases is increasing at a rate of more than 3 lakh every day since April 21. Now, the only solution suggested by experts around the world is universal vaccination. The government with its new vaccination policy aims to vaccinate people above 18. However, vaccines are not available in sufficient quality to match demand. One of the hindrances to the wide-scale production of vaccines is [Intellectual property rights](#) and the TRIPS (Trade-Related Aspects of Intellectual Property Rights) agreement. Last October, India and South Africa also moved a motion at the WTO. In that motion, they asked the WTO Council on (TRIPS) to provide a waiver of Intellectual Property Rights for vaccine production. However, the proposal was opposed by the developed countries.

Protection of Intellectual Property Rights under the TRIPS

- TRIPS is a key legal instrument on intellectual Property Rights. The agreement imposes binding obligations on member countries to ensure a **minimum level of protection and enforcement** of IP rights in their territories.
- The developed countries especially the US aggressively pushed for the TRIPS agreement.

What is Intellectual Property Rights?

Intellectual Property Rights (IPRs) are legal rights over intangible creations, innovation and discovery. This can be in the industrial, scientific, literary and artistic fields. The most well-known types are copyrights, patents, trademarks, and trade secrets. The main purpose of intellectual property rights is to encourage the creation of a wide variety of intellectual goods.

- Under the TRIPS agreement, the patent holders have the exclusive right to manufacture, sell, and use the vaccine or the drug for the **entire** term of patent protection. This entire term includes 20 years from the date of the filing of the patent.
- If a country violated the provisions of the agreement then the country has to face the **WTO Dispute Settlement Body**.
- A country can even file a complaint even when there is an allegation of the violation. This is called a **non-violation complaint** in WTO. However, the members of TRIPS agreed not to use them under the TRIPS Agreement.

Intellectual Property Rights exemptions under WTO and TRIPS:

Both the WTO and the TRIPS Agreement have certain exemptions. Such as,

1. According to the **Marrakesh Agreement or WTO agreement**, any exceptional circumstances may **waive off obligations imposed on a WTO member country**. This waiver will include both the WTO Agreement and any other multilateral trade agreement. But to get such a waiver, the **request has to receive three-quarters of the member's support** in the WTO Ministerial Conference.
 - Furthermore, the Ministerial Conference can prescribe terms and conditions for such waiver.
 - The Ministerial Conference can also review the waiver annually if the waiver is granted for more than a year.
 - A waiver may be granted to an individual WTO member country or even collectively.
2. If the waiver is requested from **any multilateral trade agreements under TRIPS**, then the country has to submit the request to the Council of TRIPS. So, the TRIPS Council has jurisdiction over it. The TRIPS council can provide waivers for the Covid-19 vaccine manufacturing, selling, and usage.

3. **Articles 31(f) of the TRIPS Agreement:** This is one of the important provisions under the TRIPS Agreement. It provides for a **compulsory license**. Under this, the government can issue a license to make use of a patent without the patent holder's consent. But, this drug can be used **only for the supply of the domestic market**. So the government cannot export the patented product.
- For example, In 2012, India permitted generic production of Bayer Corporation's Nexavar. This drug was used for the treatment of Liver and Kidney cancer.
 - Similarly, South Africa permitted the generic production of Anti-Retroviral Drugs used in HIV treatment.
4. Apart from these three types, pharma companies also conclude **voluntary licensing arrangements between pharmaceutical companies**. For example, the licensing agreement between AstraZeneca and Serum Institute of India. Under this, the Serum Institute of India can produce vaccines for both domestic use and export.

Status of vaccine manufacturing

In India:

- The world's largest vaccine maker, Serum Institute of Technology initially promised to supply 100 million doses of vaccines a month. But in reality, it only provided between 50 million to 60 million doses.
- On the other hand, Bharat Biotech has a planned production capacity of 12.5 million a month. Its current production is somewhere between 1-5 million.
- So, India's monthly COVID vaccine manufacturing capacity is about 60-65 million doses only.
- The population of India is 1.3 billion. If the Covaxin and Covishield require two doses then India needs 2.6 billion doses. But the present production cannot meet that amount in a short time.

Situation in Europe:

- [AstraZeneca's entered into a contract with the European Union](#). It committed to supplying an initial 300 million doses of vaccine for distribution among the 27 member countries. Further, it provided an option to order another 100 million doses.
- But it delivered only 30 million doses in the first quarter of 2021. Further, the company also says it can only provide 70 million in the second quarter, rather than the 180 million it had promised.
- So, the Covid-19 Vaccines are already in short supply. In this scenario, protecting the Intellectual Property is not only delay the [universal vaccination](#) but also extending the Covid-19 crisis itself.

About removing Intellectual Property Rights for Covid-19 vaccines

- As the Intellectual Property Rights hinder the supply of vaccines, both India and South Africa have proposed to waive off IP rights like patents, copyright, and trademarks for prevention, containment or treatment of Covid-19.
- Other developing countries started to co-sponsor the India and South Africa request. The TRIPS Council also discussed this issue both formally and informally.
- But many developed countries are opposing the move due to their arguments in favour of IP Protection.

Arguments for Intellectual Property Rights laws

The supporters of IP protection mention the below-mentioned points for strengthening IP policies through a network of national and international laws.

- Intellectual Property Rights **incentivises innovation**. It will provide income to the company invested in its research and capacity. So, the IPR policies will incentivise the companies to perform more research for their incentives.
- Higher cross-border IP protection would bring in **greater dividends for their pharmaceutical corporations**. The company can expand their operations in other countries and provide solutions to the domestic problem also in future.
- **The Exemption clause to provide waiver:** The country can get a waiver from the WTO if it wants a waiver for manufacture, sale, and usage. The WTO even provided collective waivers in two instances. Such as
 1. In 2003 **waivers from certain GATT obligations** were granted by the WTO to some countries. This is provided after they adopted certain necessary measures to prohibit the export and import of rough diamonds to non-participant countries in the [Kimberley Process Certification Scheme](#)
 2. In 2003, the General Council waved off export restriction under the compulsory licence. This is to provide more accessibility of medicines in LDCs and other developing countries that lacked manufacturing ability.

Arguments against Intellectual Property Rights laws

1. **Deny Right to health:** Intellectual Property Rights especially patents, **hinder the introduction of affordable vaccines and drugs** in developing countries. Thereby, denying people their right to health.
2. Patents can **block the wider accessibility** of vaccines and **prolong the pandemic**. For example, the entire vaccination exercise will end the pandemic not the invention of the vaccine and patenting it. So, the patents are reducing the accessibility of vaccines.
3. **Ambiguous definition:** the term “exceptional circumstances” mentioned in the WTO Agreement is not mentioned anywhere in the Agreement.
4. **Preconditions to waiver:** There are certain preconditions attached to the waiver. Such as, the pharmaceutical company must manufacture only the necessary amount to meet the needs of the eligible importing country
5. **Conditions in waivers:** The waivers from the Intellectual Property Rights has so far come with stricter terms and conditions. For example, in waiving of export restriction on compulsory licence the conditions are,
 - The LDC and other developing countries have to notify the TRIPS Council that they have insufficient or no manufacturing capability to manufacture the drug.
 - They need to specify the required quantity
6. **Challenge with the compulsory license:** The success of compulsory license depends on every country's manufacturing capability (As other countries cannot export them). Further, the developed countries will exercise great pressure on countries issuing a compulsory license. For example, In 2012, the US government put great pressure on India for issuing a compulsory licence to the generic version of Bayer's cancer drug.

Suggestions to improve vaccination

- WTO's TRIPS Council has to recommend the General Council “a waiver”. This has to include a waiver from the implementation, application, and enforcement of certain provisions of the TRIPS Agreement. These related to waiving IP rights like patents, copyright, and trademarks for prevention, containment or treatment of Covid-19.
- As the Covid-19 pandemic is the worst global health crisis in the last 100 years. So, in this situation, protecting Intellectual Property Rights will aggravate the crisis. The WTO has to permit countries having manufacturing capabilities to manufacture the vaccine and export them globally.

- Many LDC and developing countries lack manufacturing capability in the pharmaceutical sector. But, they need Covid-19 vaccines for their population. So the WTO and developed countries have to look beyond IP Protection.
- World Health Organization recently mentioned that “no one is safe unless everyone is safe”. So the vaccine manufacturers have to look beyond profit and try to serve Humanity. Further, the governments are ready to pay for vaccines, the only thing the global community expect from vaccine manufacturers is to set aside Intellectual property Rights during the Covid-19 pandemic alone.

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