

7 PM COMPILATION

1st to 30th June, 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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Orphaned Children in India – Explained, Pointwise

Introduction

According to the Ministry of Women and Child Development, 577 children across the country have been orphaned since April by the second wave of the pandemic. Experts suggest this is due to the **higher mortality rate of the young adults** between 30 and 40 age groups. Some children have been totally left alone as their entire immediate family succumbed to the virus. This increased the number of orphaned children in India, where the number was already high.

According to United Nations Children's Fund (UNICEF), India has **29.6 million orphaned and abandoned children since 2018**. This is more than the population of Sri Lanka. Only a fraction of these children is ending with a family due to low adoption rates in India.

Recently Prime Minister has announced a special **PM-CARES for Children scheme**. The scheme includes a comprehensive financial aid package for children orphaned due to the pandemic. Apart from the scheme, the government also established a **dedicated child helpline number 1098** for the emergency messages about children who have lost their families Covid-19. Though these steps are aimed at providing relief to orphaned children, these steps are not sufficient.

About the PM-CARES for Children scheme

The PM-CARES for Children Scheme will support children who have lost both parents or surviving parents or legal guardian/adoptive parents due to Covid-19. The major features of this scheme are,

- **Fixed Deposit in the name of the child:** PM CARES will create a corpus of Rs 10 lakh for each child when s/he reaches 18 years of age.
 - This corpus will be used to give monthly financial support from 18 years of age for the next five years.
 - On reaching the age of 23 years, he or she will get the **corpus amount as one lump sum for personal and professional use**.
- **Provisions for School Education:** The scheme contains provisions for the education of orphaned children under 18 years.
- **Support for Higher Education:** The child will be assisted in obtaining an **education loan for Higher Education** in India as per the existing Education Loan norms. The interest on this loan will be paid by the PM CARES.
- **Health Insurance**
 - All children will be enrolled as a beneficiary under Ayushman Bharat Scheme (PM-JAY) with a health insurance cover of Rs. 5 lakhs.
 - The premium amount for these children till the age of 18 years will be paid by PM CARES.

Challenges faced by children orphaned during the pandemic

1. **Increased Child Abuse:** Orphaned children faced more abuse during the pandemic. The amount of SOS calls received to the majority of the helpline numbers witness the increase in child abuse among orphaned children.
2. **High increase in the situation of temporary orphan state:** In many cases, a situation arises where one parent has succumbed to the virus and the other remains hospitalized. This resulted in a temporarily orphaned child of a single mother/father till the recovery of hospitalized parents.
3. **Impact of the emotional state of children:** There are children, who saw their parents die in front of their own eyes. Delicate counseling is the need of the hour for

them. Else, these traumatic events will resurface in their mind and impact the psychological and mental well-being of children.

4. **No available data:** Some children whose parents had both died, and now in the care of their aged grandparents. The situation of such children is in a much worse state. Neither the government nor any NGOs have complete data on such orphaned children.

Challenges in providing relief to orphaned children in India

1. **The low number of Child Care Institutions:** According to a study, only 0.5% of orphaned children reach orphanages. One in five districts in the country does not have even a single orphanage home. This results in numerous children reach the road and commit petty crimes for their survival.
2. **No separate legislation:** In India, Orphans and vulnerable children do not have separate legislation. Instead, they are **part of the Juvenile Justice Act**. But the primary focus of the Act is to provide punishments to children under 18 Years.
3. **Low adoption rates:** Ironically millions of children without parents and there is a rise in the number of infertile couples. But still, the adoption rate is not improved in India. According to the **Central Adoption Resource Authority's (CARA)** adoption statistics, there were only 3,276 in-country adoptions in 2017-2018. This is a dismal figure when compared to the number of orphaned children in India. This is due to reasons such as,
 - o **Adoption is seen as a last resort** for an infertile couple.
 - o **A low number of registered Child Care Institutions(CCI).** (Only registered CCI's can take part in adoption)
 - o Patriarchal mindset of Indian society, etc.

Suggestions to improve the life of orphaned children in India

To improve the situation of children orphaned during the pandemic

1. **Relaxation of adoption norms for children orphaned during a pandemic:** Instead of demanding institutional stay by the government, it is better for the child to be in kinship care with extended family. The **Child Welfare Committee** has to consider this option and allow the child to stay within kinship if s/he wishes. The committee can assess the option of a child from time to time to decide the situation.
2. **Creation of Separate Covid-19 isolation centers:** The government has to create separate isolation centers with trained child protection staff to take care of children. In that, the government can permit the parent to stay with the young child during distress times.
3. **Role of Grief and trauma counsellors:** The government can select high school teachers, nurses, mental health counsellors, and Anganwadi supervisors as a counsellor and train them at district level for improving the physiological well-being of children orphaned during the pandemic.

To improve the life of Orphaned children in India

1. **Creation of a database on orphaned Children:** The government has to ensure a proper census or survey of orphans. The government also needs to update them regularly. This will help the government to frame policies and programmes specific to orphaned children.
2. **Creating adequate Child Care Institutions(CCIs):** The government has to ensure at least one CCIs in every district. This will ensure each child without effective guardians reaching a Government facility.

3. **Enacting separate legislation:** The government has to enact separate legislation for orphaned children. The legislation has to include few important things such as,
 - Adequate **legal safeguard for orphaned children's school and higher education,**
 - Provisions for fostering care and adoption of children
 - **Heavy punishment for abusing an orphaned child**
 - If possible, the government can provide reservation in educational institutions and jobs for orphaned children
 - Provisions for **social security, child survivor benefits,** etc.
4. **Taking adequate steps to improve adoption:** The only lasting solution to the orphaned children situation is **improving the adoption rate** in India. The government has to take massive awareness campaigns to improve the situation.

Conclusion

India needs a short, medium, and long-term measures to ensure the safety of orphaned children. Third wave of Covid-19 is a possibility. This is why, India must ensure to formulate adequate guidelines for addressing the situation of orphaned children. Further, Indian society also needs to **think of adoption** from the point of the **welfare of the child** and not from the point of the parent like the child should have genes, blood, and lineage.

Challenges Facing Dairy Sector in India – Explained, Pointwise

Introduction

World Milk Day was celebrated on 1st June while National Milk day is celebrated on 26th November. Both days recognize the importance of milk for the health and well-being of an individual. Apart from nutritional benefits for health, the dairy sector in India is a crucial source of employment generation and a steady income for the majority of small and marginal farmers.

The sector has been performing well since the onset of **operation flood** in the 1970s. It is testified by India's occupation of top spot in terms of milk production. However, acquisition of a top position doesn't mean the sector is devoid of challenges. Indian dairy farmers are dealing with fragmented supply chains, poor returns, and high price sensitivity, all of which make the sector less lucrative.

Furthermore, the pandemic has created additional stress on the sector that demands immediate reform to enhance the income potential and resilience in the sector.

About the Dairy Sector in India

- Dairy is one of the biggest agri- businesses in India and a significant contributor to the Indian economy.
- It is the largest single agricultural commodity with a 4 % share in the economy.
- India is the **largest producer of milk** globally with 188 million MT production in 2019-20. It produces over **one-fifth of the global milk production**.
 - Organizations like **Amul, Mother Dairy, Kwality Limited**, etc. have played a pivotal role in expanding the production. Amul today has over 3.6 million milk producers nationwide.
 - Further, there has been a proliferation of private dairy enterprises that now account for more than 60 % of dairy processing capacity in the country.
- In the Gross Value Added (GVA) from agriculture, the livestock sector contributed 28 percent in 2019-20. Further, India witnesses a 6% growth rate in milk production every year.
- The dairy sector serves a wide range of consumer needs too – from protein supplements and health foods to indulgence foods such as yogurt and ice creams.

Significance of the Dairy Sector in India

- **Tackling agricultural uncertainties:** Farmers keep 2-5 milk animals for livelihood. They provide great support to them, especially during drought and flood. Further, dairying is not a seasonal occupation in nature, like agriculture.
- **Nutritional Support:** The milk and associated products have immensely helped India in reducing the malnutrition and undernourishment levels in the country. Thus, the dairy sector is indispensable for meeting the nutritional requirement of the country's rising population.
- **Employment Generation:** It is a significant contributor to farmers' income as approximately 70 million farmers are directly involved in dairying.
- **Reduces Import Bill: Operation Flood (also called as White Revolution)** converted India from a milk importer to the world's largest producer.
 - The program launched in 1970 and adopted a multi-pronged approach. This included tax incentives, food quality standards, subsidies on inputs, infrastructure provisions such as cold chain and electrification.
 - All this helped in reducing import bills and made India an exporter. The country exported dairy products worth \$187 Million in 2019-20.

- **Women Empowerment:** Female population comprises around 69% of the sector's workforce. They are dependent on the sector for their livelihood. Therefore, the dairy sector's development automatically augments women's empowerment.
- **Boosting other sectors:** The dairy sector provides cow dung which is used as an organic manure for the agricultural sector. Further, the sector provides raw materials to manufacture processed foods.
 - For instance, the whey protein powder is an extract from the watery portion of milk that separates from the curds during the cheese-making process.

How did the pandemic impact the dairy sector in India?

- In the first wave, agriculture and allied sectors put up a spectacular performance. It showed an annual growth of **3.4 %** while the economy contracted by **(-7.2 %)** in 2020-21.
- However, the dairy sector could not replicate this good performance in the second wave.
- **Challenges Faced by Sector**
- **Fragmented Supply Chain:** The fundamental challenge in dairy is maintaining quality and quantity within a diversified supply base. Due to its perishable nature, dairy requires more complex supply chain operations and logistics to ensure freshness and safety.
 - The sector also witnesses adulteration practices and overuse of antibiotics to boost production.
- **Price Sensitivity:** Milk producers are highly susceptible to even minor shocks. For instance, small changes in the employment and income of consumers can leave a significant impact on milk demand.
- **Unorganised Nature:** The majority of cattle raisers are unorganised unlike sugarcane, wheat, and rice-producing farmers. This nature further inhibits the creation of political clout to advocate for their rights.
- **Data Deficiency:** There is no official and periodical estimate of the cost of milk production. Even though, the value of milk produced outweighs the combined value of the output of wheat and rice in India.
- **Poor returns:** There is no MSP (Minimum Support Price) for milk unlike 24 major agricultural commodities in the country including wheat and rice. Further, dairy cooperatives are not a preferred choice for landless or small farmers.
 - The cooperatives adopt a fat-based pricing policy which is 20 to 30 % less than the price in the open market.
 - Further, dairy cooperatives buy more than 75% of milk at its lower price band.
- **Competition from alternatives:** The traditional cow and buffalo milk is shunned by some consumers for more eco-friendly alternatives like 'Soy Milk' or 'Almond milk'. They believe that the carbon footprint of plant-based milk products is much lesser than the traditional dairy products.

Impact of Pandemic

1. **First**, the threat of disease has restrained the door-to-door sale of liquid milk to households. This has forced the farmers to sell the entire produce to dairy cooperatives at a much lower price.
2. **Second**, the lockdown had led to the closure of shops. This has reduced the demand for milk and milk products.
3. **Third**, the severe shortage of fodder and cattle feed has pushed up the input cost.

4. **Fourth**, private veterinary services have almost stopped due to Covid-19. This has led to the death of milch animals.

Government Initiatives for the dairy sector in India

The government introduced various [initiatives to boost the dairy sector](#) in India. Such as,

- **Rashtriya Gokul Mission:** It was launched in 2014 under the National Programme for Bovine Breeding and Dairy Development.
- **Objectives:**
 - Development and conservation of indigenous breeds
 - Breed improvement programme for indigenous cattle breeds to improve their genetic makeup and increase the stock
 - Enhancement of milk production and productivity
 - Upgradation of nondescript cattle using elite indigenous breeds like Gir, Sahiwal, Rathi, Deoni, Tharparkar, Red Sindhi and
 - Distribution of disease-free high genetic merit bulls for natural service.
- The government has launched a **Nationwide AI (artificial insemination) program**. It targets to augment annual milk productivity from 1,860 kg/per animal to 3,000 kg/per animal upon its completion.
- The government launched the **National Livestock Mission in 2014-15**. It broadly covers all the activities required to ensure quantitative and qualitative improvement in livestock production systems and capacity building of all stakeholders. The major objectives of the mission:
 - Reduce the gap in demand and availability of feed and fodder,
 - Conservation and improvement of indigenous breeds,
 - Ensure higher productivity and production in a sustainable and environmentally friendly manner
 - Enhance livelihood opportunities and increase awareness
- The government established a **Dairy Processing & Infrastructure Development Fund (DIDF)** in 2017. It aims to modernize the milk processing plants and create additional infrastructure for processing more milk.
- The **dairy farmers have been included in the Kisan Credit Card (KCC) programme**. It provides adequate and timely credit support from the banking system to the farmers for their cultivation and other needs.
- Similarly, **dairying was brought under MGNREGA** to compensate farmers for the income loss due to Covid-19.

Suggestions

- The government should **support start-ups** that come up with a solution-oriented approach.
 - For instance, **Country Delight** is a Haryana-based dairy-tech company that is providing quality milk at consumers' doorstep.
 - The milk undergoes 26 quality tests and farmers deliver it directly. This ensures good quality and optimum pricing.
- The producers should be given the requisite support to **enter into value-added segments such as ice cream, yogurt, cheese, and whey**. These segments show profit margins of 20%, which is much higher than the 3-5% margin in the case of simple milk produce.
- The dairy farmers must be given a **stable market and remunerative price** for the milk. For the price, a greater weightage should be accorded to the quantity of milk than its fat content.

- The government should focus on a **hub and spoke model**. Under this, the main farm (hub) should have all integrated facilities for milking, feed production, and milk processing.
 - The connected farms (spokes) should have a basic infrastructure for milking and cattle management. The hub should also provide technical, veterinary, and training support to their spokes for inclusive development.

Conclusion

The current situation demands a sustainable development of the dairy sector. This development should be in line with the environmental, nutritional, and socio-economic demands of the country. Government should take robust steps in order to make dairy farming more lucrative for the small and marginalized farmers.

Source: [The Indian Express](#)

Naomi Osaka Episode and Mental health in India – Explained, pointwise

Introduction

According to the [World Health Organization](#) (WHO) estimate, **mental health illness makes about 15% of the total disease conditions** around the world. Mental illness needs psychological, emotional, and social well-being initiatives to get a cure. If not treated properly, it might even [lead to suicidal behaviour](#) among the individual.

Recently, Japanese Tennis player Naomi Osaka's decision to withdraw from the French Open citing depression put mental health issues in the spotlight once again. Earlier she issued a statement saying that she would not do press conferences at the French Open and ready to pay a fine for that. Committing to her statement, she refused to give an interview after the match. But the tennis officials issued a statement to give interview in future. The officials also mentioned that she might face expulsion from the present tournament and other Grand Slam events in case of failure to abide. Following that, she took a decision to withdraw from the current event altogether.

Emotional and mental health is more important, as it impacts the thoughts, behaviours and emotions of an individual. But mental health issues generally don't receive much attention unless some extreme events occurred. Both the individual and the government have to take the necessary steps to improve mental health.

Previous such examples of mental health issues

- Norwegian Prime Minister diagnosed with depression in 1998. After that he revealed his illness to the public and went on medical leave for three weeks, leaving an acting Prime Minister to carry out the national duty.
- Bollywood actor Sushant Singh Rajput's tragic death has triggered a much-needed conversation around mental health in India.
- In recent years, several celebrities open up about their mental health concerns. Such as Deepika Padukone, J.K. Rowling, Beyonce and Meghan Markle.

What is Mental illness?

Mental illnesses are health conditions involving changes in a person's emotion, thinking, or behavior (or a combination of these). Mental illnesses are associated with distress and/or problems of functioning in social, work, or family activities. For example, people with **bipolar disorder and schizophrenia** are significantly disturbed, dangerous to themselves and others.

Major factors contributing to mental health problems include,

- Biological factors, such as genes or brain chemistry
- Life experiences, such as trauma or abuse
- Family history of mental health problems

India and Mental health

According to The Lancet report published in February 2020, there **were 197.3 million people with mental disorders** in India in 2017. The report also explains the following things,

- The top mental illnesses were **depressive disorder** and **anxiety disorder**, impacting 45.7 million and 44.9 million respectively.
- The contribution of mental health disorders to the total Disability-Adjusted Life Years (DALYs) in India increased from 2.5% in 1990 to 4.7% in 2017.
- The Southern states namely Tamil Nadu, Kerala, Telangana, Karnataka, and Andhra Pradesh accounted for a higher prevalence of mental disorders.

- According to an estimate by the World Health Organization (WHO), India has one of the largest populations affected by mental health illness. So, in 2018 the WHO labelled India as the world's '**most depressing country**'.

Challenges in improving mental health in India

1. **Lack of resources:**
 - a. **The low proportion of mental health workforce:** According to the WHO, there were 0.301 psychiatrists and 0.047 psychologists for every 100,000 patients suffering from a mental health disorder in India. This is a very low number compares to the number of mental health patients.
 - b. **Low Budgetary allocation:** India is barely spending 0.5% of the health budget on the mental health sector. For example, in the recent budget **only Rs 40 crore** has been allocated **for the National Mental Health Programme** among the total health sector allocation of Rs. 2.23 lakh crore.
2. **Lack of awareness and sensitivity about mental health issues:** This is the first and foremost reason for high mental health illness in India. Apart from that, there is also a high prevalence of **social stigma and abandonment of being mentally ill** in India.
3. **Loss to Economy:** According to WHO, the burden of mental disorders is maximal in young adults. As most of the population is young, delayed or non-treatment of mentally ill persons will result in economic loss in terms of man-days.
4. **Treatment gap:** Most of the mental healthcare facilities are located in urban areas. According to estimates, nearly 92% of the people who need mental health care and treatment do not have access to any form of mental health care.
5. **High out-of-pocket expenditure:** The Majority of mental health issues tend to increase during economic downturns. The insurance schemes also cover only physical injuries, not mental ones. This results in high out-of-pocket expenditure during economically distress time.
6. **Prone to abuse:** Mentally ill patients are vulnerable to and usually suffer from physical abuse, sexual abuse, wrongful confinement, etc.

Impact of Covid-19 on Mental Health

Many Surveys have indicated that the pandemic is increasing mental health problems in India.

- An integrated health care company, Practo reported a **665% jump in the number** of mental health consultation.
- Further, **More than two-thirds** of these consultations belongs to the age of 21-40.
- Most commonly consulted mental health topics are **anxiety, stress and panic attacks**.
- **Global steps to improve mental health**
- The **Mental Health Atlas** was launched by WHO in 2017.
- **WHO Special Initiative for Mental Health:** It was launched in 2019. It aims to bring **attention to the high global burden of disability** arising from disorders of mental health. Further, the initiative also aims to **accelerate a multi-sectoral response** to improve care for mental health problems.
- **Target 3.4 and 3.5 of the Sustainable Development Goals** talk about reducing mental health illness for the global community.

Indian initiatives to improve mental health

1. **National Mental Health Programme (NMHP):** India launched NMHP in 1982 to improve the status of mental health in India. It has three important components. Such as Treatment of the Mentally ill, Rehabilitation and Prevention and promotion of positive mental health.
2. **The Mental Health Care Act (MHCA) 2017:** This Act repealed the Mental Health Act, 1987. The Act seeks to ensure the rights of the person with mental illness to receive care and to live a life with dignity. Few salient provisions of the Act are,
 - a. **Central and State Mental Health Authorities:** The Act established these authorities for regulation & coordination of mental health services in India.
 - b. **Right to make an Advance Directive:** Under this, every person can state how to be treated or not be treated for the illness during a future mental health situation.
 - c. **Right to appoint a Nominated Representative:** Every person also has the right to appoint a nominee to take, on his/her behalf, all health-related decisions.
 - d. **Changes in Section 309 of the Indian Penal Code:** This section of IPC criminalized the attempt to commit suicide. After the enactment of the Act, a person who attempts to commit suicide will be presumed as a person “suffering from severe stress”. The person will also not subject to any investigation or prosecution.
3. **KIRAN helpline:** It is a 24/7 toll-free helpline launched by the Ministry of Social Justice and Empowerment. This helpline provides support to people facing anxiety, stress, depression, suicidal thoughts, and other mental health concerns.
4. **Manodarpan Initiative:** It is an initiative launched by the **Ministry of Education** under **Atmanirbhar Bharat Abhiyan**. The initiative provides psychosocial support to students, family members, and teachers for their mental health and well-being during the times of Covid-19.
5. **RAAH app:** It is a mobile application that provides free information to the public on mental health care professionals and mental healthcare centres. The National Institute of Mental Health and Neuro-Sciences(NIMHANS) has compiled a one-stop source online mental health care directory.
6. **MANAS App:** MANAS stands for Mental Health and Normalcy Augmentation System. It is a comprehensive, scalable, and national digital wellbeing platform. It has been developed to promote the mental well-being of Indian citizens.

Suggestions to improve Mental health in India

1. **Increasing Awareness:** The government has to increase mental health awareness and also take necessary steps to reduce social stigma. This will improve the timely undertaking of treatment.
2. **Increase budgetary allocation:** The government has to increase the budgetary allocation to the mental health sector. The government also has to train the ground level (ASHA, ANM, AWW) workers to improve mental health among the public.
3. **Better coordination between Center-States:** Healthcare is a state subject, so both Center and State should have better coordination
4. **Reducing out-of-pocket expenditure:** The government has to provide financial support to reduce out of the pocket expenditure. Further, the government and private insurance policies should include mental health care in their insurance benefits.

Conclusion

According to the WHO, the countries have to act swiftly to improve mental health. Else in 2030, **depression will be the leading illness** globally. So, India has to take the necessary steps to improve the state of mental health. Increasing budgetary spending and creating awareness is the key to reduce mental illness.

ForumIAS

Sedition law in India: Arguments for and against- Explained, pointwise

Introduction

Recently the Supreme Court invalidated a [sedition](#) case filed against a journalist. In judgement, the court held that “**Every journalist is entitled to protection under the Kedar Nath Singh judgement**”. This is not an exceptional case, where the Supreme court has criticized the application of Section 124A(Sedition). In the past also, the judiciary has criticized the implementation of sedition law in India.

Earlier this week also, the Supreme Court held that the interpretation of [Section 124A needs a relook, particularly in the context of media freedom](#). In 2018, the **Law Commission of India** also published a consultation paper recommending that it is **time to re-think or repeal Section 124A** of the Indian Penal Code. In this article let's understand the arguments for and against repealing Sedition.

About the recent case of Sedition

- In 2020, a local political leader from Himachal Pradesh filed a [sedition case against a journalist](#) over his comment on a YouTube show criticizing the central government.
- The police also filed an FIR and charged him under sections 124A (sedition), 268 (public nuisance), 501 (printing matter known to be defamatory) and 505 (statements conducive to public mischief).
- The Supreme court recently held that the charges are invalid. The court cited the **Kedar Nath Singh judgement, 1962**.
 - In 1962, the Supreme court held that the sedition charges could not be invoked against a citizen for criticizing government actions. As right to criticize is in conformity with the freedom of speech and expression.

What is sedition?

- In India, Sedition falls under section 124A of the IPC (Indian Penal Code).
- It is defined as any action that brings or attempts to **bring contempt or hatred towards the government of India**.
- Sedition cases are punishable with a maximum sentence of **life imprisonment**.
- It is classified as “**cognizable**”(No need Court warrant to arrest the person) and a “**non-bailable**” and “**non-compoundable**” offence (*In a compoundable offence, charges against the accused can withdrawn*)
- A person charged under this provision **can't apply for a government job**.
- She/he has to **live without their passport**. Apart from that, they must present themselves in court as and when required.

History of Sedition law in India

Sedition law was first enacted in **17th century England**. Later it was inserted into IPC in 1870.

1. The section was introduced initially to deal with increasing Wahabi activities between 1863 and 1870. These activities posed a challenge to the colonial government.
2. Some of the most famous sedition trials of the late 19th and early 20th century involved Indian nationalist leaders.
 - The first among them was the trial of **Jogendra Chandra Bose** in 1891. He was the editor of the newspaper, **Bangobasi**. He wrote an article criticizing the Age of Consent Bill for posing a threat to the religion and for its coercive relationship with Indians.

- It was also **used to prosecute Bal Gangadhar Tilak** (for his writings in Kesari) in **1897**.
- The other well-known case was the sedition trial of **Mahatma Gandhi** in 1922. Gandhi had called Sedition “**the prince among the political sections of the IPC designed to suppress the liberty of the citizen**”.

Judicial interventions on Sedition law in India

1. In 1951, the **Punjab High Court** had ruled Section 124A to be **unconstitutional**. A similar ruling was passed in 1959 by the Allahabad High Court, which also concluded that it struck at the very root of free speech.
2. **Kedar Nath Singh v State of Bihar, 1962:**
 - The Supreme Court has **upheld the constitutionality of Section 124-A** (sedition) on the basis that this power was required by the state to protect itself.
 - However, it said that every citizen has a right to say or write about the government by way of criticism or comment. A citizen can criticize the government to the extent it does not incite people into violence against the government or with the intention of creating public disorder.
3. **P. Alavi vs State of Kerala, 1982:**
 - The Supreme Court held that **sloganeering, criticizing of Parliament or Judicial setup** does not amount to sedition.
4. **Balwant Singh v State of Punjab, 1995:**
 - The Supreme Court acquitted persons from charges of sedition for shouting slogans such as “Khalistan Zindabad”.
 - The court held that mere raising of slogans by two individuals alone cannot be said as sedition. Further, it is also not considered as an attempt aimed to excite hatred or disaffection against the government.
5. **Sanskar Marathe vs The State Of Maharashtra, 2015**
 - In this case, the Bombay High Court issued certain guidelines Police officials must follow before filing a sedition case against anyone.
 - **These guidelines include an objective evaluation of the seditious material.** By evaluation, the police **must form an opinion** on whether the words and actions caused disaffection and disloyalty to the government.
6. **Rajat Sharma v. The Union of India Case, 2021**
 - In this case, the court ruling said that **disagreeing with the views and policies of the government** will not attract the offence of sedition. So the provision of Sedition cannot be invoked to quiet the disquiet ([criminalizing the critics](#)).

Arguments supporting the sedition law in India

1. Section 124A of the IPC has its utility in **combating anti-national, secessionist and terrorist elements**
2. It **protects the elected government from attempts to overthrow the government with violence and illegal means**. The continued existence of the government established by law is an essential condition of the stability of the State
3. If contempt of court invites penal action, **contempt of government should also attract punishment**
4. Many districts in different states face a **Maoist insurgency** and rebel groups virtually run a parallel administration. These groups openly advocate the overthrow of the state government by revolution

5. So, the abolition of Section 124A would be ill-advised merely because it has been **wrongly invoked in some highly publicized cases.**

Arguments against the sedition law in India

1. **Poor implementation of court guidelines:** Every time the sedition case was getting quashed, the Judiciary guided the **law enforcement agencies** regarding its application. But the **law enforcement agencies** are not following the guidelines in letter and spirit.
2. **Increasing misuse of sedition:** The recent reports show that **the number of cases of sedition under Section 124A increased** by 160%. Whereas the rate of conviction dropped to 3.3% in 2019 from 33.3% in 2016.
3. **Abolition of Sedition in the UK:** The U.K. abolished the offence of sedition in 2010. Whereas, India is still retaining the law given by the British Empire.
 - o Similarly, in Australia also, following the recommendations of the Australian Law Reform Commission (ALRC) the term sedition was removed and replaced with references to 'urging violence offenses'.
4. **Recommendation of Law commission:** In 2018, the Law Commission of India questioned how far it is justified to retain Section 124A. It even suggested to re-think or repeal the Section 124A of the Indian Penal Code.
5. **Against India's international Commitment:** In 1979, India ratified the **International Covenant on Civil and Political Rights (ICCPR)**.
 - o It sets forth internationally recognized standards for the protection of freedom of expression. However, misuse of sedition and arbitrary slapping of charges are inconsistent with India's international commitments.
6. **IPC and Unlawful Activities Prevention Act** have provisions that penalize "disrupting the public order" or "overthrowing the government with violence and illegal means". These are sufficient for protecting national integrity. There is no specific need for Section 124A.

Suggestions

1. The government has to **educate the Law enforcement authorities to prevent the problem of misuse.** The enforcement authorities might be trained regarding the application and non-application cases of sedition and other criminal defamation suits.
2. **Parent-Child approach:** The state must act like it is the parent of all its citizens. Despite the insult (sedition) by children (citizen), parents don't discard their children quite easily.
3. State should also accept the fact that **public figures must face criticism.**
4. **The Protection of Speech and Reputation Bill, 2016** in modified form can be enacted by the government. The Private member bill has certain important provisions such as
 - o Setting the maximum claim limits and barring governments, local bodies and other institutions (statutory functions) from filing suits for defamation and sedition.
 - o Providing punishments such as apologies, corrections and retractions, for a lesser form of crimes.

Conclusion

India is the largest democracy in the world and the right to free speech and expression is an essential ingredient of democracy. Dissent is the lifeblood of democracy. If the criticisms reach at the right time to the government, then it can save a lot of resources, government

machinery, etc. On the other hand, to secure national integrity, divisive forces have to be kept in check. Preventing wrongful enforcement and misuse alone can remove the majority of the criticism against the Sedition. So the government must prioritize that.

ForumIAS

Model Tenancy Act: Need and Challenges – Explained, pointwise.

Introduction

The Union Cabinet chaired by the Prime Minister has approved the [Model Tenancy Act](#) and circulated it to all States/Union Territories. The Ministry of Housing and Urban Affairs had earlier released the draft guidelines in July 2019. The Act aims to [bridge the trust deficit between tenants and landlords](#) by clearly delineating their obligations. It aims to create a [vibrant, sustainable, and inclusive rental housing market in the country](#).

However, the success of the act depends upon the ground level realisation of the notified provisions. Further, it is not binding on states as Land is a state subject under List 2 of the Seventh Schedule. Therefore, optimum benefits would be generated only when states adopt the act in letter and spirit.

Salient features of the Model Tenancy Act

- **Mandatory Rent Agreement:** The act makes it mandatory to create a written lawful rent agreement between the owner and tenant.
- **Rent Authority:** The Act requires establishing rent authorities in every district to regulate renting of premises.
 - Both the landlord and tenant will have to submit a copy of the rent agreement to the district Rent Authority.
 - The proposed authority will also provide a speedy adjudication mechanism for the resolution of disputes.
- **Tribunal and Courts:** It calls for creating dedicated tribunals and courts for dealing with tenancy related disputes.
- **Security Deposit:** The act puts a **cap** on the amount of security deposit. It will be a maximum of **two months** of rent in case of residential premises and **six months** in case of non-residential premises.
- **Subletting:** The act bars tenants from subletting the property in part or whole.
- **Vacating Rental Premises:** It says that if a landlord has fulfilled all the conditions stated in the rent agreement, then the tenant has to vacate the premises.
 - If the tenant fails to vacate the premises, then the landlord is entitled to double the monthly rent for the first two months and four times after that.
- **Increase in Rent:** The rent can be revised according to the terms and conditions mentioned in the agreement. If there is no such agreement, the landowner will have to give a 3 months notice to the tenant before revising the rent.
- **Coverage:** The Act will apply to premises rented for residential, commercial, or educational use but not for industrial use. It also won't cover hotels, lodging, etc. This model law will be applied prospectively and will not affect existing tenancies.

Need of the Model Tenancy Act

1. **Obsolete Laws:** The current tenancy regime is governed by the decades-old **Rent Control Act, 1948** and its varied versions adopted by the state governments.
 - These obsolete laws are [more biased towards the tenant](#) and were made with the sole intention of preventing exploitation of tenants by landlords.
 - Further, many of the old laws have **not amended in over two decades**, ensuring that the [rent ceiling remains capped](#) at the levels prevalent in the [late 90s](#).
2. **Institutionalise the Rental Market:** Currently, the **rental market is largely informal** in nature. The rents are raised anytime, summary eviction of tenants is quite common. Sometimes the malicious tenants are seen **illegally occupying the**

- rented property.** All this would be curtailed by the enactment of the new act as it forbids verbal rental agreements.
3. **Better Grievance Redressal:** The establishment of a rent authority in every district and provision for rent courts/tribunals will enable quick and efficient settlement of disputes. The current process of dispute settlement through traditional courts is very long and expensive.
 4. **Encourage Renting:** As per Census 2011, **nearly 1.1 crore houses were lying vacant in urban areas across the country.** The act gives sufficient rights to landowners, which may encourage greater renting and reduce homelessness.
 - o Further, the act will [encourage the private sector to develop housing projects](#) for rent purposes.
 - o In India, the rental yield for residential property is quite low, even in bigger cities. It is in the range of 1.5% to 3% of the capital values due to obsolete laws.
 5. **Preventing Unnecessary Financial Burden:** The act places a cap of two months on the security deposit. This reduces financial strain on tenants and encourages more renting.
 - o Currently, the **security deposit in Mumbai and Bengaluru can reach 6-8 times** the monthly rent.
 6. **Respecting the privacy of the Tenant:** The landlords in India have a **habit of entering the rented property** as per their will. It violates the tenant's Right to Privacy under Article 21 of the Indian Constitution. But now a notice of 24 hours needs to be given before entering.
 7. **Minimise creation of Unauthorised Colonies:** As renting would be made safer and easier, therefore people would be **disincentivized to live in slums and unauthorized colonies.**

Challenges with the Model Tenancy Act

1. **Non-Binding nature:** Land and Urban Development is a state subject. The states may or may not adopt the proposed law, as done by them in the case of [Real Estate \(Regulation and Development\) Act](#).
2. **Prospective effect:** The new model act would have a prospective effect. This means it would be applicable to future disputes only, hence past disputes would continue to linger on for years.
3. **Inadequate Security Cover:** Security Cap for two months may not be enough to cover damages, especially during the last month when tenants adjust their rent in the security deposit.
4. **Lacunae in the formation of the Act:** The act fails to properly define the term '[habitation](#)'. Further, it fails to mention the penalty if the owner delays in paying back the security deposit. Also, it is altogether silent on sudden leave and license arrangements.

Suggestions

1. States must immediately adopt the Model Tenancy act as per their peculiar needs. However, they should refrain from diluting the true spirit of the act like the [West Bengal did it with WB HIRA](#).
2. Further, they can allow retrospective application of the act for some specific set of cases in order to expedite the grievance redressal process.
3. States will have to invest time and resources to set up rent authorities, rent tribunals and rent courts for effective implementation of the Model Tenancy Act.

Conclusion

The government has laid a good framework that balances the social welfare of tenants and the economic interests of landlords. The states now just need to adopt the Model Tenancy Act as per their peculiar requirements. This will help them in releasing the dream of Housing for All by 2022.

ForumIAS

Tackling pandemic in Rural India – Explained, pointwise

Introduction

The impact of the pandemic in Rural India is quite high, especially the second wave. The positivity rate is quite high due to which India has witnessed the loss of many human lives. The situation becomes even more concerning when one looks at the dismal state of rural health infrastructure that is devoid of quality infrastructure and a sufficient number of healthcare professionals.

The time is ripe for the government to **focus on rural India and rural healthcare** in particular if it seriously wants to defeat the pandemic and prepare the region for future challenges. For this, a host of new measures are desired including greater devolution of funds towards rural healthcare and robust training of healthcare functionaries in the rural region.

Impact of the pandemic in Rural India

- **Loss of Human Lives:** The first wave didn't reach smaller towns and hinterland regions. However, this situation was reversed in the second wave.
 - Health ministry data for the last two weeks of May found that **66 percent of the districts having a test positivity rate of 10 percent or more were rural**. This automatically resulted in greater deaths in these regions.
- **Increasing Unemployment:** Many rural people lost their jobs amongst the second wave of the Pandemic. According to the Centre for Monitoring Indian Economy (CMIE) data, the **unemployment levels in rural India touched 14% in May 2021**.
- **Reduction in Non-Farm activities:** The pandemic didn't brutally impact the agricultural output, but it left an impact on non-agricultural activities of the rural region.
- **A rise in medical expenses:** The poor state of the health care system induced a heavy financial burden on the rural masses. They had to travel long distances and pay hefty fees for getting treatment facilities.
 - Many non-infected people created a buffer for future medical emergencies by reducing their demand for other products.
- **Psychological Stress:** The first wave of the pandemic forced the migrants to travel 500-1000 km barefoot towards their homes. In the second wave, a lesser quota of vaccines was allocated to rural regions that created a **feeling of being second class citizens** in their own country.
- **Education Divide:** The pandemic enhanced the pace of digitalisation in the country. Both the teachers and students shifted towards the online medium. However, this progression enhanced the education divide in the country due to the poor availability of the internet, electricity and electronic gadgets in the rural regions.
- **Prevalence of Hunger and Malnutrition:** Both of them are rising in rural regions as schemes like Mid-day meal have come to a halt in many states. Further loss of income has reduced access to quality food.

Need to give attention to Rural India during the Pandemic

- **Population Size:** Around 65% of the population resides in rural areas. If the country wants to control the pandemic and achieve herd immunity, then **adequate vaccination in rural regions is the need** of the hour.
- **Greater Vulnerability:** The region comprises people who are not as affluent and resilient as their urban counterparts. Their **ability to absorb extreme situations** like a pandemic **is very less** due to inadequate financial cushions.
 - Many in rural regions are hand to mouth workers who barely possess emergency funds of 2-4 days.
- **Inadequate Health Care System:** The rural health care system in India is not adequate or prepared to contain COVID-19 transmission. This can be seen more evidently in densely populated regions of northern states. As they face a shortage of doctors, hospital beds, and equipment.
 - As of March 2018, there was a **shortfall in health care facilities** in rural regions. It was 18% at the Sub-Centre level, 22% at the PHC (Primary Health care) level and 30% at the CHC (Community Health Care) level
- **Country's Economic Revival:** The rural sector provides human resources for sectors such as retail, construction, manufacturing, hospitality, education and transportation. Further, continued consumption expenditure by the rural population creates demand for multiple goods and boosts the overall economy.
 - This is worrisome as India's economy contracted by 7.3 percent in 2020-21, marking its worst performance in over four decades.
- **Reducing expenditure on healthcare:** Robust Rural health infrastructure will help in treating the disease at the primary level. It will help us save a lot of money and resources that are further spent at secondary and tertiary level health care.

Government Initiatives towards the betterment of Rural India during the pandemic

- The **E-Sanjeevani platform** provides virtual consultations to patients including patient-to-provider and provider-to-provider consultation.
 - Under this a hub and spoke model was used which connected smartphone equipped rural wellness centres to specialist doctors located in cities.
- The government announced **additional grains for the poor** under the **Pradhan Mantri Garib Kalyan Yojana**.
- The Centre **had allocated 73,000 crore rupees for 2021-22 for MGNREGS (Mahatma Gandhi National Rural Employment Guarantee Scheme)** and notified an annual increment of about 4% in wages.

Challenges in vaccination and controlling the pandemic in rural India

- **Supply of Vaccines:** The supply of vaccines has been biased towards the urban centres.
 - The government allowed private sales of vaccines for adults aged under 45 years, this favoured residents of cities with larger private hospital networks.
 - For the first four weeks of May, nine big cities (Delhi, Mumbai, Hyderabad etc.) gave 16 % more doses than all the combined rural districts.
- **Vaccine Hesitancy:** It refers to delay in acceptance of vaccines or refusing vaccines despite their availability. The **rate of vaccine hesitancy is higher in rural regions** due to lower literacy levels.

- **Infrastructure Deficit:** The rural regions have a scarcity of testing services, weak surveillance system and poor medical care. This creates an impediment in taking relevant measures towards the pandemic.
- **Human Resource Constraints:** Many health care providers in rural areas are unregistered and untrained and do not know what to do in such an emergency.
 - There is a **shortfall of 81.8% specialists** as compared to the requirement for existing CHCs.
- **Poor Approach:** The State has **focused more on curative care rather than preventive care**. This enhances the burden on the rural healthcare system and puts a greater economic impact on the masses in terms of higher medical bills.
- **Sharing of Burden:** The central government is taking lesser responsibility towards easing the situation arising from state lockdowns. Some states (such as Kerala and Tamil Nadu) have announced relief measures, but others have not done much. The latter ones are not in a position to do much because of their financial situation.

Suggestions to tackle the pandemic in Rural India

- The central government should ensure robust development of the rural health network (SHCs, PHCs and CHCs) by providing a **greater amount of funds**.
- The government should take active support from public-spirited citizens. For instance, **Swasthya Kalyan Samitis**, or SKSs were constituted for all CHCs and PHCs in haryana.
 - It allowed health providers to engage with all kinds of rural community organisations (panchayats, municipal bodies, non-governmental organisations etc.) and minimise the adverse impact of the pandemic on rural life.
- Rural health networks should have **access to the health data** of people in their respective areas. This will enable them to identify those likely to slip into the secondary or tertiary care zone.
- There is also a **need to conduct Regular health camps**. It will help us to identify those on the verge of developing tuberculosis, hypertension, diabetes or any diseases owing to their socio and economic conditions.
- India can **establish an independent team of experts under the aegis of the WHO**. They will ensure adherence to recruitment standards, consent conditions, adverse event record management, and compensation standards.
 - This will **improve public confidence and provide enough data for the future policies** of the government.
- The [center should do the bulk purchase of vaccines](#) rather than leaving the states at their own mercy. Further **voluntary licencing** of patents must be encouraged to boost the production in a lesser time and attain the goal of universal vaccination.
- The country should also adopt new methods like **Remote shared medical appointments**. This would allow virtual interaction of a doctor with multiple patients having similar issues, thereby saving cost and time.

Conclusion

The government should take immediate steps to control the pandemic in Rural India. They must use this as an opportunity to strengthen and [improve the primary health care system in rural India](#), thereby preventing it from becoming the next Covid-19 hotbed.

SDG India Index and India's Sustainable development – Explained, pointwise

Introduction

Recently the NITI Aayog has released [SDG India Index 2020-21](#). In that, India's overall SDG score improved by 6 points — from 60 in 2019 to 66 in 2020-21. Areas such as **Industry, innovation and infrastructure showed a considerable decline** in the current index. The report also points out **socioeconomic and governance gaps** in India.

India's progress in SDGs is crucial for the world as India is home to about 17% of the world population. With the advent of the global Pandemic, India might face a huge challenge in fulfilling its sustainable development goals.

Sustainable Development Goals and SDG India Index

- The Sustainable Development Goals (SDGs) were adopted in September 2015 as a part of the resolution, 'Transforming our world: the 2030 Agenda for Sustainable Development. India is committed to achieving the 17 SDGs and the 169 associated targets. These comprehensively cover social, economic and environmental dimensions of development and focus on ending poverty and hunger in all its forms and dimensions.
- At the Central level, NITI Aayog has been assigned the role of overseeing the implementation of SDGs in the country.
- Under this mandate, the **SDG India Index** was launched in 2018 by NITI Aayog in collaboration with the United Nations.
- The **SDG India Index** acts as a bridge between India's SDG Progress and aligning India's SDG with the global SDGs.

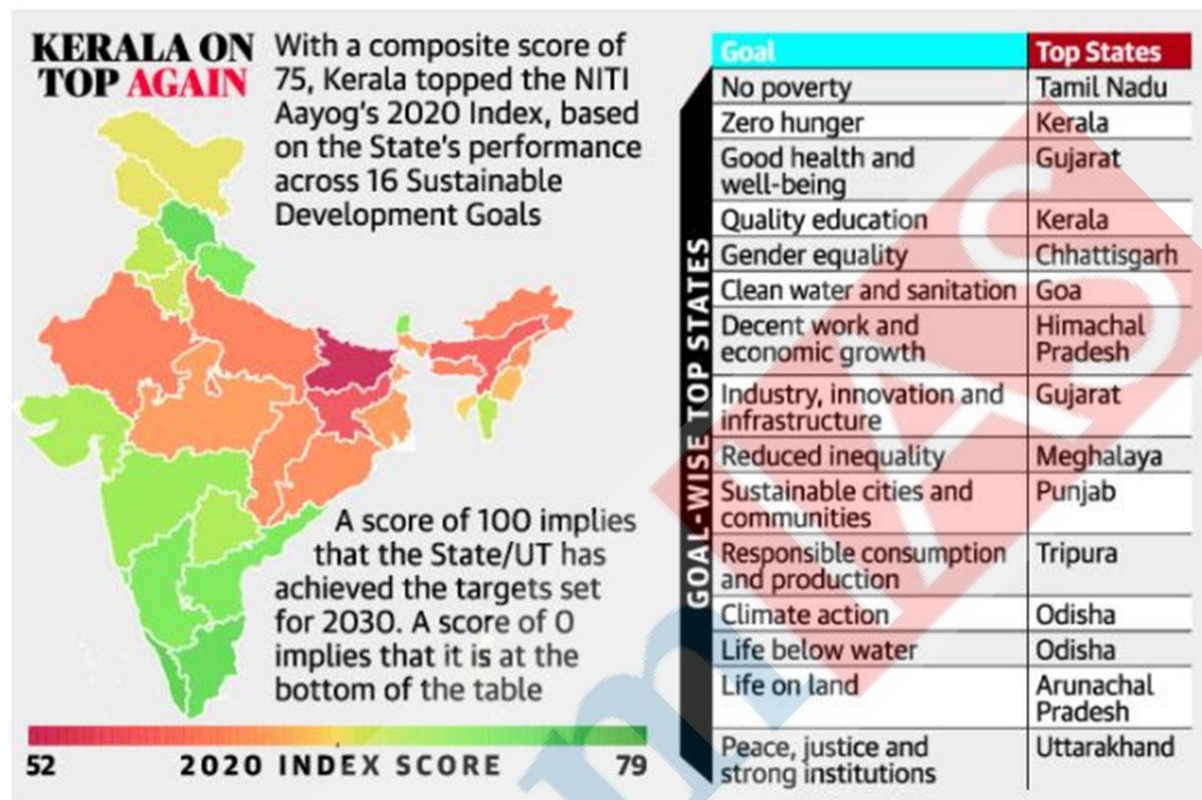
About the SDG India Index

- **Aim:** As the States, progress will determine India's progress towards achieving the Sustainable Development Goals (SDGs) by 2030. The index aims to instil competition among States to improve their performance across social indices.
- **Indicators Covered:** The third edition of the index covered 16 SDG Goals on 115 quantitative indicators.
 - In 2018, around 13 SDG goals with 62 indicators were covered.
- **Scoring:** A composite score for SDG Index is computed in the range of 0–100 for each State/UT based on its aggregate performance across 16 SDGs.
 - The higher the score of a State/UT, the closer it is towards achieving the 2030 national targets.
- **Classification:** States/UTs are classified based on the SDG India Index Score as follows:
 - Aspirant: 0–49
 - Performer: 50–64
 - Front Runner: 65–99
 - Achiever: 100

Key Findings of the SDG India Index 2020-21

- **India's** overall SDG score improved by 6 points — from 60 in 2019 to 66 in 2020-21.
 - This is due to improvement in providing facilities including clean water and sanitation, affordable and clean energy among others.

- **Categories:** Currently, there are no states in the aspirant and achiever category. Around 15 states/UTs are in the performer category and 22 states/UTs in the front runner category.



Source: The Hindu

- **States:**
 - Kerala has topped the index with a score of 75.
 - It was followed by Himachal Pradesh and Tamil Nadu with a score of 74.
- **UTs:** Chandigarh maintained its top spot among the UTs with a score of 79, followed by Delhi (68).
- **Areas showed improvements in the index:** Following categories of SDGs showed developments in many States and Union Territories,
 - Abolition of poverty and hunger
 - Steps related to the availability of affordable, clean energy. The campaign to improve the access of households to electricity and clean cooking fuel has been an important factor in this regard.
- **Areas showed a decline in the index:** The Index also mentions the following areas as worse due to the lockdowns imposed by the governments.
 - Industry, innovation and infrastructure
- **Inter-state inequality:** There was a stark difference between the southern- western States and the north-central and eastern States in their performance on the SDGs. This points to **socioeconomic and governance gaps**. This will result in federal challenges if left unaddressed

Significance of SDG India Index

- **The index tracks the progress of all states and UTs** on 115 indicators aligned with the [National Indicator Framework \(NIF\)](#) of the Ministry of Statistics and Programme Implementation.

- The SDG India Index will also **help in highlighting the crucial gaps** related to tracking SDGs.
- Further, the index will **aid India to develop its statistical systems** at the National & State/UT levels. This shall lead to the index **evolving and becoming more comprehensive** over the coming years.
- **Methodological changes and their impacts on SDG India Index 2020-21**
- The Index has made the following [methodological changes](#):
- **Change in indicators:** The 2020-21 Index drops several economic indicators, like:
 - **Gini Coefficient:** This year the index dropped the well-recognized Gini coefficient.
 - The index did **not use the growth rate for household expenses** per capita among 40% of rural and urban populations (*instead, only the percentage of the population in the lowest two wealth quintiles is used*)
 - **Impact:** Dropping of these indicators means that the SDG score on inequality may have missed out on assessing the impact of the pandemic on wealth inequality.
- **Greater weightage to certain indicators:** The index gives greater weightage to social equality indicators such as the **representation of women and people from marginalized communities in legislatures and local governance** institutions, and **crimes against SC/ST communities**
- **The increasing indicators might lead to confusion:** The number of quantitative indicators used in the index is getting increased every year. In 2018, the index used 62 indicators. But this year index used 115 quantitative indicators.

Challenges in achieving Sustainable development in India

There are few major challenges that hinder India from achieving SDGs. They are,

1. **Financing Sustainable Development Goals:** A new study estimates that implementing SDGs in India by 2030 will cost around US\$14.4 billion. According to the available statistics, India has only 5% of the required funding to implement SDGs. Further, **India's budgetary spending is also less in essential sectors**. India spends around 1.5% on health and around 4% on education. This is far below the required levels to see improvement
2. **High growth and redistribution of wealth alone is not enough** to achieve SDG. For example, According to the United Nations MDG 2014 report, despite high economic growth, in 2010, one-third of the world's 1.2 billion extreme poor lived in India alone.
3. **Resource consumption and behavioural change:** Achieving SDGs also require behavioural change among individual. For example, using water effectively, [reducing food wastage](#) and sharing the remaining food with others, etc.
4. **Increasing population:** The United Nations estimates that India's population will reach 1.7 billion by 2050. In that case, the country is likely to face a **widening ecological deficit** even if its current per-capita levels of resource consumption remain the same.
5. **Pandemic induced impacts:** Many research studies have pointed out that India's progress in essential sectors was reduced during the pandemic. For example, [Oxfam International](#) released a report that [highlighted increasing inequalities in India during the time of the Covid pandemic](#).

Suggestions to improve SDG India index and India's performance towards SDGs

1. **Changes required in the Index:** The index has to include the well known necessary indicators such as GINI coefficient, etc.
 - o **Simplification of the Index:** Instead of counting too many indicators, India can try **recognition of The [Universal Declaration of Human Rights](#)**. It is simple and can demand reforms in governance and **create more accountability**.
2. **Infusing behavioural change and reducing resource consumption:** This is one of the important intervention the government need to do. Like [Swachh Bharat Mission](#), India needs to launch [mission mode programs to infuse behavioural change](#) among the population. This will reduce the ecological exploitation of resources.
3. **Increasing adequate budgetary spending:** The government has to increase the spending on health and education to an adequate level.
 - o Indian Budget 2021 aims to increase the Health sector spending from 1.2 percent to 2.5 percent in three years. This will increase adequate health infrastructure, improve [rural health and associated improvements](#), etc. This will reflect in the [SDG index such as Infant Mortality Rare](#), etc.

Conclusion

Indian states need to improve their performance in the SDG India index by **addressing persistent issues** such as increased inequality, reducing poverty and hunger, improving the environment, etc. Similarly, NITI Aayog also has to make certain changes for transforming the index simple and reliable. If this is done, then Indian States/UTs will improve not only in SDG India Index but on the global parameters also.

Global Minimum Corporate Tax and India – Explained, pointwise

Introduction

The recent meeting of G7 countries resulted in the adoption of a **15% Global Minimum Corporate Tax (GMCT)**. The GMCT would enable the countries to add a top-up tax on companies who try to avoid taxes by showing their incomes in low tax jurisdictions.

A Global Minimum Corporate Tax will also encourage the countries to compete on other factors like the better regulatory regime, ease of doing business, access to global talent etc. rather than merely offering a negligible taxation regime.

The move is a step in the right direction that can further help in building consensus over OECD's BEPS framework. However, its success or failure would depend upon the number of participants joining the Global Minimum Corporate Tax regime, as countries would not easily give up on their right to taxation and take the risk of reducing future investment towards them.

About Global Minimum Corporate Tax (GMCT)

- Corporation Tax or Corporate Tax is a direct tax levied on the net income or profit of a corporate entity from their business. The rate at which the tax is imposed is known as the Corporate Tax Rate (CTR).
- GMCT is the minimum amount of corporate tax a company must pay on its income, both domestic and foreign.
- It allows home governments to “top-up” their taxes to the agreed minimum rate, eliminating the advantage of shifting profits to a tax haven.
 - A tax haven is generally an offshore country that offers foreign individuals and businesses little or no tax liability in a politically and economically static environment.
- Illustration: Country A has a corporate tax rate (CTR) of 20 percent, Country B has a CTR of 11 percent and GMCT is 15%. There is a Company X that is headquartered in Country A, but reports its income in Country B in order to save tax. Now with GMCT in place, country A can legally impose an additional 4% tax on Company X.

History of Global Minimum Corporate Tax

- The Organization for Economic Cooperation and Development (OECD) has been coordinating tax negotiations among 140 countries for years.
- The organisation is determined to create global rules for taxing cross-border digital services and curbing tax base erosion, **including a global corporate minimum tax**.
 - Based on this, the Base Erosion and Profit Shifting Project program was initiated in 2013.
 - It is an OECD/G20 project to set up an international framework to combat tax avoidance by multinational enterprises (“MNEs”) using base erosion and profit shifting tools.
- The OECD asked the countries in the BEPS framework to adopt a **consensus-based outcome** instead of the country's individual moves in order to tax the companies.
- However, a **consensus was not developed** as countries were not willing to forgo their taxing powers that acted as a tool for attracting greater investment.
 - Further, the developing countries were not sure if they would receive the right to tax the mobile incomes of Big tech companies.
- On 12 October 2020, the OECD/G20 Inclusive Framework on **base erosion and profit shifting (BEPS) released ‘blueprints’ on Pillar One and Pillar Two**.
 - It aims to reach a **multilateral consensus-based solution to the tax challenges** due to the digitalization of the world economy.

- Pillar 1: It addresses the issue of **reallocation of taxing rights** to all the countries
- Pillar 2: It aims to address all the **remaining issues in the BEPS program**.
- The [US's proposal in G7](#) for imposing a 15% Global Minimum Corporate Tax on companies is in consonance with Pillar two.

Current Scenario of Global Minimum Corporate Tax

- The recent meeting of G7 countries saw a willingness to adopt a Global Minimum Corporate Tax rate.
- The countries agreed to enforce a GMCT of at least 15%. Further, they also agreed to put in place measures to ensure taxes were paid in the countries where businesses operate. The GMCT would be applicable to companies' overseas profits.
- The agreement could form the basis of a worldwide deal. It would further be discussed in detail at the next meeting of G20 finance ministers and central bank governors in July 2021.

The rationale behind the introduction of Global Minimum Corporate Tax

- **First**, it would **discourage Multinational Companies to shift their operations** to offshore units merely for tax benefits.
- **Second**, it would **ensure the imposition of a realistic and uniform corporate tax throughout the world**. Over the past decades, many countries have attracted investment merely by lowering corporate tax rates. This, in turn, has pushed other countries to lower their rates as well.
- **Third**, it will **prevent revenue loss to countries** that occurred on account of lower tax structure in offshore destinations like Ireland, British Virgin Islands, Bahamas, Panama etc.
 - Countries lose out an estimated **\$100 billion per year** in tax revenue due to the absence of GMCT.
- **Fourth**, it would induce the countries to compete on other factors like better regulatory regimes, ease of doing business, access to global talent, etc. This healthy competition would create a **sustainable business environment** in them.
- **Fifth**, it will **prevent the unilateral imposition of domestic laws** by the developed world over the developing countries. For instance, the US is determined to impose its domestic law version of Pillar Two at a rate of 21% if 15% GMCT is not adopted.

Challenges in the adoption of Global Minimum Corporate Tax

- **First**, it **curtails a nation's sovereignty**. Every nation possesses an independent right to formulate its domestic policy **based on sovereignty** granted under **Article 2(1)** of the UN charter. Many nations may reject GMCT on the basis of their sovereign rights.
- **Second**, adoption by a **few countries and rejection by others** may not yield the intended results. For the effectiveness of GMCT, it should be **adopted uniformly by all nations**.
- **Third**, the **15% rate may be more for some countries and less for others**.
 - For instance, experts believe the **US Congress may not agree to the 15% proposal**, as it was earlier backing a 21% rate. The 15% rate would generate less revenues.
 - Similarly, nations like Ireland where the tax rate is 12.5% may reject the proposal as it **would impair fiscal autonomy for smaller jurisdictions** to compete with larger economies.

- **Fourth**, the GMCT would be levied by the country where the ultimate parent entity resides. This may cause a **disproportionate tilt in the magnitude of economic power** towards the U.S. as around 30 percent of the Forbes 2000 companies are located there.

India and Global Minimum Corporate Tax Rate

- Indian Government has said that [India is open to participate and engage in discussions](#) about the Global Minimum corporate tax structure. It would generate additional revenue for the country.
 - The **State of Tax Justice report of 2020** states that **India loses over \$10 billion in tax revenue due to the use of offshore structures**. The popular locations include Mauritius, Singapore, and the Netherlands where there is an almost negligible rate of taxation.
- If passed, the Indian government can impose a tax on offshore subsidiary units of Indian companies. The taxation can be to such a level that it enables the imposition of an effective Global Minimum Corporate Tax on every company.
- Further, the **effective tax rate**, inclusive of surcharge and cess, for Indian domestic companies is **around 25.17%**. This is above the 15% GCMT, **indicating that the country would continue to attract investment**.

Suggestions to improve Global Minimum Corporate Tax Rate

- The Indian government should **look into the pros and cons of the new proposal and take a view thereafter**. It should continue to impose a 2% digital service tax on foreign companies in order to decrease the magnitude of tax base erosion due to non-taxation.
- The next G20 meeting will see whether the G7 accord gets broad support from the world's biggest developed and developing countries or not. Here, the countries should **develop a consensus over the proposed rate and the categories** to which GMCT should be applied.
 - For instance, in recent times, the **companies have increasingly shifted their income from intangible sources** such as drug patents, software and royalties on intellectual property to low tax jurisdictions.
- Post its adoption by G 20 countries, **prudent steps must be taken for its adoption by all the UN members** to inhibit the creation of tax havens across the world.

Conclusion:

The Global Minimum Corporate Tax is a novel way of bringing parity in the taxation regimes of countries. It should be adopted at a rational rate and with a consensus of both, the developed and developing countries. A prudent rate would effectively prevent tax base erosion of the higher-tax jurisdictions.

Ethanol Blending of Petrol and its challenges: Explained, pointwise

Introduction

Recently the Prime Minister announced to prepone the 20% ethanol blending of petrol to 2025. The government has also identified 11 sectors that can leverage resources by recycling them through modern technology.

Earlier, the government has set targets of 10% bioethanol blending of petrol by 2022 and to raise it to **20% by 2030** under the **Ethanol Blended Programme (EBP)**. By the recent announcement, India's **EBP** target of 20% will be achieved five years earlier.

About Ethanol

Ethanol is one of the principal biofuels. It is naturally produced by the **fermentation of sugars** by yeasts or via **petrochemical processes** such as ethylene hydration. Ethanol has medical applications as an **antiseptic** and **disinfectant**. It is used as a **chemical solvent** and in the synthesis of organic compounds, apart from being an alternative fuel source.

Why the world needs Ethanol Blending?

At present, the global transportation sector is facing three major challenges, namely

- Depletion of fossil fuels,
- Volatility in crude oil prices and
- Stringent environmental regulations.

Alternative fuels specific to geographies can address these issues. Ethanol is considered to be one of the most suitable alternatives for blending, transportation fuel due to its better fuel quality (ethanol has a higher octane number) and environmental benefits.

Why India needs Ethanol Blending?

According to NITI Aayog, India's net import of petroleum was 185 Mt at a cost of US \$ 55 billion in 2020-21. Hence, a successful Ethanol Blended Programme can **save the country US \$4 billion per annum**, i.e. Rs. 30,000 Crore.

- Besides, ethanol is also a **less polluting fuel** and offers **equivalent efficiency** at a lower cost than petrol. But, achieving the target is not an easy one and India need drastic reforms to achieve that.

About 20% Ethanol blending of petrol

The [National Policy on Biofuels – 2018](#), provides an indicative target of 20% ethanol blending (also called E20) under the Ethanol Blended Petrol (EBP) Programme by 2030.

- According to the Society of Indian Automobile Manufacturers (SIAM), **Ethanol blending at present is 10%(E10)**. But, a sufficient quantity of ethanol is not available in India. Therefore, **only around 50% of petrol sold in India is E10 blended**, while the remaining is unblended petrol (E0). The current level of average blending in the country is 5% (2019-20 data).
- India at present has an ethanol production capacity of 426 crore ltr. For the targeted E20 by 2030, the country will need approximately 1,000-crore ltr capacity.

Government programs aimed to improve Ethanol Blending

1. [Ethanol Blended Petrol\(EBP\) programme](#):
 - a. It was launched in 2003 by the Ministry of Petroleum & Natural Gas (MoP&NG).

- b. **Aim:** To achieve a blending of Ethanol with Petrol. It was aimed to reduce pollution, conserve foreign exchange and benefits for farmers. It increases value addition in the sugar industry.
 - c. **Implementation:** The Government is implementing the programme through Oil Marketing Companies (OMCs).
2. **National Policy on Biofuels (NBP) -2018:** This policy envisages an indicative target of blending 20% ethanol in petrol by 2030.

NATIONAL POLICY ON BIOFUELS 2018 DECODED

- Expands the scope of raw material for ethanol production
- Allows for use of surplus agro-products, agro-waste as raw material
- Indicates a viability gap funding scheme for 2G ethanol bio refineries
- Indicates ₹50 billion in 6 years of viability gap funding, tax incentives, higher purchase price
- 10 million litres of ethanol saves ₹280 million of forex at current rates

Source: Press Information Bureau

1. **Ethanol from Sugarcane:** Government has allowed the production of ethanol from sugarcane and food grain-based raw materials.
2. BS-VI emission norms are also applicable for E-20 Vehicles.
3. **Department of Food and Public Distribution (DFPD)** is the **nodal department** for the promotion of **fuel-grade ethanol-producing distilleries** in the country
4. **Pradhan Mantri JI-VAN** (Jaiv Indhan- Vatavaran Anukool fasal awashesh Nivaran) **Yojana:** The scheme aims to create an ecosystem for setting up commercial projects and boost Research and Development in the 2G Ethanol sector.

Categorization of Biofuels by the National Policy of Biofuels 2018

Basic Biofuels

1G: They rely on food crops as their feed stock. **Ex: Bioethanol and Biodiesel**

Advanced Biofuels

2G: Produced from non-food crop waste and specific biomass crops. **Ex:**

Municipal Solid Waste (MSW), Jatropha based biofuels.

3G: Made from algae or other quickly growing biomass sources. **Ex: Bio-CNG**

4G: Made from specially engineered plants or biomass. **Ex: electro fuels**

Challenges in achieving 20% Ethanol Blending in India

1. **Less Production:** Currently, domestic production of bioethanol is not sufficient to meet the demand for ethanol for blending with petrol at Indian Oil Market Companies.

- a. Sugar mills are the key domestic suppliers of bio-ethanol they supply 57.6% of the total demand. But there are certain limitations with them. Such as,
 - i. Sugar mills do not have the **financial stability** to invest in biofuel plants.
 - ii. These mills are heavily concentrated on certain regions alone.
2. **Inter-state movement of ethanol:** The central government amended the **Industries Development and Regulations Act** to ensure smooth implementation and transportation of Ethanol across the country. But only 14 states have implemented the amended provisions. As a result, states that produce ethanol more than the requirement for blending cannot transport the Ethanol to other states.
3. **Non-uniform availability:** Ethanol is not produced or available in some states for ethanol blending. About **50% of total pump nozzles in India are supplying only E0**. This is especially **in large fuel pumps in North-East states**.
4. **The transport of ethanol** to different places for blending will **increase the cost of logistics and transport-related emissions**.
5. **Infrastructural challenges:** Marketing places require an underground tank, pipes/hoses and dispensing units for ethanol-blended petroleum supply at retail outlets. This will create space constraint at various present retail outlets.
6. **Challenges to vehicle manufacturers:** Even though, Vehicles made in India are material compatible with E10 and fuel-efficient compliant with E5 since 2008. There are certain inherent challenges. Such as,
 - a. With the proposed target of E20, the vehicles are now required to become both materials compatible and fuel-efficient compatible for E20 fuel.
 - b. The cost of E20 compatible vehicles is expected to be higher

Suggestion to achieve 20% Ethanol Blending in India

1. **Augmenting Ethanol producing capacity:** According to NITI Aayog, to achieve 20% ethanol blending, India has to augment both the sugarcane-based and grain-based ethanol production capacities by 78% and 187% respectively.
2. **Uniform availability of ethanol blends:** All the states have to implement the amended **Industries Development and Regulations Act** for facilitating the Inter-state movement of ethanol.
3. **Faster environmental clearances:** Currently, **ethanol production plants/distilleries fall under the "Red category"** and **require environmental clearance under the Air and Water Acts** for new and expansion projects. The government can remove them from the red category. This will facilitate more ethanol production plants/distilleries
4. **Suggestions for Vehicle manufacturers:** Once India achieves E20 the government will push towards E-85 fuel (85% ethanol by volume), E100 [pure ethanol] and ED95 [95% ethanol and 5% additives (co-solvent, corrosion inhibitors and ignition improvers)] for diesel vehicles. So, the **vehicle manufacturers have to produce equipment future-ready**.
5. **Pricing of Ethanol blended petrol:** For better acceptability of higher ethanol blends in the country, the retail price of blended petrol should be lower than normal petrol. The government can consider **providing tax breaks** on ethanol.
 - o To ensure predictability and to encourage investment by entrepreneurs, the government has to declare a **floor price of ethanol for five years**.

Conclusion

[Ethanol blending of petrol](#) is not only a national imperative but also an important strategic requirement. The government should make rapid moves to put in place a favorable regulatory and retail ecosystem for safe, and effective use of ethanol-blended petrol.

ForumIAS

Higher education in India & QS World University Rankings- Explained, pointwise

Introduction

Recently, Quacquarelli Symonds (QS) released their [World University Rankings for 2022](#). In that, **no Indian institution** figures in the top 100 list in that index. Further, **Only three educational institutes from India** feature in the top 200 list. This raises the important question regarding the quality of Higher education in India.

On the other hand, the Ministry of Education has released **All India Survey on Higher Education (AISHE) 2019-20** report.

- As per the report, the situation of higher education in India has improved as compared to the past. But it is still far behind in comparison to countries like China, Israel, etc.
- Hence, urgent steps are needed to improve the quality of higher education in India, else the demographic dividend might turn into a demographic disaster.

Key Findings of QS World University Rankings 2022 related to India

QS World University Rankings is released by Quacquarelli Symonds (QS). It is an **annual publication** of university rankings which comprises the global overall and subject rankings.

- **Only three educational institutes from India**, the IIT Bombay (177), IIT Delhi (185) and IISc Bengaluru (186) feature in the top 200 list.
 - **Except for these three institutes**, no other Indian institution has been able to break into the top 200 since 2017.
- **IIT-Bombay** continues to be **India's best higher education institution** for the fourth consecutive year. Holding 177th position, although it fell five places over the last year
- **There are a total number of 22 Indian higher education** institutions placed among the world's top 1,000 universities.
 - **In the 2021** index, there were 21 Indian institutions. This is followed by 23 in 2020, 24 in 2019 and 20 in 2018.
- **IISc Bengaluru** remains the **world's top research university**, maintaining a perfect score of 100/100 for this metric.
- **Poor performance in the faculty-student ratio:** Indian universities have improved their performance on academic reputation metric and research impact, but continue to struggle on the **teaching capacity metric**.
 - No Indian university ranks among the top 250 for faculty-student ratio.

Other Key Findings

- The top three institutions globally are: Massachusetts Institute of Technology (MIT), University of Oxford and Stanford University
- Singapore's National University of Singapore and Nanyang Technological University, and China's Tsinghua University and Peking University, are the only Asian universities in the global top 20.

The status of Higher Education In India

The recent **All India Survey on Higher Education (AISHE) 2019-20** highlights India's higher education status as below,

1. **Gross Enrolment Ratio (GER):** The percentage of students belonging to the eligible age group enrolled in Higher Education, in **2019-20 is 27.1%** against 26.3% in 2018-19 and **24.3% in 2014-2015**.

2. **Gender Parity Index (GPI):** In Higher Education, GPI in 2019-20 is 1.01 against 1.00 in 2018-19. This indicates an improvement in the relative access to higher education for females of eligible age group compared to males.
3. **Pupil-Teacher Ratio:** In 2019-20 the pupil-teacher ratio is 26.
4. The **number of students pursuing PhD** in 2019-20 is 2.03 lakh against 1.17 lakh in 2014-15.
5. **Nearly 3.38 crore Students** enrolled in programmes at **under-graduate and post-graduate level**. Out of these, **nearly 85% of the students** (2.85 crores) **were enrolled in the six major disciplines**. Such as Humanities, Science, Commerce, Engineering & Technology, Medical Science and IT & Computer.

Government initiatives to promote Higher education in India

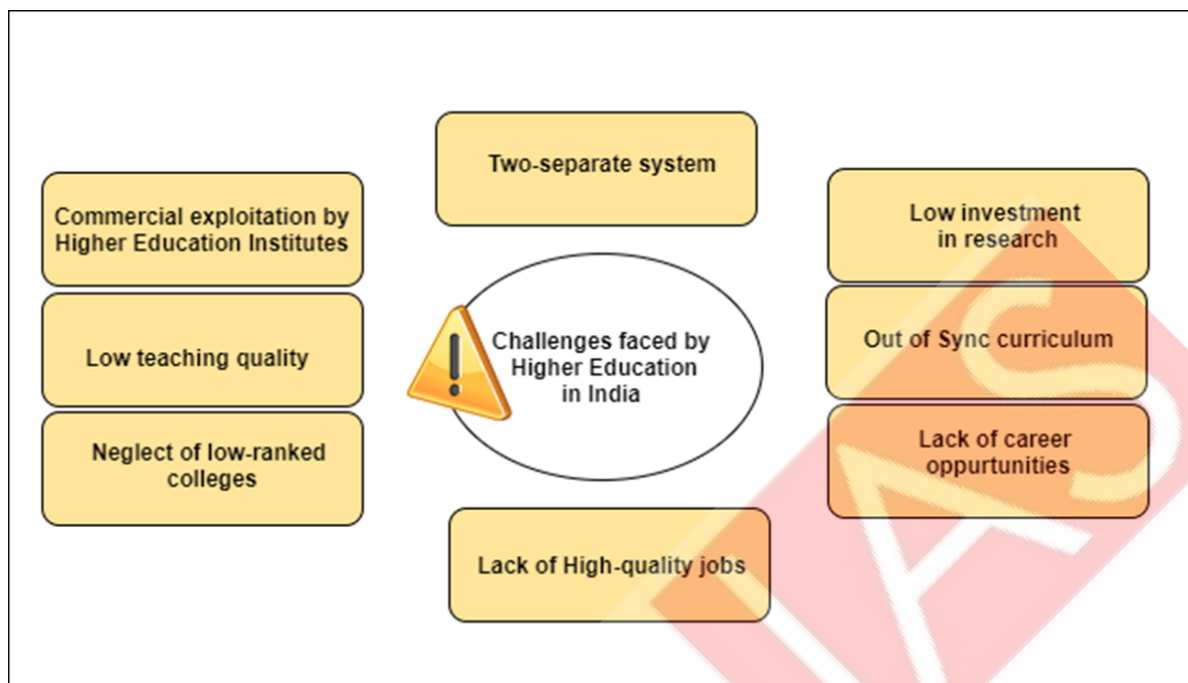
1. **New Education Policy 2020:** The policy contains certain key initiatives towards higher education. They are,
 - a. **HECI(Higher education commission of India)** as umbrella regulator except for legal and medical education. It will have four verticals:
 - i. National Higher Education Regulatory Council (NHERC) for regulation
 - ii. General Education Council (GEC) for standard-setting
 - iii. Higher Education Grants Council (HEGC) for funding
 - iv. National Accreditation Council(NAC) for accreditation
 - b. **Broad-based, multi-disciplinary, holistic UG(Undergraduate) education:** With the provision of the flexible curriculum; integration of vocational education; multiple entries and exit points with respective degrees; UG education period between 3-4 years
 - c. Raising the **Gross Enrolment Ratio (GER) to 50% by 2035**.
2. **Education Quality Upgradation and Inclusion Programme (EQUIP):**
 - a. It is a five-year vision plan(2019-2024) released by Higher Education Department
 - b. Key Focus of the EQUIP includes
 - i. To improve access to higher education, especially for underserved communities;
 - ii. Improve the gross enrolment ratio;
 - iii. To improve teaching and learning processes;
 - iv. Build educational infrastructure, etc.
 - c. It would be funded through extra-budgetary resources and by mobilising money from the marketplace through the Higher Education Financing Agency (HEFA).
3. **National Institutional Ranking Framework(NIRF):** It was developed in 2015. The rankings are published annually since 2016. It outlines a methodology to rank educational institutions across the country based on five parameters.
4. **Global Initiative Of Academic Networks (GIAN):** It aims at tapping the talent pool of scientists and entrepreneurs, internationally to encourage their engagement with the institutes of Higher Education in India. It seeks to(a)augment the country's existing academic resources (b)accelerate the pace of quality reform and (c)elevate India's scientific and technological capacity to global excellence.

Challenges faced by Higher Education In India

1. **Commercial exploitation by Higher Education Institutes:** Withdrawal of the public sector has left the space open for **private institutions that have turned education into a flourishing business**. Most of the **teachers in private colleges are underpaid and overworked**. There has been a rampant expansion in the

number of colleges with scant regard for standards and quality. This phenomenon also shows the lapses in the regulatory structure.

2. **Low level of teaching quality:** National Assessment and Accreditation Council (NAAC) in its assessment report pointed out that **68% of institutions in India are of middle or poor quality**. Ad-hoc appointments and low pay scale, inadequate teacher training are all factors that have caused a deterioration in the quality of education.
3. **Low investment in research:**
 - a. Department of Science and Technology mentions that **Indian R&D expenditure has remained constant at around 0.6%-0.7%** of its GDP. This is very low compare to countries like China (2%), Israel (4.3%)
 - b. India has **severely under-invested in education over the last 40 years**, and today even the top institutions have very poor laboratory facilities.
4. **Two-separate system:** In India, there are **separate research institutes and universities**. This leads to most Indian universities and colleges conducting very little research. Further, Most of the time, the **faculty is under pressure to publish a certain number of papers to gain promotion**. This often makes them **publish in predatory journals** as a way out.
5. **Out of sync curriculum:** There is a wide gap between industry requirements and the curriculum taught at colleges. This also renders graduates unemployable, lacking in specific skill-sets.
6. **Lack of relevant career opportunities** diminishes the appeal of academic education among students. For example, if studying hard and critical thinking doesn't lead to career improvement, students tend to lose academic ambition.
7. **Lack of High-quality jobs:** In India, only a few jobs exist after higher education. The Majority of jobs require lower skills and pay poorly. In such a system the Lower-ranked colleges don't find any motivation to improve themselves
8. **Prioritizing top colleges and neglect of low ranked colleges:** For example, top colleges in India enjoy much state-sponsored support. They attract the best faculty and students. This makes it further difficult for low ranked colleges to make any improvement.



Problems with the Higher education sector in India

Suggestions to improve higher education in India

1. Suggestion for government:

- **Policy makers**, need to promote **employment led-growth oriented policies** to create enough jobs for 650 million Indian youths under age 25.
 - **Increasing the funding for the R&D Sector:** The funding for the R&D sector should be increased to improve infrastructure and the funding for research. It would also prevent the [brain-drain of talents](#) from the country.
2. **ICT integrated approach towards learning:** With the advent of a pandemic, now digital education is not an alternative option but an imperative option. So the government and other stakeholders have to improve the ICT for [post pandemic education system in India](#).
 3. **International cooperation:** India needs to **collaborate with foreign institutes and industries** to foster a culture of research, upgrade pedagogy and facilitate industry student connection, etc.
 4. The government has to take **steps to improve the pay scale** offered to teachers and by **putting an end to the system of ad-hoc and temporary appointments**. Instead, the government can force the higher educational institutes in India to go for the recruitment process well before a post is vacated. Further, the government can appoint a separate body for a [Performance audit of teachers](#).
 5. **Distance and online education:** The government has to broaden the scope of Massive Open Online Course (MOOCs) and Open and Distance Learning (ODL) to provide access to quality education beyond geographical boundaries.

Conclusion

India's higher education system is the world's third-largest higher education system in terms of students (next to China and the United States). The Higher Education sector in India has witnessed a tremendous increase in the number of Universities/University level Institutions & Colleges since independence. Now it is time for India to improve the quality of the education system in India.

G7 countries (Group of 7)- Issues and Prospects – Explained, Pointwise

Introduction

The meeting of G7 countries is going on in Cornwall, England. The expectation from this meeting is to draw out a framework that is inclusive and resilient in nature. The new Cornwall Consensus should be able to overcome the lacunas of the current Washington consensus.

The Washington consensus supports the notion of free market and globalization. However, it failed to prevent the occurrence of the 2008-09 financial crisis, raised inequalities within the countries, and neglected focus on social goods like education and health. Due to this, the countries are facing greater challenges in coping up with the Covid-19 pandemic. Thus, relying on the Washington consensus is not feasible for developed as well as developing countries.

Therefore, it is now imperative that grouping creates a new consensus that can reflect the demands of the 21st century.

About G7 countries

- The G7, originally G8, was set up in 1975 as an informal forum. It brought together the leaders of the world's leading industrial nations. It was established to tackle the oil crisis of 1973 created by the OPEC oil embargo.
- The member states are Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States. The EU is not a member but is usually invited to the summits.
- The member countries represent 40% of the global GDP and 10% of the world's population.
- From 1998 to 2014, it was the G8 that included Russia. However, post the Crimean crisis, Russia was expelled from the group.
 - In 2014, Russia carried out armed aggression on Ukraine and ceded the Crimean Peninsula from it.

Current Scenario of G7 countries

- The recent summit of [G7 is going on in Cornwall, England](#) from 11-13th June as the UK is holding the G7 presidency for 2021. It will witness a hybrid of physical and virtual participation.
- India, Australia, South Korea, and South Africa are invited as guest countries for the Summit.
- The theme of this year's summit is '**Build Back Better**' and the focus would be on 4 priority areas:
 1. Leading the global recovery from coronavirus while strengthening resilience against future pandemics;
 2. Promoting future prosperity by championing free and fair trade;
 3. Tackling climate change and preserving the planet's biodiversity;
 4. Championing shared values and open societies
- This holistic vision will help in **developing the Cornwall Consensus that will displace the "Washington consensus"**.
- At the end of the summit, the UK will publish a document called a **communiqué** which will outline what has been agreed upon during the meeting.

Significance of G7 countries

- The major purpose of the G-7 is to discuss and sometimes act to help resolve global problems, with a special focus on economic issues.

- In response to mounting concern over money laundering, the [Financial Action Task Force](#) was established by the G-7 group in Paris in 1989.
- It became more relevant in the 1980s when it started discussing issues related to foreign policy and security as well.
- In recent years, G7 leaders have met to formulate common responses to challenges encompassing counterterrorism, development, education, health, human rights, and climate change.
 - In 1997, the G7 countries agreed to provide \$300 million in order to **contain the effects of the reactor meltdown in Chernobyl**.
 - Then, in 2002, members decided to launch a coordinated response to fight the threat of AIDS, Tuberculosis, and Malaria. This led to the formation of the **Global Fund**, an innovative financing mechanism that has disbursed more than \$45 billion in aid.
 - In 2015, members launched the **Global Apollo Program**. It was designed to tackle climate change through clean energy research and development.
 - The programme calls for **developed nations** to commit to spending 0.02% of their GDP on tackling climate change from 2015 to 2025. This would mean spending \$150 billion over a 10-year period.
- It is considered to be the **second most important grouping** after the UNSC which can effectively deal with global issues.

Issues with G7 countries

- **Disregards the interest of smaller nations:** Several countries and individuals still perceive the G7 as an exclusive, closed group that blatantly exercises its power over other nations. The collective power of the group is so huge that it creates a disproportionate impact on other nations.
 - For instance, the 1985 Plaza Accords had major ramifications for global currency markets as they brutally impacted exchange rates of various currencies.
- **Shortcomings of Washington Consensus:** The grouping has mainly focused on realising the Washington consensus. It is a collective term used for 10 economic policy prescriptions to promote a free-market economy. It was promoted for crisis-ravaged developing countries. However:
 - It puts ruthless conditions on the global South countries that undermine their economic sovereignty.
 - Furthermore, it ignores environmental and social considerations for economic growth. The mere focus placed on global good like health enhanced the vulnerability of smaller nations against the pandemic.
 - It enhanced the economic inequality within and among the countries.
 - The East Asian crisis in the late 1990s and the global recession of 2008–09 were further reminders that increased deregulation would only result in financial instability.
- **A tussle between the members:** The US relationship with Germany and Canada deteriorated during the trump era.
 - He criticised Germany for its trade surplus and threatened to block the US import of German cars.
 - Further, the U.S refused to endorse the official G7 statement of the 2018 summit as Trump got offended by the Canadian PM's comments during a news conference.
- **Failed in tackling Global problems:** G7 accounts for 59% of historical CO2 emissions and pledged to phase out fossil fuels. Yet there is no visible progress of

the same, and they currently account for twice the CO2 emission than African continent.

- In terms of terrorism, ISIS has thousands of fighters from G7 countries.
- The West Asian crisis in Syria, Yemen, Iraq led to a migrant exodus towards the European nations. G7 nations failed in addressing this migrant crisis, leading to deaths and inhumane statelessness for millions.
- **Outdated Group:** The group no longer reflects the modern-day geopolitical realities. Many incumbent members like Italy and Canada possess less economic and political power in comparison to nonmembers like India and China.
- **Non-Binding nature:** Unlike other bodies such as NATO, the G7 has no legal existence or a permanent secretariat. Further, the meeting commitments are non-binding in nature.
 - All decisions and commitments made at G7 meetings need to be ratified independently by governing bodies of member states.

Suggestions

- The grouping needs expansion to reflect the current geopolitical reality. It can be converted to G 11 with the inclusion of India, Australia, South Korea, and Russia.
- The G7 countries should expeditiously fulfill their commitment to supply one billion doses of Covid vaccines to poor and middle-income countries.
 - The doses would be supplied as part of a campaign to “vaccinate the world” by the end of 2022.
- The grouping requires a G7 charter and a permanent secretariat for the organisation. It must realise that global interdependence cannot be managed without global public goods.
- A consensus should be formed over the [Global Minimum Corporate Tax](#) by the head of states. The consensus of 15% Global Minimum Corporate Tax was developed in a recent meeting of [G7 country's finance ministers](#).
- India should actively participate in the talks, especially the ones related to global vaccine delivery as it is both – a major manufacturer and consumer of vaccines.

Conclusion

The grouping should become more representative in nature and emerging economies like India and South Korea must be made a part of the group. The new principles and policies of the group should reflect a global outlook rather than merely focusing on the myopic interests of the developed world. This would result in prudent tackling of global problems like climate change and the Covid-19 pandemic.

Aspirational District Programme – Achievements and Suggestions – Explained, Pointwise

Introduction

The United Nations Development Program (UNDP) India has released a report titled 'Aspirational Districts Programme: An Appraisal'. The report calls the program a **global example of leveraging local structures** of governance and bureaucracy. It applauds the multi-stakeholder partnership for ensuring localization of the Sustainable Development Goals.

UNDP marks the Aspirational Districts Program as a model replicable program not just within India, but also on a global scale. However, it also calls for broadening its scope and laying greater emphasis on the qualitative aspect of the program. Hence, the government should take proactive steps for ensuring regionally balanced, inclusive, and sustainable growth.

About the Aspirational Districts Programme

- It was launched in 2018 to improve the socio-economic status of 112 aspirational districts across 28 states.
 - The selected districts were witnessing the least progress on certain development parameters, such as health and nutrition; education; agriculture, and water resources, etc.
 - These districts account for more than 20% of the country's population and cover over 8,600 gram panchayats.
- It is coordinated by Niti Aayog with support from Central Ministries and the State Governments.
- The **three core principles** of the programme are:
 - **Convergence** of Central & State Schemes, which brings together the horizontal and vertical tiers of the government.
 - **Collaboration** among citizens and functionaries of Central & State Governments, including district teams. This will enable impactful partnerships between government, market, and civil society.
 - **Competition** among districts driven by a spirit of the mass movement.
- Each district is ranked based on 49 performance indicators identified across the **5 core themes**. This includes
 - Health & Nutrition (30% weightage)
 - Education (30% weightage)
 - Agriculture & Water Resources (20% weightage)
 - Financial Inclusion & Skill Development (10%)
 - Basic Infrastructure (10%)
- The delta ranking of the Aspirational Districts combines the innovative use of data with pragmatic administration.
 - The programme ranks districts based on **the improvement achieved month-on-month** through the Champions of Change dashboard (An online Dashboard).
- The success of the program lies in its robust institutional framework and core strategy.

Institutional framework and core strategy

- **Framework:**
 - NITI Aayog anchors the program at the central level while individual ministries have been responsible to drive progress in districts

- States are the main drivers of the program
- For each district, a central Prabhari officer has been nominated. He/she should possess the rank of joint secretary/additional secretary.
- **Core Strategy** of the programme:
 - Work on the strength of each district.
 - Make development a mass movement in these districts.
 - Identify low-hanging fruits and the strength of each district which can act as a catalyst for development.
 - Measure progress and rank districts to spur a sense of competition.
 - Districts shall aspire from becoming State's best to Nation's best.

Why was it praised by the UNDP?

1. **First**, the program can **illuminate the path towards the attainment of sustainable development goals**. It is a very successful model of local area development and aligned to **the principle of "leave no one behind"** – the vital core of the SDGs.
2. **Second**, real-time monitoring on the 'Champions of Change' dashboard and a monthly ranking of the best-performing districts adds a **competitive zeal to the programme**. This motivates the districts to push themselves to outperform others.
3. **Third**, some aspirational districts have performed better than non- aspirational districts in many domains. This shows its efficacy in **ensuring balanced regional development**.
4. **Fourth**, the program received a **high degree of political support** as it was envisioned by the PM itself. This resulted in more growth and development in the aspirational districts over the last three years.
5. **Fifth**, the program managed to **deliver optimum results even in security-sensitive** LWE (left-wing extremism) affected districts.
6. **Sixth**, the program **encourages collaboration and coordination** among the government, civil society, and private sector. This led to the adoption of a multi-stakeholder approach in planning and implementing the projects, which delivered better results.

Achievements of Aspirational Districts Programme

- **Health and Nutrition:** Model anganwadi centres have been set up across districts to benefit women and children. The number of institutional deliveries has increased, along with a dip registered in the rate of severe acute malnutrition in infants.
 - **Poshan App has been developed for an aspirational district in Ranchi.** It is a real-time data analytics digital platform.
 - It monitors bed occupancy, child-growth charts, and the inventory of every malnourishment treatment center in the district
- **Education outcomes:** Innovation and digitisation have been the cornerstone of transformation in the education sector. The **'Hamara Vidhyalaya' model adopted in Namsai, a remote district in Arunachal Pradesh**, registered substantial improvement in learning outcomes and overall teaching practices.
 - Under this model, a school prabhari is appointed for each school in the district to ensure monitoring, assessment, and guidance. The model makes use of an online platform called 'Yathasarvam' for improving the outcomes.
- **Agriculture and water resources:** District administrations have laid tremendous emphasis on improving irrigation facilities and yield, as well as farmer education. Several innovative paths have been adopted to create market linkages for products indigenous to the aspirational districts.

- The **farmers of Chandauli, U.P** were encouraged to grow fertiliser-free **organic black rice**.
- The experiment was remarkably successful, with Chandauli adding to the thriving global market of black rice and exporting to even countries like Australia and New Zealand.
- **Basic Infrastructure:** This pillar witnessed significant advancement, especially in LWE affected districts. This ensured better connectivity and seamless movement from rural to urban regions.
 - **Bijapur in Chhattisgarh and Malkangiri in Odisha** have greatly improved the network of roadways and ramped up the infrastructure projects in their jurisdiction.
- **Financial inclusion and skill development: Micro-ATMs** have been launched in Maharashtra's Gadchiroli district to provide financial assistance to women self-help group members. They are provided with commission-based income on every transaction.

Issues associated with the Aspirational Districts Programme

- **Inadequate Coverage:** Although the program is highly inclusive in nature, it fails to capture crucial variables like environment and gender.
- **Imbalance in implementation:** Most districts channelized their efforts focused on health and nutrition, education, and agriculture, and water resources. They paid less emphasis on the sectors of Skill Development and Financial Inclusion.
- **Budgetary Constraints:** ADP is affected by the issue pertaining to insufficient budgetary resources. This sustains the lack of human resources and the dearth of technical capacities at the district and block levels.
- **Coordination Issue:** Niti Aayog plays a mentoring role in 27 districts in eight states. Twelve central government ministries have similarly adopted the remaining districts. Implementation involving multiple ministries leads to a lack of coordination.
- **Shortcomings of Delta Ranking:** It is largely focused on assessing quantity (that is, coverage of access) rather than quality. For instance, timely delivery of textbooks in schools is part of the ranking index however very little weightage is given to the quality of education rendered in these districts.

Suggestions to improve the Aspirational Districts Programme

- The first UNDP appraisal of the Aspirational Districts Programme (ADP) has recommended a realignment of sectors under the program. It calls for the addition of topics such as environment and gender.
- The weightage of Skill Development and Financial Inclusion sectors must be enhanced so that states give greater focus over them.
- The government must give greater funding to the districts, especially the LWE districts, which are plagued with the double burden of countering LWE activities and ensuring development.
- The center and states must work in the spirit of cooperative and competitive federalism in order to improve the lives of the most vulnerable citizens.
- Further, the bottom-ranked districts should learn from the success model of the top-ranked districts.

Conclusion

The success of the [Aspirational Districts Programme](#) has been testified by national as well as international agencies. It is a flagship initiative for improving the lives of citizens residing in the most backward regions of the country. The need of the hour demands overcoming its challenges and realizing the vision of '**SABKA SATH, SABKA VIKAS**' for ensuring inclusive development.

ForumIAS

Issue of shifting National Archives of India's annexes – Explained, pointwise

Introduction

The Government of India's [Central Vista redevelopment project](#) is being treated as a national priority amid a pandemic. The project will shift the National Museum of India, the Indira Gandhi National Centre for the Arts (IGNCA). The project will also remove the National Archives of India's annexes and rebuild them.

Thus, last month nearly 76 scholars, artists, writers, curators, and museum professionals highlighted major concerns associated with the project. Further, the government is also required huge government expenditure to complete the project. Shifting the National Archives of India's annexes presents some inherent challenges to the government.

About National Archives of India (NAI)

- **National Archives of India (NAI)** is a custodian of the non-current records of the enduring value of the Indian Government. It holds them in trust for the use of administrators and scholars.
- **Origin:** It was originally established as the Imperial Record Department in 1891 in Calcutta (Kolkata). This department was then transferred to the new capital, New Delhi, in 1911. Later, it was shifted into the present building in 1926.
- **Nodal Ministry:** It functions as an Attached Office of the Department of Culture under the Ministry of Culture.
- **Headquarters:** New Delhi. It also has a Regional Office at Bhopal and three Record Centres at Bhubaneswar, Jaipur, and Pondicherry.
- **Abhilekh patal** is an online portal to access the National Archives of India's reference media and its digitized collections via the internet.
 - The name 'Abhilekh patal' comes from the Sanskrit word 'Abhilekh' meaning the records of ancient times and the word 'patal' meaning the platform, board, or surface.

Significance of National Archives of India:

Several centuries of India's history lie in the documents that make up the [National Archives of India](#). It has a vast corpus of records viz., public records, oriental records among others which constitute an invaluable source of information.

- The archival records include 4.5 million files, 25,000 rare manuscripts, more than 100,000 maps, treaties, 280,000 premodern documents, and several thousand private papers. It is the **biggest archival repository in South Asia**.
- According to UNESCO, the **birchbark and clay-coated Gilgit Manuscripts** in the National Archives are, "**the oldest surviving manuscripts in India**". These include "canonical and non-canonical Buddhist works that throw light on the evolution of Sanskrit, Chinese, Korean, Japanese, Mongolian, Manchu and Tibetan religion-philosophical literature".
- The annexe also houses the cartography section and 1,50,000 oriental records in Persian, Arabic, and Urdu.
- The National Archives Annexe also hosted technical training in the preservation and allied subjects for archivists across India.
- Further, The National Archives' "Annexe" is also called as the "**Research Room**" among historians. They conduct their historical research, Ph.D research in the Annexe building.
- The loss or damage to any single object or archival record will cause an irrevocable loss.

Justifications in shifting the National Archives of India's annexes

1. **Better maintenance of Archives:** A series of articles published in The New York Times in 2012, highlighted the vulnerable state of the National Archives. The articles mention that Indian archives are exposed to humid weather, staff negligence and mishandling, and improper preservation methods. This led to ruining of national archives. The articles especially mentioned the vulnerability of letters penned by Mohandas K. Gandhi, B.R. Ambedkar, Gopalkrishna Gokhale, and other eminent Indian nationalists in particular.
 - a. With the shift to a new place, the new annexe building can provide a better environment for maintaining the archives in a better way.
2. **Enhanced display potential of national archives in the future:** At present, there is a lack of expertise to manage certain national archives. This leads to the **locking up of some rare documents** in Persian, Urdu, Arabic, Sanskrit, Prakrit, Tamil, Malayalam, and Modi (records from Maharashtra). With the new annexe building, these factors can also be considered and provide better access to Indian historians and students.
3. The move is in line with **international practices**. For instance, the Egyptian Government is planning to replace the crowded Egyptian Museum in Tahrir Square in Cairo with an impressive Grand Egyptian Museum in Giza.

Challenges in shifting the National Archives of India's annexes

1. **Division of cultural buildings:** the vision of a **single, linked cultural district is disregarded** in the **Central Vista Redevelopment Project**.
 - a. For instance, the existing architecture plan has four cultural buildings which are arranged to form a single, linked cultural district. (Archaeological Survey of India, the National Museum, the Indira Gandhi National Centre for the Arts, the National Archives).
 - b. However, according to the **Central Vista Redevelopment Project**, all four cultural buildings will be set up in different places. Similarly, the new **annexe building may not be physically connected to the National Archives of India**
2. The scale of **arranging packers and movers** for each of the archives poses a big logistical challenge. The packers and movers have to count the moisture, humidity, temperature changes, etc. that can impact the archives.
3. **Lack of safety:** Many buildings in the North and South Blocks are structurally unsafe. They are also ill-equipped to meet even the basic fire and earthquake safety norms. Moving prestigious assets such as national museums and national archives to that location will make the assets more vulnerable.
4. **Lack of public data:** National Archives of India website as of now do not have any notification about the demolition, plans for the safe removal of materials, and any indication of how long access might be cut off for the public.
5. **Make Indian historians in a disadvantaged state in a short time:** Outside India, the British Library is one of the largest repositories for India's Colonial archives. To shift the National archives of India to a new place, it has to be closed for an indefinite time (until the proper shift to a new place is done). Historians around the world have access to British libraries have the exclusive right to write Indian history as Indian historians cannot access national archives. This will create differential access among students, researchers, and scholars located in India and abroad

Suggestions to shift the National Archives of India's annexe building

1. **Wider public consultation is the need of the hour:** The Indian government should arrange for public consultation. For example, the Federal Government of the United States decided to move the National Archive, there were extensive public consultations. No such measures were taken in India.
2. **Getting adequate information from global practices:** Many best global practices are available on shifting national archives. For example, The British Library's guide on "**Moving Library and Archive Collections**" is concise and comprehensive. **India can follow such a guide to shift the national archives without any disruption.**
3. **Bring in private talent:** The government can bring in the private sector to construct a **world-class building within the next two years as part of CSR** (Corporate Social Responsibility). This will not only reduce government expenditure but also bring in new talents, faster completion of projects, etc.
4. The National Archives is the primary repository of documents on India's past. With the advancement in technology, the speed of excavations in the country increased manifold. This would generate greater artefacts in the future, that would **require bigger storage space**. So, the government has to use the pandemic to shift not only the National Archives of India but also the [National Museum](#) and the Indira Gandhi National Centre for the Arts.

UAPA or Unlawful Activities Prevention Act – Explained, Pointwise

Introduction

The Delhi High Court recently granted bail to 3 students, accused of conducting riots and anti CAA protests in North East Delhi. This case highlights another instance of misuse of the [Unlawful Activities \(Prevention\) Act \(UAPA\)](#), 1967.

The UAPA was formulated to strengthen the security framework of the country and preserve the unity and integrity of the nation. Nonetheless, it has currently become a tool to curb free speech and political dissent in our country. The [cases filed under the law have been rising](#) for a few years, while the conviction rate is going down. It was merely 2.2% between 2016-19.

Therefore, it is imperative to do a comprehensive review of the concerning provisions that make it prone to misuse by the authorities.

What was the case?

- The Delhi High Court granted bail to Natasha Narwal, Devangana Kalita, and Asif Tanha. They were imprisoned for over a year in connection with the riots in northeast Delhi and the anti-CAA-NRC protests under the UAPA act.
- The Delhi HC orders applied the **Watali precedent**. It placed the burden of making out a prima facie case on the police instead of the court itself.
- The court pointed towards the blurred line between the constitutionally guaranteed right to protest and terrorist activity done by an individual.
 - This blurring has allowed the government to suppress dissent and undermine the right to protest under Article 19 of the Indian Constitution.
 - **In Anita Thakur, 2016**, the SC recognised the right to protest as a fundamental right, flowing from Article 19 (1) (b) of the Constitution.
- The [bail was granted](#) by resorting to the **Sanjay Dutt case**. Under this, the SC said that people who are not covered by the express language of the law, shouldn't be included by stretching the law.

About Unlawful Activities (Prevention) Act, 1967

- It is primarily an anti-terror law aimed at effective prevention of certain unlawful activities of individuals and associations.
- Its main objective is to empower the state for dealing with activities directed against the integrity and sovereignty of India.
- The Act assigns absolute power to the central government. It can declare an activity as unlawful, by way of an Official Gazette.
- The act has the **death penalty and life imprisonment as the highest punishments**.
- Under the act, **both Indian and foreign nationals can be charged**. It will be applicable to the offenders in the same manner, even if the crime is committed on foreign land, outside India.
- The investigating agency can file a charge sheet within a maximum of 180 days after the arrests. This duration can be extended further after information to the court.
- **2004 amendment:**
 - It added "terrorist act" to the list of offences, to ban organisations for terrorist activities.
 - Till 2004, "unlawful" activities referred to actions related to secession and cession of territory. Following the 2004 amendment, the "terrorist act" was added to the list of offences.

- **2019 amendment:**
 - The amendment empowers the Central Government to **designate individuals** as terrorists on certain grounds.
 - It empowers the Director-General, National Investigation Agency (NIA) to grant approval of seizure or attachment of property when the case is under investigation by the agency.
 - It also empowers the officers of the NIA, of the rank of Inspector or above, to investigate cases of terrorism. Earlier, the power to investigate was with the officers of the rank of Deputy Superintendent or Assistant Commissioner of Police only.

The rationale behind the law

- **Maintaining Sovereignty and Integrity:** It was initially promulgated to enable the government to curb secessionist activities.
 - For instance, states of Nagaland and Tamil Nadu were demanding a separate nation for them during the 1960s.
 - Similarly, during the 1962 war with China, there were few political parties that were supporting China and raising demands for forming a separate nation.
- **Supporting investigation agencies:** The law provides greater powers of search, seizure, and detention that are beneficial for aiding the investigation and preventing the occurrence of a bigger crime.
- **Constitutional support:** In 1963, Article 19(2) of the Constitution was amended for the last and final time. The words 'the sovereignty and integrity of India' were inserted in it as one more exception to the right to free speech. This enabled the parliament to enact the UAPA based on this exception.
- **International Scenario:** Countries across the world have formulated stringent laws for effectively protecting the security framework in their jurisdiction.
 - For instance, the United States, Israel, China, Pakistan, and European Union have dedicated laws to declare 'individuals' as terrorists.
- However, the [act is criticized for its Draconian provisions](#), which makes it susceptible to misuse.

Draconian provisions of the UAPA

- The definition of terrorism in Section 15 of UAPA is indefinite and comprehensive, as it covers almost every kind of violent act, be it political or non-political.
- Under section-43A and section-43B of UAPA, the **police are empowered to search, seize and arrest any person** involved in unlawful activities without a warrant.
- Under section-43D police are empowered to detain the accused in police custody for 30 days and in judicial custody for a period of 180 days without the charge sheet.
- The police can get the police custody of the accused from the judicial custody with the permission of the court.
- Under UAPA, the accused **does not have the option of anticipatory bail**. It presumes the accused guilty solely on the basis of the evidence collected.
- Under section-44, secret witnesses are allowed during the case proceedings.\

Issues associated with UAPA

- **Misuse for Curbing Political Dissent:** The wide provisions of the act have been used by the government to curb political dissent rather than to prevent sovereignty and integrity.

- For instance, many people were booked under UAPA for conducting the North East Delhi riots. However, this was a localized offence and didn't pose a threat to the unity and integrity of India as a whole.
- Further, many innocent protestors were also booked thereby undermining their free speech under Article 19 of the constitution.
- **Against Principle of Natural Justice:** The principle calls for assuming every person innocent unless proven guilty and hence a pre-trial imprisonment is a violation of this principle.
 - However, UAPA allows the Court to deny bail for a terrorist act if there are reasonable grounds to believe that the accusation is prima facie true.
- **Violation of Human Rights:** The wide powers given to police for search and arrest is a clear violation of an individual's right to privacy. It is a fundamental right under Article 21 of the Indian constitution as deduced by court in **K.S puttaswamy versus Union of India**.
- **Undermines Federalism:** Some experts feel that it is against the federal structure since it neglects the authority of state police in terrorism cases. However, 'Police' is a state subject under the 7th schedule of Indian Constitution.
- **Frivolous Filing:** The wide and ambiguous provisions of the act enables the state to impose frivolous charges on innocent individuals. This is testified by a mere 2.2% conviction rate between 2019-2019.
 - The total number of persons arrested and convicted under UAPA was 5,922 and 132 respectively.
- **Data Deficit:** The NCRB does not maintain UAPA data on the basis of religion, race, caste or gender. This creates a barrier in identifying the vulnerable groups who face greater abuse under the act.

Suggestions for UAPA

- The Parliament should rectify the anomalies with a suitable amendment and vague provisions for improving the interpretation.
 - Currently, the act punishes an individual who is a member of a banned organisation under the first schedule of UAPA. However, it fails to define what constitutes membership.
- The court should also strike down the inappropriate provisions of UAPA especially the ones which undermine fundamental rights.
 - The SC had done this in the past as well. For instance, in **Shreya Singhal Case**, Section 66A of the IT Act was held as unconstitutional due to its vagueness that undermined the right to free speech.
- The government needs to **educate the Law enforcement authorities** to prevent the problem of misuse. The enforcement authorities should be trained regarding the application and non-application cases of UAPA. Further, they should be made sensitive towards Right of Dissent in a democratic setup.
- The record of cases filed under UAPA must be subcategorised on the basis of religion, race, caste, or gender. This will help in the identification of the groups/communities who are most prone to abuse under the act.

Conclusion

UAPA gives unfettered powers to the government and leaves a person vulnerable in front of the government. This Act compromises with constitutional values such as freedom of speech, personal liberty and the right to a fair trial. However given the evolving nature of crime and terrorist activities, it is not possible to completely abandon the law. Hence focus

must be placed on balancing the security interests with fundamental freedoms granted by the constitution.

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RBI's proposal for regulation of the Microfinance sector- Explained, pointwise

Introduction

Recently, the Reserve Bank of India has released a Consultative Document on Regulation of Microfinance sector. The document aimed to address the concerns related to the over-indebtedness of microfinance borrowers and empowering them. The document proposes that there should be **no prepayment penalty and collateral for all microfinance loans**. The introduction of regulation is much needed, as the Microfinance Institutions loan portfolio has reached Rs 2.31 lakh crore at the end of FY2020, touching the lives of 5.89 crore customers.

The microfinance sector has grown rapidly in India over the past few decades. Currently, the microfinance sector is serving around 102 million accounts (This includes banks and small finance banks) of the poor population of India. But still, there are certain inherent challenges associated with the Microfinance sector.

What are Microfinance Institutions?

These are organizations that offer financial services to low-income populations. They provide services such as [micro loans](#) (all loans that are below Rs.1 lakh), micro-savings, and microinsurance.

Microfinance Institutions provide small loans to people who do not have any access to banking facilities. Their area of operation includes rural areas and among low-income people in urban areas.

The **Non-Banking Financial Company -Micro Finance Institutions (Reserve Bank) Directions, 2011** of the Reserve Bank of India (RBI) is regulating all the Non-Banking Finance Company (NBFC)-MFIs in India

Salient provisions of RBI document on Regulation of Microfinance sector

The suggested framework in the Document is intended to be made applicable to the microfinance loans provided by all entities regulated by the Reserve Bank. After the consultation, the RBI will release the overall guidelines for the regulation of the Microfinance Sector.

1. **A common definition of microfinance loans:** there is no common definition for microfinance loans available from various microfinance entities in India. The document aims to provide one common definition for all regulated microfinance sector entities.
2. **Capping the outflow on account of repayment** of loan obligations of a household to a **percentage of the household income**. Further, borrowers can determine the period of repayments as per their requirements.
3. **A Board approved policy for household income assessment.**
4. There should be **no pre-payment penalty; no collateral requirement, and greater repayment frequency** for all microfinance loans.
5. Alignment of pricing guidelines for NBFC-MFIs with guidelines for NBFCs.
6. Introduction of a **standard simplified fact sheet on the pricing of microfinance loans**. Further, MFIs need to display minimum, maximum and average interest rates charged on microfinance loans on their websites for greater transparency.
7. **Aligning pricing guidelines** for NBFC-MFIs with guidelines applicable to NBFCs

Need for RBI document on Regulation of Microfinance sector

1. **Decade-old rules and regulations:** At present, Microfinance Institutions are governed by **NBFC-Micro Finance Institutions (Reserve Bank) Directions, 2011**. So the new document is much needed to govern the growth and misuse of Microfinance Sectors.

2. **Increased share of banks and small finance banks:** After 2015 the banks and small finance banks started increasing their operations in Microfinance Sector. At present, only 35% of the Microfinance sector lies with the MFIs, the rest are with banks and small finance banks. This resulted in the following difficulties,
 - The RBI's 2011 directions **did not cover around 70 percent share in the microfinance portfolio.**
 - This **created a non-level playing field** among the Microfinance Sector.
 - **The issue of Over-indebtedness and Multiple Lending:** small borrowers are able to get multiple loans from several lenders, contributing to their over-indebtedness.
3. So, for creating a level playing field and cover all the regulated entities (REs) engaged in the microfinance sector, a new regulation is necessary.

Significance of RBI document on Regulation of Microfinance sector

1. **Provides a new interest rate regulatory system for MFIs:** The regulations provide a **more market-based interest system.** Further, the transparent pricing mechanism will provide **competition among players in the microfinance sector** to bring down the interest rates.
2. **The centrality of the borrower:** Further, the new document places the borrower (i.e Customer) at the center of the microfinance sector. It empowers the borrowers to make an informed decision, the framework.
 - At present, with the rise in competition in the microfinance sector, the interest rates are not getting lower.
 - The document also protects the microfinance borrowers from over-indebtedness (As the document mentions that the payment of interest/loan will not exceed 50% of monthly income)
 - **No prepayment penalty:** This will aid the borrower (low-income households) and provide **greater flexibility in repayment of the loan.**
3. **Venture into other types of loans:** As the consultative document removed the time limit of the loan, the institutions in the microfinance sector now can provide other types of loans. Such as affordable housing loans, loans for renewable energy, sanitation requirements, etc.
4. **Provides overall growth of the microfinance sector:** With these guidelines, more and more small finance banks and banks can venture into the microfinance sector and provide benefits to a rural and low-income population.
5. **Facilitates financial inclusion:** The borrower will have a wide variety of institutions to cater to his/her needs specifically. This will help in financial inclusion.

Challenges with the microfinance sector in India

1. **Sustainability of MFIs:** MFIs generally **lack access to capital.** Many Microfinance Institutions are socially-oriented institutions and have little access to financial capital. So, they charge high rates of interest to attain sustainability. This was passed on at higher interest rates from their clients (who are "interest insensitive").
2. **Impact on profits:** The SLR and CRR requirements of Microfinance Institutions hampers short-term profits of microfinance sectors. Along with the **operating expenses**, their profit margin is very less.
3. **Impact of COVID-19 pandemic:** The pandemic has impacted the microfinance sector more compare to other credit institutions. Their loan collections have taken a hit, and loan disbursals are yet to observe any meaningful growth.

Suggestions to improve the microfinance sector

The consultative document provides [holistic reform in the microfinance sector](#). Along with that, certain measures can be taken to improve the sector further. Such as,

1. **Introduction of Digital technologies:** Like regular banking, the MFIs also have to embrace complete digital formats for providing loans. This will improve digital literacy also among the public as MFIs focus on the low-income population.
2. **Creation of Social Impact Scorecard:** The RBI should encourage all the entities in the Microfinance sector to create a Social impact scorecard and to update it regularly. This will be helpful to measure the societal change and also help in framing government policies for the low-income populations based on their specific needs.
3. **Creation of authenticated customer data:** If the consultative policy turned into policy, then the MFIs cannot charge payment of interest/loan exceeding 50% of monthly income. Since the MFIs function for the low-income population, the field officers might face challenges in calculating the exact income of the household. So, apart from approving the household income, the board should **also create an authenticated data of households**, by including all revenue sources of low-income populations.
4. **Verification after loan:** Many times people will get the loan and use them for commercial purposes like buying mobile phones, paying interest to the moneylender, etc. The MFIs have to verify and update the loan has been properly used for the stated purpose and not for any other purpose.

Conclusion

The RBI's Consultative Document on Regulation of Microfinance sector alters the complete functioning of the microfinance sector in India. The guidelines provide much-needed reforms and pave the way to recover the microfinance sector from the dreadful Covid-19 pandemic. But along with that, the RBI may introduce other suggestions to ensure the smooth functioning of MFIs.

[June Yojana Summary] Pandemic through Gandhian Principles – Explained, pointwise**Introduction**

The Covid-19 Pandemic has changed every aspect of human life. It has altered our consumption pattern, shocked our smart production systems, changed the modes of education and entertainment. Above all, the pandemic also changed the perception, “Man is a ‘social animal’”. Ever since the imposition of lockdown, the Gandhian principles started gaining ground.

[Gandhian principles](#) like dignity of labour, self-sufficient and strong village economy and the principle of trusteeship emerge as logical outcomes of the pandemic. Gandhian thought can also provide some critical insights into the post-pandemic world also.

Gandhian principles on economy vs modern economic principles

- Gandhi’s principles on economics grounded on the premises of non-violence, truth, self-containment, and non-covetousness. This is completely antithetical to the modern economy.
- In the textbook economy or positive economy, “**wants, in general, are insatiable** (impossible to satisfy)”. On the other hand, in Gandhian system focus on the “**idea of containment of wants**”. This is explicit as Gandhi mentioned, “Earth provides enough to satisfy every man’s needs, but not every man’s greed”.
 - According to Gandhi, Greed breeds violence and gives rise to the need to exploit others, which is against the first primal principle of the Gandhian system.
- Two practical examples of Gandhian principle on the economy are,
 1. **Bhoodan movement by Vinoba Bhave:** Voluntary distribution of land from wealthy landowners to landless people.
 2. **Jajmani system:** It is a reciprocal arrangement between craft-producing castes and the wider village community.

The Gandhian principle on technology and industry

- Gandhiji’s ideas about technology are debatable. But the key idea was to “**optimally use the local resources and skills**“. In other words, the introduction of machines is useful. But they should not impact the dignity of labour. Gandhiji’s concept of dignity of labour has the following dimensions.
 - **No labour is menial:** According to him, all the labours in society are equal.
 - **Treating labour with decency:** Decency includes healthy and clean working conditions, reasonable wages
- This is reflected in the **Ahmadabad Mill strike**. There Gandhi attempted to ensure the dignity of labour.
- According to him, **Industries are necessary for progress** and the Industries need profit to survive. **But the profits belong to society**. So, the **Industrialist has to redistribute the wealth and act as a mere trustee of wealth**.
- A practical example of the Gandhian principle in the industry is the **implementation of Corporate Social Responsibility**.

Gandhian principles during the pandemic

Though Gandhian principles never fail, there was an opinion that these can only be admired from a distance. This opinion prevented practical experimentation and implementation of Gandhian principles. But the **pandemic paved new ways to experiment with Gandhian principles**. For example,

Changing consumption pattern based on Gandhian principle

The pattern of consumption has changed significantly, especially during the lockdown periods. Many studies have noted a substantial reduction in 'discretionary' consumption. Such as,

- People not focused on the 'brand value' of the products. Few brand conscious people, even distinguish between the essential and non-essential product and avoided non-essential consumption.
- A majority of the population shifted towards natural and herbal remedies. They even learned about their goodness and lasting effects.
- Each and every household choose a healthy lifestyle to bolster immunity.
- Ceremonies reduced and the drastic expenditure on lavish things reduced manifold.
- **Changing manufacturing pattern based on Gandhian principle**
- **Promoting self-sufficiency:** Covid-19 pandemic also highlighted the problem of **fragmentation of the supply chain**. This forced manufacturers to relocate near to the sources of supply. A study "How Covid-19 is Changing Global Value Chains" observes a trend towards the **relocation of the GVC (Global Value Chain) in favour of greater use of local skills and materials**. This is in line with the **Gandhian principle of optimal utilisation of the local resources and skills**.
- **Shifting towards green technologies** (fulfilling needs, not greed): With the advent of the pandemic, many manufacturers started shifting to green technologies. For example, The **Confederation of British Industry has urged the government to invest in green technology and jobs**.
 - The UK government has even announced **Green Recovery Challenge Fund**.
- **Change in human empathy towards Gandhian principles**
- Individuals and NGOs supported migrants and the poorest sections of people by providing food packets and other materials
- **Change in urban development**
- The pandemic has taught us that an infection anywhere is a threat to health everywhere. This changed the focus of urban development programs. For example,
- Urban local bodies started improving health and sanitation in slum areas and changed the living condition of people drastically.
- **Change in Treating labour with decency**
- The pandemic increased reverse migration. This resulted in higher wages in states where migration occurred.
- Further, manufacturing states like Maharashtra, Tamil Nadu faced a severe shortage of labour. There are instances where workers have been given air tickets to return to work.
- If some of these benefits last long enough, then Gandhiji's intervention in Ahmedabad textile strike will prove fruitful even today.

Read more: [Gandhian imprint in the farmer's protest](#)

Suggestions to strengthen Gandhian principles in the post-pandemic world

1. **Tackle the parallel pandemic in homes:** The issue of Domestic Violence and Gender Issues is high during the pandemic. This has to be rectified to empower and develop women. This will facilitate the overall development of mankind and create gender parity.
2. **Reducing Rural-Urban Imbalance:** Agricultural sector remains as a resort to migrant workers. This indicates the non-availability of non-agricultural jobs. So, the government has to create the following reforms to **create a self-sufficient village economy**.

1. Providing more jobs in the non-agricultural sector and manufacturing sector in rural areas.
2. Promoting agro-based and related commercial activities such as fisheries and food processing industries to diversify the rural workforce.
3. **More attention to Environment:** Lockdown reportedly reduced the air and water pollution substantially. Now it is the time to maintain that level from individual and government. Policies like eco-friendly urban transport and manufacturing systems will further reduce carbon emissions and create employment opportunities also.

Conclusion

Any attempt to engage in greater sustainability is Gandhian in spirit. Further, All the 17 Sustainable Development Goals integrate the Gandhian principle of peaceful and harmonious coexistence of human beings with each other, with nature, and other beings supported by nature. The pandemic has opened up opportunities to tweak our ways of living on this planet in a wiser and more compassionate way. Now it is for us to retain Gandhian principles in everyday life.

Summary of State of Environment Report 2021 – Explained, Pointwise

Introduction

The Centre for Science and Environment (CSE) has released its annual State of Environment Report, 2021. This year's assessment has been made against the backdrop of the Covid-19 pandemic. The report highlights the dismal state of the environment in India wherein the country is jeopardising its natural wealth for meeting its economic objectives.

It also throws light on the impact of Covid-19 over India, which may create a **pandemic generation in future** who would possess poor health and education levels.

The report is a reminder for humans to **stop indiscriminate usage of the environment**. As the Environment has increased, the progression towards sixth mass extinction. The focus should now be on **developing eco-friendly products and living harmoniously with nature** in order to attain sustainable development.

About State of Environment Report

- It is an annual publication by the **Centre for Science and Environment (CSE) along with Down To Earth**.
- It covers aspects such as forests, wildlife, agriculture, rural development, water and sanitation, and climate change.
- This publication is regarded as the **most credible and complete annual survey of India's environment**.

About Centre for Science and Environment (CSE)

CSE is a public interest research and advocacy organisation based in New Delhi.

It researches into, lobbies for and communicates the urgency of development that is both sustainable and equitable.

It creates awareness about problems and proposes sustainable solutions. For instance, it exposed the high level of pesticides present in American brands of soft drinks such as Coke and Pepsi.

In 2018 the CSE was awarded Indira Gandhi Prize for Peace, Disarmament and Development

Key Findings of the State of Environment Report 2021

- **Biodiversity and forests:**
 - Environmental crime cases are increasing and the disposal of the cases is slow. In 2019, 34,671 crimes were registered and 49,877 cases are pending trial. To clear the backlog in a year, courts need to dispose of 137 cases a day.
 - **Forestland diversion is continuing consistently.** In 2019, over 11,000 hectares were diverted in 22 states. Eight coal projects were granted **clearance in 'No-Go' areas**.
 - More than 160 species have gone extinct over the last decade (2009-2019).
- **Sustainable Development Goals:**
 - India ranks 117 among 192 nations in terms of sustainable development. Its rank was 115 in the 2020 report.
 - **Five best performing states in achieving SDGs:** Kerala, Himachal Pradesh, Andhra Pradesh, Tamil Nadu, and Telangana
 - **Five worst-performing states in achieving SDGs:** Bihar, Jharkhand, Arunachal Pradesh, Meghalaya, and Uttar Pradesh.

- **Pollution Levels:**
 - India's air, water, and land have become more polluted between 2009 and 2018.
 - **Tarapur in Maharashtra** has emerged as the most polluted cluster.
 - In 2019, **1.67 million Indians died due to air pollution**. Its economic cost was over \$36,000 million, which is equivalent to 1.36 percent of India's GDP.
 - Both the surface and groundwater in the country are under threat, with 86% of the water bodies critically polluted.
- **Rural India:**
 - Community health centres in rural India need 76 percent more doctors, 56 percent more radiographers and 35 percent more lab technicians.
- **Climate Change:**
 - India recorded 12 of its 15 warmest years in the period between 2006 and 2020. Further, **India also had its warmest decade** on record.
 - Extreme weather events continued their rampage across the country. India was the fourth-worst hit in the world in terms of internal displacements due to disasters.
 - Between 2008 and 2020, some 3.73 million people per year were displaced because of floods, earthquakes, cyclones and droughts.
- **Pandemic related:**
 - The world is **going to face a pandemic like the current one more frequently**, as we know just 0.1 per cent of potential zoonoses. These are diseases that can be transmitted to humans from animals. Ex – Bird Flu, Anthrax, Ebola etc.
 - The country is all set to host a '**pandemic generation**'. 375 million children (from newborn to 14-year-olds) will have a long-lasting impact ranging from being underweight, stunting, and increased child mortality.
 - Out of the 500 million **children forced out of school** globally, India accounts for more than 50%.
 - Covid-19 has also turned **the world's poor into poorer**. 115 million additional people might get pushed into extreme poverty.

Analysing the Key Findings of State of Environment Report 2021

First, the data shows that **humans possess a minuscule level of information** to tackle future pandemics. The world remains ignorant of 99.9 percent of potential zoonotic viruses.

Second, the nations would be left **with poor human capital** in the future if immediate steps towards sustainable development are not taken.

The report said that malnutrition and hunger levels could rise with more pandemic events in the future. This would reduce the potential of human capital.

Third, **humans have been increasingly exploiting the environment**, as observed by rising air and water pollution levels.

A **reduction** in intervention would **allow natural healing of the environment**, as seen by the appearance of the "clean air and blue sky" during the country-wide lockdown.

Fourth, **India is performing poorly in the attainment of SDG goals** in comparison to its peers. It is behind all South Asian nations except Pakistan.

Challenges such as hunger, low food security, achieving gender equality, fostering innovation are the reasons why India's rank slipped in 2021.

Fifth, the loss of species and biodiversity shows a progression towards **the Sixth Mass Extinction** (Holocene extinction).

As per the report, before an extinction phase sets in, there are two signs: **Loss in population and shrinking distribution areas**. These two signs are evident among all species currently.

Suggestions from the State of Environment Report 2021

1. The government **must undo its 2020 policy decisions** that effectively diluted India's environmental regulation regimes.
 - o For instance, **the draft Environment Impact Assessment notification 2020** was an extremely lenient version of its predecessor.
2. The focus should be **on tackling the pandemic without jeopardising the environment**.
 - o For instance, the rise in plastic waste due to the higher usage of masks and PPE kits can be tackled with innovative solutions.
 - o **Dr Binesh Desai's model of Eco Bricks** should be adopted in constructing buildings and hospitals. (Around 52% of the Eco brick is made from plastic.)
3. There should be **timely completion of targets** aimed at countering climate change and achieving Sustainable Development goals. This demands **timely devolution of funds and resources** to the respective departments. For example,
 - o With just 55 percent of the target met, India is **nowhere close to installing 175 GW of renewable capacity by 2022**.
 - o The country also has a target of setting up at least 50 solar parks by 2021-22. However, not even **one park has been operationalised till now**.
4. The **expenditure on health and environmental research should be enhanced**. This will help in finding out eco-friendly methods of production and develop greater resilience against future pandemics.

Conclusion

The [State of Environment Report](#) is a reminder of the progressive worsening of the environment due to human actions. It calls for resetting our relationship with nature in such a way that it leads to sustainable development. India should now **switch from a reactive to a proactive approach** in order to mitigate and develop greater resilience against the upcoming environmental changes.

Right to be Forgotten – Explained, Pointwise

Introduction

The Delhi High Court ordered the removal of easy access from one of its own judgments. The move respected the petitioner's **right to be forgotten (RTBF)** and aimed to prevent post-acquittal stigmatization. RTBF is a right to remove private information about a person from Internet searches and other directories under some circumstances.

It is not explicitly available to the Indian masses. However, it has been implicitly recognised by courts as part of the right to privacy under Article 21 of the Indian Constitution. However, some experts have expressed concerns about it. Because RTBF deters the right to information and media freedom under Article 19(1)(a) of the constitution. Therefore, cautious balancing is desired, to enable its implementation in a restricted sense.

Why in the News?

- The [Delhi High Court in Jorawar Singh Mundy v Union of India \(2021\)](#) made an interim order protecting the rights of an American citizen.
 - The petitioner desired the removal of a judgment of acquittal in a case filed under the Narcotic Drugs and Psychotropic Substances Act (1985).
 - As per the petition, the continued existence of judgment on the websites/portals of Google and Indiankanoon had caused irreparable damage to his social life as well as his career prospects.
- An interim order was issued by the High Court of Delhi. It directed Google and IndianKanoon to remove access to a judgment from their portals.
- The court recognised that the petitioner **has a right to be forgotten**, which must be balanced with the right of the public to access the court's records.
- This is the **first instance** of a court ordering the removal of access to its complete final judgment from certain spaces.

About Right to be forgotten

- It is a right to remove private information about a person from Internet searches and other directories under some circumstances.
- It empowers individuals to ask organisations to delete their personal data.
- Likewise, it allows the individuals to determine the development of their life in an autonomous way without being perpetually stigmatized for a specific action performed in the past.

The scenario of Right to be forgotten in India

- The RTBF is not an explicit right granted to Indian citizens. Although courts in various judgments have emphasized the importance of this right.
 - In **K.S Puttaswamy versus Union of India (2017)**, the court deduced that the right to privacy also encompasses an individual's right to control his existence on the internet.
- The recommendations by the B.N Srikrishna committee also emphasized this right. Thus, it was incorporated under the **Draft Personal Data Protection Bill, 2019**.
 - Section 20 of the bill states that every person has the right to restrict or prevent continuing disclosure of personal data by any data fiduciary. Provided such disclosure meets any one of the following conditions:
 - The disclosure served the purpose for which it was made or is no longer necessary

- Further, the disclosure was made with the prior consent of the individual, and such consent has since been withdrawn.
- Lastly, the disclosure was made contrary to the provisions of the new bill or any other law in force.

International Scenario of Right to be forgotten

- The right took shape largely from the 1995 Directive of the **European Union on the protection of individuals** with regard to the processing of personal data.
- It is currently being provided by the **EU's General Data Protection Regulation (GDPR)**, a law passed by the 28-member bloc in 2018.
- According to the EU GDPR's website, the right to be forgotten appears in **Article 17 of the regulation**.
 - It states that the data subject shall have the right to obtain the erasure of personal data concerning him or her, without undue delay, from the controller. Further, the controller shall have the obligation to erase personal data without undue delay.
- In 2019, the European Court of Justice ruled that the 'right to be forgotten' under European law would not apply beyond the borders of EU member states.
 - This was in favour of Google, which was contesting a French regulatory authority's order to have web addresses removed from its global database.
- Currently, the EU, UK, and Australia are strongly moving towards the consolidation of the Right to be forgotten.

Arguments in Favour of the right to be forgotten

- **First**, it will uphold an **individual's privacy** under Article 21 of the Indian Constitution. This would enable him/her to fully [enjoy the right to life and personal liberty](#).
- **Second**, it would **prevent post-acquittal social stigmatization** by society. The right may save an individual from additional punishments like social boycott, difficulty in getting jobs, doing marriage, etc.
 - The Delhi HC revoked access to its judgment in **Jorawar Singh Mundy v Union of India (2021)** based on this premise.
- **Third**, it would help in maintaining a **veil of secrecy on the victim's identity**, especially in highly sensitive cases involving rape or affecting the modesty of the woman. This was observed by the Karnataka High court in **Sri Vasunathan v The Registrar General (2017)**.
- **Fourth**, many articles are written based on **half-truths and mere accusations**. The media doesn't update its prior articles based on future verdicts.
- **Fifth**, much information is **published without an individual's consent** which may cause severe harm to its reputation and mental peace.
 - For instance, uploading fake or revenge posts with respect to a person.
 - Jasleen Kaur (a former Delhi University student) had in 2015 accused Saravjeet Singh of verbally harassing her at a traffic signal in West Delhi.
 - This induced media persons to label him an "eve teaser" and a "pervert" however he was later acquitted.

Arguments against the right to be forgotten

- **First**, it **gets in conflict with the right to information**, which is part of freedom of speech under Article 19(1)(a) of the Indian constitution.

- For instance, a rape victim has a right that her past is forgotten. While a criminal cannot claim that he has the right to insist that his conviction should not be referred to by the media.
- **Second**, under the proposed data protection bill, **removal depends on the discretion of the adjudicating officer**. This may lead to partisan or arbitrary removal in favour of the government.
- **Third**, it may impair the **right of media personnel** to do independent reporting. The adjudicatory officer may remove articles of media groups that generally criticize government policies.
 - Thus, the freedom to criticize the public personalities for their public policies based on their past statements and activities will be in jeopardy.
- **Fourth**, the removal of **complete judgments may restrict public scrutiny** of judicial performance to ascertain the fairness and objectivity of the administration of justice. Further judgments are an important source of learning for law students.
- **Fifth**, the removal sometimes creates a **Streisand effect**. It is a social phenomenon that occurs when an attempt to hide, remove or censor information has the unintended consequence of further publicizing that information.

Suggestions

- **Privacy needs to be added as a ground for reasonable restriction** under Article 19 (2) through a constitutional amendment for the effective implementation of RTBP.
- The **impending Data Protection Bill** should be passed expeditiously. This would give individuals a legal right to erase their unnecessary and inappropriate personal data.
- The courts **should resort to narrow tailoring of the judgment** rather than forbidding access to its complete judgment.
 - For instance, in the current *Jorawar Singh Mundy v Union of India* (2021), the court could have ordered that the name and personal details of the petitioner be censored while maintaining public access to the judgment itself.

Conclusion

The right to be forgotten is well established across the world, although Indian courts have not had much occasion to deal with the same. However, this situation may change in the future as more petitions are likely to be filed on account of the evolving international jurisprudence and impending enactment of the Indian Personal Data Protection Bill.

Draft e-commerce rules and their challenges – Explained, pointwise

Introduction

The government has proposed changes to the [e-commerce rules under the Consumer Protection Act](#) to make the framework under which firms operate more stringent. It comes 11 months after the Government notified the Consumer Protection (E-Commerce) Rules, 2020, The latest proposals aim **towards greater compliance** and **protecting the interests of consumers**.

Ministry of Commerce and Industry has earlier released a few sets of rules to govern the e-commerce operators. Now, the **new rules** are issued by the **Consumer Affairs ministry** to deal with 'unfair' trade practices that hurt customers.

Several proposals in the draft e-commerce rules are aimed at increasing liabilities for online retailers. Major industry bodies, including the Confederation of Indian Industry (CII), Federation of Indian Chambers of Commerce & Industry (FICCI) are expected to hold meetings with e-commerce firms and other stakeholders, to discuss amendments to the e-commerce rules.

About the Draft E-commerce rules

1. **Mandatory registration for e-commerce entities:** Any online retailer will first have to register itself with the Department of Promotion for Industry and Internal Trade (DPIIT).
2. Appointing a chief compliance officer.
3. A nodal contact person for **24×7 coordination with law enforcement agencies**,
4. Requiring e-commerce entities offering imported goods or services to 'incorporate a filter mechanism to identify goods based on country of origin
5. Suggest alternatives to ensure a fair opportunity to domestic goods'.
6. **Specific flash sales or back-to-back sales** "which limit customer choice, increase prices and prevents a level playing field are **not allowed**".
 - o Govt will not seek disclosure of other flash sales from e-commerce companies
7. All e-commerce entities must provide information within 72 hours on any request made by an authorised government agency, probing any breach of the law including cybersecurity issues.
8. **Introduced the concept of "fall-back liability":** The rules **made the e-commerce firms liable** in case a seller on their platform fails to deliver goods or services due to negligent conduct, which causes loss to the customer.
9. According to the proposed rules, the consumer affairs ministry is planning fresh guidelines for e-commerce companies, including the appointment of a chief compliance officer, etc.

Need for the draft e-commerce rules

- **Uncompetitive trade practices:** The two large e-commerce players (Amazon and Flipkart) have been contending with accusations that their **pricing practices are skewed to favor select sellers** on their platforms and that their **discounting policies have hurt offline retailers**. Further, The **Competition Commission of India** wants to **conduct antitrust probes to investigate business practices** (Amazon and Flipkart).
 - o The Media investigations suggest this to be the case: Internal documents from Amazon, for instance, showed that just 35 of the 400,000-odd sellers on its platform account for two-thirds of sales, suggesting that it extends preferential treatment to a handful of sellers.

- The e-commerce platforms are both players and regulators, as they provide the marketplace and also compete directly with other sellers using it. This creates a **conflict of interest**.

Advantages of the draft e-commerce rules

1. **Equal protection to all:**
 - The rules **restrict** e-commerce companies from “**manipulating search results or search indexes**”. It is a long-standing demand from sellers and traders to prevent preferential treatment to certain platforms.
 - Further, the rules also **mandate the logistics service provider to not provide differentiated treatment** between sellers of the same category.
 - The rules also **protect against unfair trade practices** and also **against misleading advertising**.
2. **Push for made-in-India products:** The e-commerce companies will have to provide domestic alternatives to imported goods. This will boost made-in-India goods.
3. **Lead to more accountability:** The proposed amendments will lead to more accountability from stakeholders of e-commerce firms. The e-commerce companies need to provide an explanation on how they rank the products, which consumers can understand easily, and also create transparency.
4. **Weed out fly-by-night operators:** With mandatory registration for e-tailers with DPIIT, the fraudulent e-commerce operators can be tackled.

Challenges with the draft e-commerce rules:



1. **Greater oversight over all online platforms:** Following on the heels of the recent [IT \(Intermediary Guidelines and Digital Media Ethics Code\) Rules](#), the draft e-commerce amendments show the Government's increasing enthusiasm to exercise greater oversight over all online platforms.
2. **Cannot sell retail products of their own:** The new rules mention "none of an e-commerce entity's 'related parties and associated enterprises is enlisted as a seller for sale to consumers directly". This impacts several platforms that retail products supplied by vendors with arm's length ties.
 - o Any entity having 10 percent or more common ultimate beneficial ownership will be considered an "associated enterprise" of an e-commerce platform
3. **Legal challenges overburden Judiciary:** The enforcement of many of these norms is bound to spur extended legal fights. This will overburden the Judiciary.
 - o The rules will open the door to **subjective government intervention**. For instance, flash sales are prohibited if they are back-to-back and limit customer choice. The decision on whether a sale violates these terms remains vulnerable to regulatory interpretation.
4. **Impact on growth and job creation:** The new e-commerce rules create over-regulation, along with a scope for interpretative ambiguity in rules. This will retard growth and job creation in the hitherto expanding e-commerce sector.

5. **Discourage MSMEs:** E-commerce also has provided MSMEs with a wider audience to sell their products. Tightening of rules for marketplaces will discourage these MSMEs from coming online.
6. **Deprive the strategic autonomy:** The proposed draft rules look like a manual for **micro-management** of e-commerce companies like **pre-1991 Licence Raj**. Further, If all e-com websites are forced as generic market platforms, these companies could lose their ability to outperform rivals and serve the market's ultimate cause.
 - These rules appear to be catering to traditional retailers, who have been increasingly unhappy with the huge success of deep discount festive-season flash sales on Amazon and Flipkart.
7. **Contradiction with Commerce and Industry Ministry rules:**
 - The new draft rules said no related parties and associated enterprises should be listed as sellers on marketplaces. On the other hand, the Commerce ministry rules forced companies like Amazon to bring down their shareholding in what they called preferred sellers to 24%. This was done to provide a more level playing field among sellers. This creates confusion on the rules.

Other issues:

- It is not clear, how identifying goods based on “country of origin” will offer domestic manufacturers a better deal unless it is assumed that consumers are driven by patriotism rather than value.
- Unlike the last set of rules issued by the commerce ministry, this draft doesn't distinguish between foreign and domestic e-commerce.

Conclusion

1. **Appoint a single nodal agency:** The government needs to remove ambiguities that arise from multiple ministries governing the e-commerce sector. So, the government needs to appoint a single nodal agency and streamline rules for online marketplaces.
2. **Need final laws:** Until the government doesn't come with final laws to govern the sector, e-commerce companies will continue to **create more structures and build complicated supply chains to evade the current norm.**

The new rules will only create a new set of problems and possibly give support to some inefficient competitors. So, the new draft rules need a relook.

UGC's Proposal For Blended Learning – Explained, Pointwise

Introduction

A recent circular by the University Grants Commission (UGC) proposed a blended learning mode wherein all higher educational institutions (HEI) should teach **40% of any course online** and the rest **60% offline**.

What are the benefits of Blended learning (BL) as stated by UGC?

- Paves the way for increased student engagement in learning
- enhanced student-teacher interactions
- improved student learning outcomes
- more flexible teaching and learning environments
- increased opportunity for institutional collaborations at a distance
- enhanced self-learning

Benefits of Blended learning (BL) to teachers

- It shifts the role of the teacher from being a “**knowledge provider to a coach and mentor**”. This will enable teachers to have a greater influence and effect on students' learning.
- Further, as against traditional classroom instruction which is “teacher-directed, top-down, and one-size-fits-all”, Blended learning is “**student-driven, bottom-up, and customized**”.
- Blended learning introduces flexibility in assessment and evaluation patterns as well.

Challenges in Blended learning

- **Majority colleges in rural areas:** The latest All India Survey on Higher Education (2019-20) report shows that **60.56% of the 42,343 colleges in India are located in rural areas** and 78.6% are privately managed.
- **Poor internet penetration: Internet penetration in India is only 45%** as of January 2021. This policy will only worsen the existing geographical and digital divide resulting in the exclusion of a large number of rural students.
- **All-round development hampered:** Blended learning leaves little room for the all-round formation of the student that includes the development of their intelligent quotient, emotional quotient, social quotient, physical quotient and spiritual quotient.
- **Dropout rates might increase:** Blended learning mode assumes that all students who enter the arena of higher education have similar learning styles and have a certain amount of digital literacy to cope with the suggested learning strategies of BL. This is far from true.
- Education in India is driven by a teacher-centred approach. Expecting these students to switch over quickly to collaborative and technology-enabled learning will be stressful for them. It may increase the existing dropout rate in higher education.

Recommendations to improve Blended learning

Given these challenges, it is worth considering a few recommendations.

- **Equity in access:** The government should ensure equity in access to technology and bandwidth for all HEIs across the country free of cost.
- **Digital training for teachers:** Massive digital training programmes must be arranged for teachers.

- **Appointment of new teachers:** Even the teacher-student ratio needs to be readjusted to implement BL effectively. This may require the appointment of a greater number of teachers.
- **Curriculum design:** The design of the curriculum should be decentralized and based on a bottom-up approach.
 - Also, switching over from a teacher-centric mode of learning at schools to the BL mode at the tertiary level will be difficult for learners. Hence, the government must think of overhauling the curriculum at the school level as well.
- **More power with state governments:** More power in such education-related policymaking should be vested with the State governments.
- **Periodic feedback and discussion:** Finally, periodical discussions, feedback mechanisms and support services at all levels would revitalize the implementation of the learning programme of the National Education Policy 2020 and BL. It'll lead to the realization of the three fundamental principles of education policy: access, equity and quality.

Source: [The Hindu](#)

India-Africa relations – Explained, pointwise

Introduction

Africa is considered a foreign policy priority by India. The Indian government has designed a forward-looking strategy to deepen India-Africa relations further. Even during the COVID-19 times, India took new initiatives to assist Africa through prompt dispatch of medicines and later vaccines.

The quantum of India-Africa trade

- According to the Confederation of Indian Industry, in 2020-21, India's exports to and imports from Africa stood, respectively, at \$27.7 billion and \$28.2 billion.
- India's top five markets today are South Africa, Nigeria, Egypt, Kenya and Togo. The countries from which India imports the most are South Africa, Nigeria, Egypt, Angola and Guinea.
- India's **top three exports** to Africa are **mineral fuels and oils** (processed petroleum products), **pharmaceutical products and vehicles**.
- **Mineral fuels and oils**, (essentially crude oil) and **pearls, precious or semi-precious stones** are the top **imports** accounting for over 77% of our imports from Africa.
- **India's other engagements with African nations**
- Apart from [India-Africa trade relations](#), India also engages in,
- **Peacekeeping missions** in Africa,
- Lending **support** to African nations in **counter-terrorism operations**,
- Contributing to African institutions through **training and capacity-enhancing assistance**.
- Further, India also established **communication with Africa at a political level**.
- India also provides **aid for economic development** in the African continent

What are the latest Challenges in India-Africa relations?

- **The impact of COVID-19 in Africa:** The latest economic data confirms India's exports and imports have reduced 4.4% and 25% respectively in 2020-21 compared to the previous year.
- **The third scramble:** A recent study, Engagement of External Powers in Africa; Takeaways for India showed, Africa experienced a sharpened international competition. This is known as '**the third scramble**'.
 - A dozen nations from America, Europe and Asia have come forward to assist Africa in resolving the continent's political and social challenges. In return, they got benefits from Africa's **markets, minerals, hydrocarbons and oceanic resources**, and thereby an opportunity to **expand their geopolitical influence**.
 - It **created competition and contestation** involving traditional and new players, especially the United States, the European Union (EU), China, Japan and India.
- **The increased presence of China:** China has successfully used the pandemic to expand its footprint by increasing the outflow of its vaccines. Unfortunately, India's 'vaccine diplomacy' faced challenges like COVID-19 second wave, shortage of vaccine raw materials from the U.S., etc.
- **Geopolitical tensions** in Asia and the imperative to consolidate its position in the Indo-Pacific region have compelled India to deviate from India-Africa relations.

Instead, India **concentrated on its ties with the United Kingdom, the EU, and the Quad powers**, particularly the U.S.

- **Pending summits:** The third India-Africa Forum Summit was held in 2015. The fourth summit, pending since last year. The summit is not even pushed in a virtual format.

Suggestions to improve India-Africa relations

- **More engagement between India and Africa:** For mutual benefit, Africa and India should remain optimally engaged. For instance, **conducting the fourth India-Africa Forum Summit, Allocating fresh financial resources** for grants and concessional loans to Africa, etc.
- The promotion of economic relations demands a higher priority. India needs to impart 21st-century complexion (the third scramble and global competition) into India's African policy.
- **Tackling China in Africa:** Increased cooperation between India and its international allies is key to tackle China, both in Asia and elsewhere. For instance, the recent **India-EU Summit** has **identified Africa as a region where a partnership-based approach will be followed**. This will limit Chinese plans in Africa.

Source: [The Hindu](#)

New Vaccine policy: Need and Concerns – Explained, Pointwise

Introduction

Vaccines are a proven shield against the SARS-CoV-2 virus. They have prevented serious illness and death, especially in patients who have been administered both doses. India's new vaccine policy came into effect on 21st June. The policy aims to reduce the stress of procurement on states who were not able to effectively procure under the previous policy. It would also boost the per day vaccine administration in the country and ensure equitable access to vaccines by small hospitals as well.

However, it also gives a disproportionate allocation of 25% to the private sector and doesn't provide concrete steps to tackle hesitancy, which may impair the vaccination drive. Therefore, allocation of government should be enhanced, and confidence-building measures are taken for achieving universal immunization.

Progress of Vaccination in the country

- India's cumulative COVID-19 vaccination coverage has reached 28.33 crores since 16th January 2021.
- A spike in vaccination delivery was observed post the initiation of the new vaccine policy from 21st June 2021.
 - More than 82 lakh doses were administered on the first day, which was the highest-ever single day inoculation since the drive began in India.
- Currently, 17.1% of the country's population has received at least one dose, while 3.7% are fully vaccinated.

About the New Vaccination Policy

- The stated objective is universal access to free vaccinations in all government and accredited facilities.
- It creates a dual market, under which the Centre will buy 75% of doses from vaccine makers and give it to the State governments for free to inoculate all adults. While the rest will be left for the private sector procurement.
- The funding will be a mix of public finance and out-of-pocket expenditure.
- The outcome is to ensure that all 95 crore adults are fully vaccinated by the end of this year.
- **Pricing:**
 - Covishield and Covaxin would be supplied to the Central government at Rs. 150 per dose, while procurement price would be higher for private players.
 - Consumers will get a free dose at government centers while a capping price is placed on private players. It is Rs. 780 for Covishield, Rs. 1,145 for Sputnik V and Rs. 1,410 for Covaxin.
- **Quota allocation:**
 - 75% of Vaccines would be procured by the Centre and 25% would be available for private players.
 - The Central government will specify hospital-wise and State-wise quotas for private sales.
- The policy was announced on 7th June and came into effect from 21st June.

Previous Vaccination Policy

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.

Changes for distribution:

Under the 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.

Read more: [Previous Vaccination Policy](#)

Need of New Vaccine Policy

- **First**, the revision in the vaccination policy came after the **number of doses administered daily started to decline** in May.
 - Between May 11 and 20, only 15.7 lakh doses were administered on an average daily. However, the need was to administer around 82.1 lakh doses for attaining universal immunization in 2021.
 - The daily rate reduced **due to a shortage of vaccines**, as most major States used 90% of all doses supplied to them.
- **Second**, the states were obligated to purchase vaccines on their own under the previous policy. The Centre gave free doses only to vaccinate the elderly and the frontline workers.
 - This **induced severe financial stress on them** as their cost of procurement was much higher than Centre.
- **Third**, the **second wave of Covid-19 brutally impacted the population**. Its reach and magnitude were much higher than the first wave. Thus, a new vaccination policy was desired to **speed up the vaccination drive in a short time**.
- **Fourth**, the previous policy was **unable to make substantial progress towards universal immunisation**. The shortage of vaccines in government centers and the high cost of vaccines in private centers discouraged vaccine administration to millions.
- **Fifth**, under the previous policy, the States were competing with each other for the limited vaccines. This was **adversely impacting the spirit of cooperative federalism** in India.

Issues associated with New Vaccine Policy

- **First**, the private sector possesses **less vaccination centres than its approved procurement quota**. This may create a **demand-supply mismatch and result in inequitable distribution**.
- **Second**, the quota is based on a **mistaken assumption of an inflated 'middle class'**.
 - The data of Pew Research Centre shows a fall in the number of people in the higher, middle, and lower-middle-class segment due to the pandemic. For instance, the middle class numbers fell from 9.9 crores to 6.6 crores.
- **Third**, the top 25% of the population has better access to government vaccination centres. They may choose to get free vaccination which may **have a 'crowding out' effect for the poorer sections**.
- **Fourth**, the price of vaccination in small hospitals would be much higher than in big healthcare hospitals, as they do not have deep pockets to buy such costly vaccines.
 - The piecemeal orders and delivery in remote locations would enhance the price and discourage private vaccination in these regions.

- **Fifth**, differential pricing and **dual markets provide wrong incentives** and result in unhealthy competition.
 - There could be diversion and leakage of the free vaccines to the private markets as many government doctors are also owners of private hospitals.
- **Sixth**, the **policy doesn't propose concrete steps to tackle vaccine hesitancy** which has grown tremendously post the occurrence of the new delta variant. Further, constant shifts in vaccine dosage and periodicity also shakens the trust of masses.

Read more: [Challenges in Vaccine Procurement in India – Explained, Pointwise](#)

Suggestions

- There is a need to simplify the policy with the government as **the sole procurer**. The model of the **Universal Immunisation Program (UIP)** can be adopted in this regard.
 - Under UIP, the Central government indicates the quantity required, the delivery schedules, and the rates as per global tender. It supplies quality, ready-to-use vaccines to the States.
 - The manufacturer is left to dispose of excess quantity, if any, in accordance with market forces and without interference from the government.
 - The private sector's participation catering to the better-off sections has averaged 5%-15% depending on the vaccine.
- The implementation of the policy **must be in accordance with district-level micro plans** incorporating the public and private sector. This would help cover target groups in accordance with epidemiological data.
- The government should **encourage walk-in vaccination** in hinterland regions due to poor digital literacy levels, which impairs online registration on Cowin portal. Further a framework of '**Vaccination at Home**' should be made for severely ill patients.
- It **should now prepare a robust strategy for children as well**. The advent of the delta variant made it clear that the previous plan to vaccinate a smaller part of the population was inadequate. The need is to vaccinate around 85% of the population for achieving herd immunity.
- India can establish an independent team of experts under the aegis of the WHO. They will ensure adherence to recruitment standards, consent conditions, and adverse event record management. This would **improve public confidence and provide enough data** for the future policies of the government.

Read More: [Universal vaccination in India : Challenges and way forward – Explained, Pointwise](#)

Conclusion

India witnessed a large number of deaths in the second wave and to date, only 3.7% of the population has been fully vaccinated. Further many experts are predicting an onset of the third wave around October-November. This makes it imperative to achieve universal immunisation in a short time with an effective vaccine policy. Under this, the vaccines should be freely available and accessible to all, not only to the privileged few.

Threats Posed by UAVs – Explained, Pointwise

Introduction:

Over the past two years, drones or [UAVs](#) have been deployed regularly by Pakistan-based outfits to smuggle arms, ammunition, conducting aerial surveillance, and drugs into Indian territory. Recently, two explosive devices were dropped from a drone at the air force base in Jammu. This was the **first known drone or UAV attack on an Indian military establishment**.

In certain incidents, the small drones were also armed with explosive ordnance, to convert them into potentially lethal guided missiles. This demonstrates the growing sophistication in the field of UAVs.

Past UAVs threats:

Weaponised drones were first used by the Islamic State in northern Iraq in 2016 and then in Syria. After that, every terror outfit started using drones to create devastation. According to government figures, 167 drone sightings in 2019 and 77 in 2020 were recorded along the border with Pakistan. Significant ones include,

- In October 2020, the Army shot down one drone along the Line of Control in the Keran sector of J&K.
- In January 2021, the Jammu & Kashmir Police caught two persons while they were picking up a consignment of arms and ammunition smuggled via drones.

What are UAVs?

An unmanned aerial vehicle (UAV) is an aircraft that carries no human pilot or passengers. UAVs, sometimes called “drones” can be fully or partially autonomous but are more often controlled remotely by a human pilot.

Read more: [Drone regulations and application of UAVs](#)

Threats of using UAVs in attacks:

UAVs are generally called **attackers delight and defender’s nightmare** for the following reasons,

1. UAVs have no restriction on the terrain nor the condition of the environment.
2. Drones fly low and therefore cannot be detected by any radar system because they are small and do not have much radar cross-section.
3. Difficult to detect also means **difficult to engage** as well.
4. They **do not match the cost of the kill vs the cost of the target**. For example, killing the \$1000 UAV with the Million \$ sophisticated missile. So, the defender **needs soft kill systems** like LASER, Radio Frequency jamming and Electronic Jamming etc.
5. Drone attacks **cannot be ruled out even in the safest cities** in the world.
6. UAVs can be controlled from a remote distance and **does not endanger any member of the attacking side**.
7. UAVs are easy-to-procure, easy-to-operate, and have a **proven damage potential**.

Ethical concerns of using UAVs to attacks:

There are certain ethical questions surrounding UAVs and their deployment in security operations. Such as,

1. As the UAVs take over human operations on the battlefield, is the world ready to **let the machine take over man**?
2. Can the machine be allowed to kill a man (Target)?

Government guidelines to counter rogue UAVs:

In 2019, following drone attacks on two major Saudi Arabian oil installations, the Indian government had expedited the process to come out with guidelines to counter rogue drones.

The civil aviation ministry **formed a committee chaired by the Director-General of Bureau of Civil Aviation Security (BCAS)**. Based on the committee recommendation, the Civil Aviation Ministry issued the **National Counter Rogue Drones Guidelines 2019**. The salient points are,

- For places of critical national importance, the rules called for the deployment of a model that consists of **primary and passive detection means** like radar, radio frequency (RF) detectors, electro-optical and infrared cameras.
- In addition to this, **soft kill and hard kill measures** like RF jammers, GPS spoofers, lasers, and drone catching nets were also suggested to be installed.
- A **steering committee** chaired by a representative of the Indian Air Force and comprising representatives from NSG, Central Armed Police Forces (CAPF), etc. will be formed to ensure a coordinated approach.

Conclusion:

Anti-drone jammers cannot be that effective in the border areas, but they can be deployed at security-sensitive installations to prevent such attacks in the future.

Note: The DGCA already has regulations in place for civilian drone operations. These include mandating the no-permission, no-takeoff (NPNT) regulations for drones that prescribe a built-in firewall, which prevents drones without the necessary permissions from taking off.

Analysis of government relief package- Explained, pointwise

Introduction

The Indian economy has fallen behind by several years if one looks at the gross domestic product (GDP) numbers, the sectoral value added in manufacturing and construction, or the actual off-take of items like electricity, steel, cement, vehicles, and so on. The principal means for reviving the economy over the next few months has to be a significant boost in consumption and demand.

To revive the Indian Economy, the finance minister has announced a **set of relief package worth Rs 6,28,993 crore**. These measures chiefly rely on **credit easing and other supply-side props** that require the mediation of state-run agencies.

What was the need for a relief package?

Health, education, poverty, employment, and environment surveys provide the real metric of progress rather than stock market indices and GDP growth.

- India's Debt/GDP ratio rose sharply, from 74 per cent at the end of 2019 to 90 per cent at the end of 2020.
- The impact of the Covid-19 epidemic and the response in the form of lockdowns have reduced household incomes and restrained consumer demand. One indicator of this is the loss of employment.
 - The widely used employment data from the Centre for Monitoring Indian Economy showed a massive increase in unemployment in April-May 2020.
 - The data on [employment in MGNREGA](#) shows a similar [large jump in April-May 2020](#) and a lowering since then.
- A recent research report suggests that an additional **75 million people** were **pushed below the poverty line** due to **severe lockdown** and the associated movement of about **10 million migrant workers**.
- Children from poorer families have suffered a severe loss in terms of education and nutrition, with the loss of mid-day meals for over a year.
- The latest [National Family Health Survey](#) shows a significant **deterioration in the proportion of stunted children**.
- The [Annual Status of Education Report](#) continues to show the poor outcomes of schooling.
- **The major problems in tax collection:** The Controller General of Accounts released provisional revenue and expenditure figures. It points out that the **collections of indirect taxes were more** than direct taxes, and **personal income tax collection exceeded corporate income tax**

Major highlights of recent relief package

- Rs 1.1 lakh crore loan guarantee scheme for COVID affected sectors
- Additional fund for [Emergency Credit Line Guarantee Scheme](#)
- **Credit Guarantee Scheme** to facilitate loans to 25 lakh persons through Micro Finance Institutions (MFIs)
- Financial support to more than 11,000 Registered Tourists/ Guides/ Travel and Tourism Stakeholders and Free one-month Tourist Visa to first 5 lakh tourists
- Additional subsidy for DAP & P&K fertilizers
- Extension of [Pradhan Mantri Garib Kalyan Anna Yojana](#) (PMGKAY) – Free food grains from May to November 2021 and Aatma Nirbhar Bharat Rozgar Yojana till 31st March 2022

- Besides supporting the health sector through a credit guarantee scheme, a new scheme for strengthening public health infrastructure and human resources. The **new scheme will focus on short term emergency preparedness with special emphasis on children and paediatric care/paediatric beds.**
- 21 varieties of the bio-fortified crops for nutrition, climate resilience and other traits to be dedicated to the nation
- Revival of North Eastern Regional Agricultural Marketing Corporation (NERAMAC) and boosting exports through National Export Insurance Account (NEIA)
- Expansion and up-gradation of Broadband to each Village through BharatNet PPP Model
- Extension of Tenure of PLI Scheme for Large Scale Electronics Manufacturing till 2025-26
- New Streamlined Process for PPP Projects and Asset Monetization

Other Government steps to boost economic growth

- The government expanded the rural employment guarantee and food security programmes.
- Indian Government also launched many **black money-related measures**, including demonetization. In the information gathered as part of the demonetization exercise, the number of **corporate taxpayers had increased** in 2017-18 from 2016-17. So did **corporate tax collection** in 2017-18.
- [Real Estate Regulation Act](#): The act provide relief to home buyers and people. Further, It also reduced the incidence of unfair trade practices in the real estate sector.
- Further, the government increased **indirect taxes on fuel products**, once in 2014-15 and again in 2020-21. (In this process, tax collection through direct taxes suffered).

Challenges with the recent government relief package

- **Not focused on the demand side:** While the measures announced are focused more on the supply side, these steps would **take a lot of time to provide faster relief to the economy**. For example, the loan guarantees may help the businesses to borrow on favourable terms, but there are hardly any new projects by Indian companies.
- **No direct package for certain sectors:** small loans and specific assistance for the tourism sector could help improve credit flows to small firms, and MSME firms. But there was **no direct package for sectors such as airlines, airports, malls, offline retail and hotels** — which saw a total collapse of their business model.
- **Low fund allotment to economic activity:** Rs 1.1 lakh crore loan guarantee scheme for COVID-affected sectors was announced. But this will not be enough as Rs 50,000 crore of this has been allocated to the health sector and Rs 60,000 crore for other sectors.
- **Suggestions to improve relief package**
- The primary task of government should be to **boost the quality and reliability of public services** for health and education, **provide credible social protection to low-income households**, particularly the wage labourers.
 - India needs **direct state spending on job-assuring projects**. The government can even try out **cash transfers, for a quick and comprehensive demand boost**.
- **Direct economic stimulus measures** such as tax cuts for individuals and industry would have helped to prop up the Indian economy, which was hit hard by the lockdowns across several states.

- To **improve the economic policy**, the government should **set up a sensible, stable, and predictable structure of taxes, tariffs and regulations** and leave the rest to the market.
- **Reduce indirect taxes on fuel:** To wean oneself off the reliance on fuel taxes is not easy because both state governments and the Centre depend on them for revenue. So, India needs to bring in fuel under the [GST regime](#)
 - In the short run, the government can **provide relief to households** below specified income thresholds **through coupons** that can be exchanged for fuel.

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- In the long run, the Centre could **initiate a study on the cascading effect of fuel taxes** and the efficiency, growth and revenue gains that could accrue **if duties are dropped to reasonable levels.**

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Draft Cinematograph Bill 2021 – Explained, pointwise

Introduction

Recently, government released the Draft Cinematograph Bill 2021 which seeks to amend the

Cinematograph Act of 1952.

- The Cinematograph Act is the sole legislation guiding the certification of films released in India for public exhibition. It regulates the Mumbai-headquartered CBFC, which is mandated with certifying every film released in Indian theatres.
- Present draft comes shortly after the **abolition of the Film Certificate Appellate Tribunal** (a statutory body set up to hear appeals of film-makers against decisions of the CBFC). Earlier it was the last point of appeal for filmmakers against the certificate granted to their film.

Many sections from the film-making fraternity have expressed their concerns against the draft cinematograph bill. It is being criticized by filmmakers as a “**super censor**”. They are afraid that proposed changes would give the government overriding power over cinema and threaten freedom of expression in India.

From a UPSC perspective, it therefore becomes critical that we familiarize ourselves with issues surrounding this latest development.

Let us begin.

Key provisions of the bill

Changes proposed	Existing provision
<p>Revision of certification: As per draft cinematograph bill, the Centre will have revisionary powers on account of violation of Section 5B(1) (<i>principles for guidance in certifying films</i>). Now, if the situation necessitates, the Central Government will have the power to reverse the decision of the Central Board of Film Certification (CBFC) and direct the Chairman of the CBFC to re-examine a film.</p>	<p>The current Act, in Section 6, already equips the Centre to call for records of proceedings wrt a film’s certification but it is unable to use this power as, In 2000, the Supreme Court had upheld the verdict of the Karnataka High Court in the K.M. Shankarappa vs Union of India case that the Union government cannot exercise revisional powers in respect of films that have already been certified by the CBFC.</p>
<p>Age-based certification: The draft cinematograph bill proposes to introduce age-based categorization and classification. Proposes to divide the film categories into five age-based groups: U, U/A 7+, U/A 13+, U/A 16+ and Adult.</p>	<p>Currently, films are certified into three categories — ‘U’ for unrestricted public exhibition; ‘U/A’ that requires parental guidance for children under 12; ‘A’ for adult films.</p>

<p>Provision against piracy: The draft proposes to add Section 6AA that will prohibit unauthorized recording. Penal provisions, including imprisonment and fine, have been proposed.</p>	<p>At present, there are no enabling provisions to check film piracy in the Cinematograph Act, 1952</p>
<p>Eternal certificate: The draft proposes to certify films for perpetuity.</p>	<p>Currently a certificate issued by the CBFC is valid only for 10 years.</p>

Note: Section 5 B (1) of the Cinematograph Act, 1952, discourages certifying a film that is “against the

- interests of [the sovereignty and integrity of India] the security of the state
- friendly relations with foreign States
- public order
- Decency or morality, or involves defamation or contempt of court or is likely to incite the commission of any offence.

Rationale behind the changes

A change in censorship was the need of the hour because present system is stuck with age-old rules and regulations.

- Bifurcating the U and U/A ratings is indeed a welcome change. The **age-based certification** is good, as is in Europe and America.
- Provisions against **piracy** are much needed as the **film industry is estimated to lose around ₹22,000 crore** and around 60,000 jobs every year because of piracy.
- Govt has cited the “**reasonable restrictions**” placed by the constitution in [Article 19](#) of the constitution to justify exercising its powers to act as a super-censor for films about which it receives complaints.

Criticism of the bill

- **Role of CBFC:** The draft cinematograph Bill must clearly define the role of the Central Board of Film Certification (CBFC) as a body that certifies film content for public exhibition, and not as a censoring body. The Bill in its current form overturns the sovereignty of the two bodies – CBFC and the Supreme Court
- **Revisionary powers of the centre:** The revisional powers that the Centre seeks in the draft law will not only see “State censorship” but also “mob censorship”.
- **Encouraging vigilantism:** The proposed Act will give a lot of power to vigilantism – instead of dealing with the problem. The plight of the independent filmmaker will be far more difficult. Any fringe group will be successful in getting films or OTT series banned.
- **Undue impact on documentary-makers:** The draft cinematograph Bill will fundamentally impact documentary makers more; the money to certify is charged basis a film’s length, the production cost of a 2-hour fiction film is hugely different from a 2-hour documentary, where a lot of radical work is happening.
- **Compliance of anti-piracy provisions:** Considering that film piracy in India rose by over 60% post-COVID, it is difficult to imagine how our already-stressed law enforcement agencies would be able to ensure the compliance of this provision.

Central Board of Film Certification (CBFC)

Statutory body under the Ministry of Information and Broadcasting

Function: Regulates the public exhibition of films under the provisions of the Cinematograph Act 1952.

Films can be publicly exhibited in India (on cinema halls, T.V. channels) only after they have been certified by the Central Board of Film Certification

Members: The Board consists of non-official members and a Chairman (all of whom are appointed by Central Government) and functions with headquarters at Mumbai.

FCAT

It was a **statutory body** (Ministry of Information & Broadcasting), under the Cinematograph Act, 1952.

Function: Hearing appeals filed under Section 5C of the Cinematograph Act, by applicants for certification aggrieved by the decision of **the Central Board of Film Certification (CBFC)**.

Membership: The tribunal was headed by a chairperson and had four other members, including a Secretary appointed by the Government of India to handle.

The Tribunal was headquartered in New Delhi.

It stands abolished now.

Filmmakers would now have to approach the High Court whenever they want to challenge a CBFC certification.

Suggestions

- **On CBFC:** The government has to believe in the power of CBFC. There needs to be a **guidance or grievance cell** within the certification board.
- **On piracy:** The existing law penalizes piracy, there is no need to introduce further penal provisions". Instead, sufficient exceptions on fair use, derivative work specific to films must be crafted. The offence must be made non-cognizable and bailable.
- **Audio-Visual Media Council:** Like the Press Council of India or Advertising Standards Council of India, there can be a Audio-Visual Media Council, a self-regulating body. It will "address and arbitrate on any public grievances or complaints about films, TV or OTT series, etc.
- **FCAT should be reinstated:** Reinstate the Film Certification Appellate Tribunal (FCAT) as it enables affordable and accessible remedies to filmmaker.
- **Clear definition of public exhibition:** Cinematograph Act must be amended to include a clear definition of 'public' exhibition and bring under its purview only commercial films with substantive capital investment and revenue models tied to theatrical exhibitions.

Conclusion

Preserving artistic freedom and reducing regulatory compliance are much-needed reforms for the film industry. The proposed changes in the draft amendment bill, however, do not seem to be easing either compliance issues or freedom of speech and expression through filmmaking in the country.