

Forum IAS

7 PM COMPILATION

1st to 15th January, 2023

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

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Virtual Digital Assets (VDAs): Challenges in Regulation – Explained, pointwise

Introduction

The first meeting of G20's Finance Track was held recently in Bengaluru. Regulation of Virtual Digital Assets (VDAs) emerged as a top priority agenda in the meeting. VDAs are a new evolving technology and are at the intersection of finance, economy and technology. The concerns associated with the exploitation of VDAs as a medium of money laundering and terror financing has necessitated their regulation. The Government of India has been leading efforts at the global level to counter terrorism and its financing. In the recent 'No Money for Terror' Conference hosted by India, 93 participating countries agreed to end all financing of terror, including through the use of emerging technologies such as VDAs. The Government has pushed regulation of VDAs as an agenda of G20 in the year of its Presidency. There are several challenges in regulation of VDAs that requires a coordinated international effort.

What are Virtual Digital Assets (VDAs)?

The Financial Action Task Force (FATF) defines a virtual asset as “A digital representation of value that can be **digitally traded, transferred and used for payment or investment purposes**“. This definition is included in the FATF's global recommendations on **Combating Money Laundering and the Financing of Terrorism and Proliferation**.

Read More: [Countering Terror Financing – Explained, pointwise](#)

According to the US Department of the Treasury, a virtual currency is a “digital representation of value that functions as a: **(a)** Medium of exchange; **(b)** Unit of account; and/or **(c)** Store of value; and is neither issued nor guaranteed by any jurisdiction“. This description fits neatly into the FATF definition of a virtual asset and the idea of a digital representation of value.

The **Finance Act, 2022** introduced a new taxation regime for income arising from transfer of Virtual Digital Asset (VDA) under Income-tax Act, 1961 (the Act). The term Virtual Digital Asset (VDA) has been defined under **Section 2(47A) of the Income Tax Act** to include the following: **(a)** Any information or code or number or token (not being Indian currency or foreign currency) **generated through cryptographic means or otherwise**, by whatever name called, which meets certain conditions; **(b)** Non-fungible token (NFT) or any other token of similar nature, by whatever name called. Further NFT is defined to mean such digital asset as the Central Government may, by notification in the Official Gazette, specify; **(c)** Any other digital asset, as the Government may specify by notification.

The Government **may exclude any asset from the definition of Virtual Digital Asset** by notification.

A Non-Fungible Token (NFT) is a digital asset that exists on a blockchain, allowing anyone to verify its authenticity and who owns it. Digital art, images, videos, text, music and even virtual real estate and in-game items can be bought and sold as NFTs.

While **VDA includes cryptocurrencies**, the definition can cover a **wide variety of digital assets** which is implied by the wording ‘or otherwise’ in the phrase “generated through cryptographic means or otherwise“. The definition is also made exhaustive with the words ‘information’, ‘code’, ‘number’.

Because of the broad definition, VDAs can potentially include vouchers, reward points issued by shopping sites or credit card companies, airline miles etc. Experts have sought clarifications from the Government. They fear the scope of VDA may impact digital assets created by companies.

The **Central Board of Direct Taxes (CBDT) in Notification 74** has excluded certain items from the definition of VDAs. These include gift cards, vouchers (discounts), mileage/reward/loyalty points (promotional programmes) etc.

What steps have been taken to regulate Virtual Digital Assets (VDAs)?

First, The Financial Action Task Force has issued the **Guidelines on Virtual Asset Transactions** (FATF Guidelines) related to VDAs. The Guidelines have been adopted by various jurisdictions, including the EU, Japan and Singapore.

Second, The Finance Bill 2022 has promulgated a new taxation regime for the class of VDAs including cryptocurrencies and non-fungible tokens (NFTs). The gains arising from the transfer of VDAs are proposed to be taxed at the rate of 30%. However, the Act did not have any provision related to legalizing/banning the cryptocurrencies or any other Digital Asset.

Third, Under the presidency of India, G20 Finance Track discussion has put the regulation of VDAs to curb their use in money laundering and terror financing as a top priority.

What are the challenges in regulating Virtual Digital Assets (VDAs)?

First, the technologies behind blockchain and cryptocurrencies **are complex**. It is difficult to determine their governing structure.

Second, the blockchain technologies are **decentralized by design**. They **transcend national jurisdictions** in a digital domain. Hence it is difficult for Governments to regulate them.

Third, Digital Technologies including blockchain are **evolving rapidly**. It is difficult to regulate such technologies without fully comprehending their benefits and drawbacks. It is challenging to come up with a singular and concrete structure to apply to every known and unknown technological development and change in the financial sector.

Fourth, **Lack of reliable data** on VDA transactions allows bad actors to engage in unchecked transactions and defraud investors as happened in the case of FTX bankruptcy, which was the second largest Virtual Digital Asset (VDA) trading platform before its collapse.

Read More: [Cryptocurrencies in India: Ban or Regulation? – Explained, pointwise](#)

What should be done going ahead?

First, A viable approach for India is in taking the industry and the investor into confidence by allowing anti-money laundering (AML) authorities visibility over VDA transactions, and the power to impose controls upon them and prosecute in the event of any misuse.

Second, The concerns around the misuse of VDAs for illicit activities require careful **legislative responses** and forward-looking **regulatory mechanisms**. The present concerns related to VDAs stem from **lack of reporting and transparency norms**, and an **absence of international consensus on regulatory design**. G20 provides a suitable platform to develop an understanding and consensus regarding regulation of VDAs. The Government has taken a positive approach by pushing this matter as a priority for G20 Finance track.

Third, The financial institutions, fintech, regulators, consumers, and government need to join forces to have a fair and comprehensive regulation benefitting every stakeholder.

Fourth, Development of **adequate financial and technology literacy programs** (e.g., through initiatives at different education levels, tailored communication, and outreach programs) should be considered.

Conclusion

The technology surrounding the financial sector (blockchains, cryptocurrencies, VDAs) has been evolving rapidly. While these technologies have several benefits, their misuse (money laundering, terror financing, financial frauds) pose a big threat. Complexity and ever evolving nature of technology makes their regulation a major challenge to the regulatory authorities. A coordinated effort at the global level is necessary for this purpose. India currently has two crypto unicorns operating domestically, and is home to major VDA players and a thriving community with 25+ million people, making it all more important to regulate the sector. In addition to the domestic efforts, the Government of India should take a lead in guiding the discourse on the global regulation of VDAs.

Syllabus: GS III, Indian Economy

Source: [Indian Express](#), [The Hindu BusinessLine](#), [Financial Express](#), [Mondaq](#), [FATF](#)

Status of Non-Performing Assets (NPAs) – Explained, pointwise

Introduction

In the recently released Financial Stability Report (FSR), the RBI has noted that the Gross Non-performing Assets (GNPA) ratio has declined to a 7-year low of 5% in September 2022. It is expected to further improve to 4.9% by September 2023. However, the Report also notes that NPA ratio may worsen to 5.8-7.8% if there are external macroeconomic shocks. Thus, although the NPA Crisis appears to have subsided, the banking sector is still vulnerable amidst geopolitical and economic uncertainties. The Government and the RBI had undertaken several initiatives that helped mitigate the challenge posed by NPAs. However, both need to be cautious in their approach and proactively take corrective steps should the NPAs rise in future.

What are Non-Performing Assets (NPAs)?

A Non-performing Asset (NPA) is a loan or advance for which the principal or interest payment has remained overdue for a period of 90 days.

Banks are required to classify NPAs further into Substandard, Doubtful and Loss assets.

Substandard Assets: Assets which has remained NPA for a period less than or equal to 12 months.

Doubtful Assets: An asset would be classified as doubtful if it has remained in the substandard category for a period of 12 months.

Loss Assets: According to the RBI, “Loss asset is considered uncollectible and of such little value that its continuance as a bankable asset is not warranted, although there may be some salvage or recovery value.”

What is the current status of NPAs in India?

According to the Reserve Bank of India's (RBI's) Financial Stability Report the Gross non-performing assets (GNPA) ratio, has declined to 5% in September 2022. The ratio of Net non-

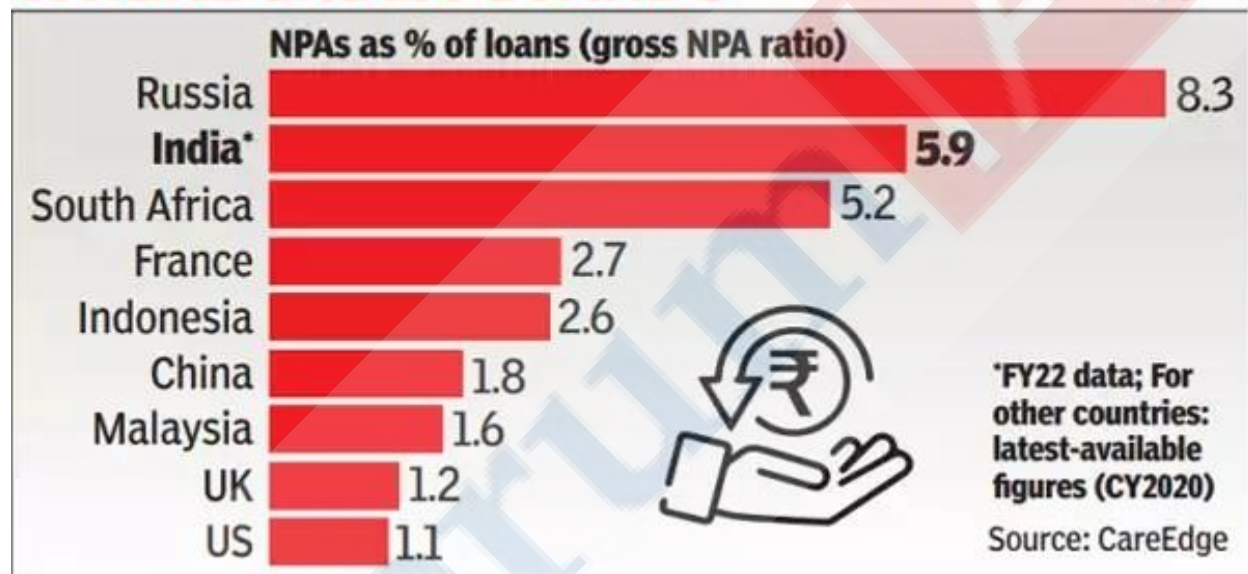
performing assets (NPAs) to net advances ratio has fallen to 1.3% in September 2022 – the lowest in 10 years.

The NPAs had risen from 3.8% in 2014 to 11.4% in 2018. However, since then the NPAs have shown a declining trend. The decline has been achieved on the back of decrease in slippages, increase in write-offs, and pick up in credit growth.

In December 2022, the Government told the Rajya Sabha that loans written off by scheduled commercial banks (SCBs) during the last 5 financial years totalled INR 10.1 lakh crore. Of this, 1.32 lakh crore has been recovered. As a percentage of write-offs, this comes to be about 13%.

Despite the fall in the NPAs recently, the proportion is still high compared to other economies.

WHERE INDIA STANDS IN BAD LOANS



Source: The Times of India

What were the reasons for NPA Crisis?

Global Financial Crisis: The RBI Report on **Trend and Progress of Banking in India** (RTP) had noted that while the Indian banking system had largely withstood the pressures of the crisis, it remained vulnerable to the slowdown in global economic growth and the collapse of global trade following the crisis. The firms with exposure to global slowdown contributed to the NPAs.

Twin Balance Sheet Problems: In the aftermath of slowdown in the Indian economy beginning 2011 both the banking sector and the corporate sector come under severe financial stress. The proportion of non-performing loans (NPAs) in gross loans (GAs) went from about 2% in 2008 to over 11% in 2018.

Forbearance Policies: Between 2010-15, banks resorted to **restructuring of loans** in many cases to **postpone recognition of non-performance**, ('extend and pretend' approach). As a result, until 2016 the restructured assets constituted more than 50% of the stressed assets of all scheduled commercial banks masking the actual extent of NPA crisis.

Stalled Judicial & Legislative Procedures: Many development projects were stalled due to prolonged judicial litigations. This had a particularly bad impact on sectors like mining, power, and steel. In addition, companies encountered difficulties in acquiring land, which resulted in the indefinite postponement of many projects and stalled investments

Other Factors: According to the RBI, **aggressive lending practices, wilful defaults, loan frauds, diversion of funds** and **corruption** also contributed to NPAs. Lack of information about creditworthiness about debtors also resulted in poor loan decisions. **Poor recovery mechanisms** also contributed to rise in NPAs.

What steps were taken to address the NPA Crisis?

RBI

The RBI undertook several measures to remedy the NPA, including the **Prompt Corrective Action** (PCA) framework in 2002 (which was reviewed in 2017 based on the recommendations of the working group of the Financial Stability and Development Council), **Schemes for debt restructuring** (like the **Scheme for Sustainable Structuring of Stressed Assets (S4A)**), **Asset Quality Review**, etc. These efforts culminated in a 12 February 2018 circular by the RBI that granted banks the power to initiate insolvency proceedings and set a timeline of 180 days to formulate plans for a resolution.

Government

4R's Strategy: Government has implemented a comprehensive 4R's strategy, consisting of **Recognition** of NPAs transparently, **Resolution** and **Recovery** of value from stressed accounts, **Recapitalising** of PSBs, and **Reforms** in PSBs and the wider financial ecosystem for a responsible and clean system.

A **National Asset Reconstruction Company** (NARCL) was announced in the Union Budget for 2021-2022 to resolve stressed loans amounting to about INR 2 lakh crore in phases.

Indradhanush plan: The plan envisaged infusion of capital in PSBs by the Government. Capital infusion is aimed at supplementing the achievement of regulatory capital norms by PSBs through their own efforts and, in addition, based on performance and potential, augmenting their growth capital.

Insolvency and Bankruptcy Code, 2016: It is a step towards settling the legal position with respect to financial failures and insolvency. It provides an easy exit with a painless mechanism in cases of insolvency of individuals as well as companies.

Read More: [Issues in the IBC Resolution Process and Possible Solutions – Explained, pointwise](#)

Schemes for Settlement of NPAs

Lok Adalats: In order to address cases of non-performing assets (NPA) with balances of up to INR 20 lakhs of rupees, the Lok Adalats have been established. They take full responsibility for ensuring a speedy recovery . The Lok Adalats are typically not very harsh on those who have defaulted on their loans. Additionally, they are **less expensive** and more straightforward methods of resolving disputes related to loans.

NCLT and the National Company Law Appellate Tribunal (NCLAT): NCLT has replaced the Board of Industrial and Finance Reconstruction (BIFR) and Appellate Authority for Industrial and Financial Reconstruction (AAIFR) that is under IBC. This had been done as the BIFR had

failed to meet its stated objectives. Under the IBC, not only the financial creditors but also the operational creditor can file an application for the purpose to liquidate before the NCLT. The IBC also very well stipulates the complete procedure of resolution, including the litigation that is to be completed within a passage of 330 days.

What should be done going ahead?

First, The government needs to recognise how its decisions independent of the banking sector can adversely impact NPAs in certain sectors and address the impact of those decisions to check the For example, in the power sector, mandated renewable purchase obligations (RPOs) for state power utilities, forcing them to prioritise renewable sources, has affected the performance of non-renewable projects.

Second, Ensuring **time-bound evaluation** process to assess the viability of projects can help shield banks from ministry decisions that could give rise to NPAs as a secondary

Third, The government also needs to ensure a rapid resolution of recognised NPAs. The passage of the Insolvency and Bankruptcy Code (IBC) in 2016 was a welcome first step, but the government must now ensure there are no delays in the timeframe outlined by the law.

Fourth, The government also needs to seriously consider the **Nayak Committee's** recommendations reviewing the governance of boards of banks.

Fifth, While the government has created the Banks Board Bureau, deeper reforms such as setting up of a state-owned Bank Investment Company under the Companies Act for PSBs, or fully moving the selection of bank chairpersons to the Banks Board Bureau, have not yet been implemented. These should be undertaken on priority.

Syllabus: GS III, Indian Economy

Source: [Indian Express](#), [Business Standard](#), [MoneyControl](#), [The Hindu](#)

Fiscal Deficit in India: Trends and Concerns – Explained, pointwise

Introduction

The Union Government had estimated the Fiscal Deficit to be INR 16.61 lakh crore for FY2022-23. As of November 2022, the Government's Fiscal Deficit stood at INR 9.58 lakh crore, which is ~58% of the full-year estimate. The Budget estimate of Fiscal Deficit (INR 16.61 lakh crore) is ~6.4% of India's GDP. The Fiscal Responsibility and Budget Management (FRBM Act, 2003) prescribes the limit of Fiscal Deficit to be 3% of the GDP. However, successive Governments, since 2003-04, have failed to achieve this target due to multitude of justifiable and unjustifiable reasons. The Act itself has been amended 4 times to change the target dates. While the breach of limit seems reasonable based on certain grounds (like COVID-19 pandemic or global macroeconomic developments), the debate regarding freebies and their impact on Governments' finances has reignited debate regarding Governments' obligation to adhere to fiscal prudence and the target of 3% Fiscal Deficit prescribed by the FRBM Act.

What is the meaning of Fiscal Deficit?

Fiscal Deficit is the **difference between the total income (Total Revenue Receipts and Non-debt Capital Receipts) and total expenditure of the Government**. A situation of Fiscal Deficit arises when the total expenditure of the Government exceeds its income. This Fiscal Deficit is

calculated both in absolute terms and also as a percentage of the Gross Domestic Product (GDP) of the country. A recurring high fiscal deficit means that the **Government has been spending beyond its means.**

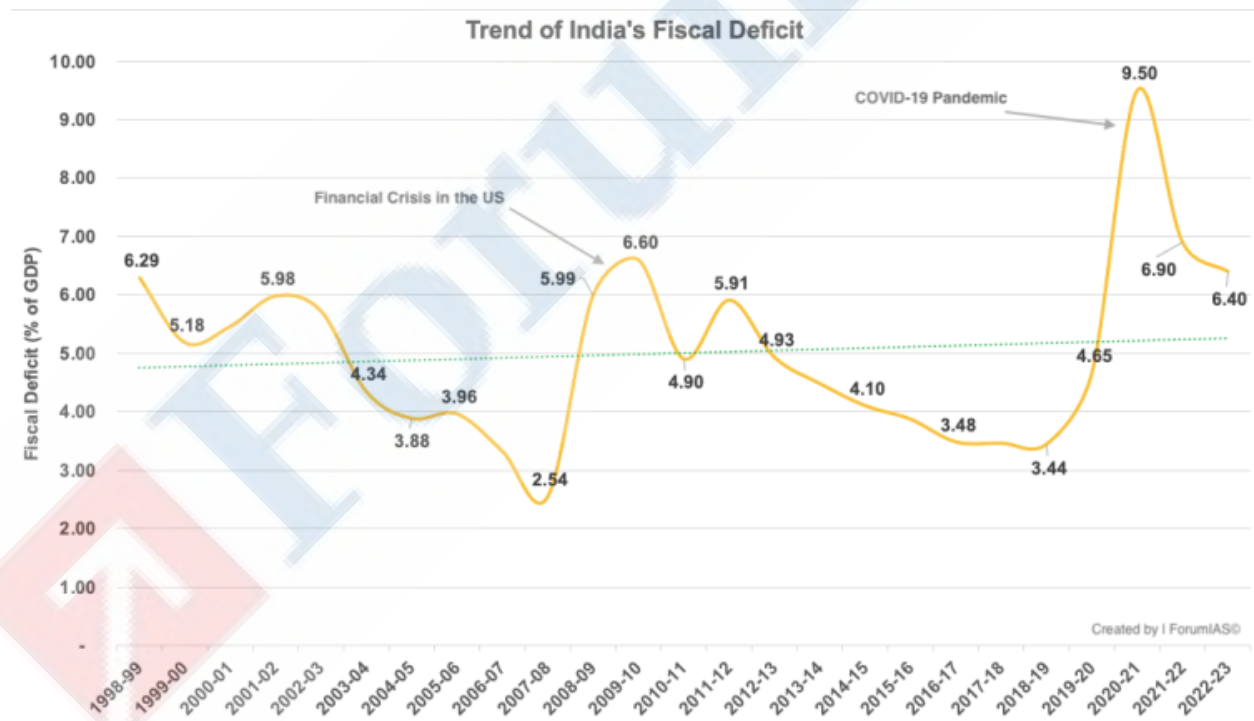
The Gross Fiscal Deficit (GFD) is the excess of total expenditure (including loans net of recovery) over revenue receipts (including external grants) and non-debt capital receipts. The **Net Fiscal Deficit is the Gross Fiscal Deficit less net lending of the Central Government.**

The Parliament had passed the Fiscal Responsibility and Budget Management Act (FRBM Act) in 2003. The Act's goal is to ensure **intergenerational equity in fiscal management, long-run macroeconomic stability**, better **coordination of fiscal and monetary policy**, and **transparency in the Government's fiscal operations.** One of the Key Targets of the FRBM Act is to limit the Fiscal Deficit to 3% of GDP. However, the target date of achieving the target has been pushed forward through successive amendments to the Act.

The Fifteenth Finance Commission has suggested that the Union Government should bring down fiscal deficit to 4% of GDP by 2025-26. For State Governments, it has recommended the fiscal deficit limit (as % of GSDP) of: **(a)** 4% in 2021-22; **(b)** 3.5% in 2022-23; **(c)** 3% during 2023-26.

What has been trend of India's Fiscal Deficit?

For 2022-23, the Government had estimated the Fiscal Deficit to be INR 16.61 lakh crore or 6.4% of the GDP. As of November 2022, the fiscal deficit had touched 58% of the full year budget estimate.



The Fiscal Deficit of the Government had fallen to 2.54% of the GDP in FY2007-08. However, due to the global financial crisis and the consequent fiscal stimulus by the Government to boost growth resulted in fiscal deficit rising to 6.6% of the GDP in FY2009-10 and 5.9% of GDP in FY2011-12.

The deficit had gradually reduced since then, having fallen to 3.44% of the GDP in FY2018-19. However, the COVID-19 pandemic, and the Government's fiscal package to rescue the economy from lockdowns, resulted in Fiscal Deficit of 9.5% in FY2020-21. It was 6.9% in FY2021-22 and 6.4% in FY2022-23 (estimated).

What are the reasons for high Fiscal Deficit in India?

Revenue Side

Tax-to-GDP Ratio: In India, it is low at around 10-11% of GDP and it has stayed at close to that level for the last 20 years. In contrast, Sweden has ratio of ~26%, the UK and France 25%, South Africa 23%. This means Government collects less revenue causing higher fiscal deficit. This has also led to lower rate of investment and lower GDP growth.

Narrow Tax Base: An overwhelming majority of Indians do not pay taxes, Indian tax revenues remain largely **dependent on indirect tax collections** which include all taxes on spending (such as GST). According to Ministry of Finance, only 5.83 crore Income Tax Returns were filed in Assessment Year 2022-23. (~4% of India's population).

Expenditure Side

High Subsidies: Expenditure on food, fertilisers and petroleum, form the largest share of Government's expenditure along with interest payments. The expenditure on these items (Food, Fuel, Fertilizers) soared to ~3% of GDP in FY2020-21. For FY2022-23, the subsidy bill on these three heads is expected to be INR 532,446.79 crore: Food (INR 287,179.34 crore), fertiliser (INR 214,511.27 crore) and petroleum (INR 30,756.18 crore).

Off-budget Financing: Economists and analysts argue that the **actual fiscal deficit figures might be even higher** because some of the government's expenditure is funded by the so-called **"off-budget" items**. (The off-budget borrowings are loans that government does not take directly, but public institutions borrow after the Government's order). This extra expenditure does not figure in the official calculations. This means that the true fiscal deficit is higher than the level presented in the Budget.

Debt-to-GDP Ratio: India's debt ratio is projected to be 84% of its GDP by the end of 2022, which is higher than many emerging economies. Due to this there is **increase in interest payment**. Interest payment of the government has increased to 3.1% of the GDP to INR 7.31 lakh crore in 2021-22.

Others

Poor Bond Market: In the developed economies, the Bond Markets are mature and developed. The Bond Markets judge the sustainability of the borrowing of a Central/State/Local Government and demand higher interest rates when public finance is on an unsustainable path. Such a system is healthy as **fiscal responsibility is rewarded by cheaper debt financing** (i.e., Government can borrow at lower interest rates) and vice versa. Poorly developed bond markets in India lack the ability to act like this check-and-balance. When the government needs to borrow, it forces financial firms (like banks) to lend to it.

What are the reasons for non-adherence to the FRBM Act?

Escape Clause: The term 'Escape Clause' refers to the circumstance in which the Central Government **can deviate from fiscal deficit targets**. The FRBM Act has defined three conditions upon which the escape clause can be invoked: **(a) Over-riding considerations of national security, acts of war, and calamities of national proportion and collapse of agriculture**

severely affecting farm output and incomes; **(b)** Far-reaching structural reforms in the economy with unanticipated fiscal implications; **(c)** A sharp decline in real output growth of at least 3 percentage points below the average for the previous four quarters. Because of this clause, the goal posts for fiscal targets have been moved multiple times over the course of the past two decades.

Amendments to FRBM Act: Amendments to the FRBM Act are permissible through money bills, which include Finance Bills. This makes it easier to amend the Act and shift the target dates e.g., the date of eliminating Revenue Deficit was gradually shifted through amendments in 2004, 2012, 2015 and 2018.

Effectiveness of Fiscal Responsibility Framework: In the US, the Government shuts down when the Budget negotiation is not able to fit within the debt ceiling. In Germany, the **'Federal Debt Brake'** is in the Constitution, and there would be a shutdown of government payments if it were violated. Such overarching clause is missing in the FRBM Act.

What are the harmful impacts of high Fiscal Deficit?

Crowding-out: Due to high fiscal deficit, the Government borrows from financial institutions. This reduces the financing available to private sector. This **reduces private investments, slowing down the economic growth rate.**

Higher Interest Rates: Higher borrowing by Government reduces the financing available in the market (demand exceeds supply). This raises interest rates.

Inflation: To cover its fiscal deficit, the Government also borrows from the Central Bank. When the Central Bank prints money to finance the government, the economy's money supply expands, causing inflationary pressures.

Debt Trap: Persistent fiscal deficit and dependence of borrowing may lead to accumulation of debt. As the debt rises, the interest payments on cumulative debt rise, putting further pressure on Government finance. Ultimately it may create a vicious cycle with the Government entangled in a **debt trap** where it has to **borrow more money to just repay existing debt and interest payments.**

External Dependence: Financing Fiscal Deficit through borrowings from abroad may force the Government to borrow from abroad. This creates dependence on foreign financial institutions and Governments. There is also risk of ballooning of debt in the event of **domestic currency depreciation.**

What steps can be taken to address Fiscal Deficit?

First, The Government should focus on **rationalizing the subsidies.** The tendency to grant 'freebies' should be kept in check. The subsidies can be made **more targeted.** Checking leakages and diversions can also help in rationalizing the spending.

Second, The Government should also improve the tax system. **Tax-to-GDP ratio must be improved** by ensuring better compliance (~4% pay Income Tax). In addition, **introduction of Wealth Tax** and raising the rate of **Property Tax** can reduce the asymmetry with respect to Direct and Indirect Taxes. Laws regarding **tax evasion** must be made more robust and implementation strengthened.

Third, The Government can also enhance revenues through **monetization of assets** especially idle assets like land lying vacant with Government entities.

Fourth, The Government should adhere to the recommendations regarding **fiscal consolidation** given by the **15th Finance Commission**.

Fifth, The amendments to the FRBM Act regarding shifting of target dates should be debated in the Parliament. The Government should adhere to the Act and the costs of deviation from the provisions of the Act should be increased.

Conclusion

The Government had to enhance its spending during the pandemic. Breach from fiscal consolidation targets is justified in such circumstances. However, even during the normal times, the fiscal deficit has never been below 3% since 2007-08. As normalcy returns post COVID-19 pandemic, the Government must focus on fiscal consolidation and bringing down the Fiscal Deficit to more sustainable level at the earliest.

Syllabus: GS III, Indian Economy

Source: [Indian Express](#), [The Times of India](#), [The Times of India](#), [Business Standard](#)

Supreme Court's Judgment on Demonetisation – Explained, pointwise

Introduction

On 02 January, 2023, a 5-judge bench of the **Supreme Court's Constitution Bench** ruled on a number of petitions challenging the legality of the Union Government's decision in November 2016 to demonetise the currency notes of INR 500 and INR 1,000. The Supreme Court's Judgment on Demonetisation has upheld the decision of the Government and dismissed the petitions.

What is the Supreme Court's Judgment regarding Demonetisation?

In November 2016, the Union Government had demonetised the currency notes of denominations INR 500 and INR 1000. The Supreme Court has upheld the legal aspects of the decision of the Government by a majority vote of 4:1.

The Court adjudicated that the notification from the Government (November 8, 2016) is lawful and that it passes the proportionality test. One Judge (Justice V Nagarathna) has given a dissenting judgment noting that even though demonetization was well-intended and well-thought-out, it still needs to be declared unlawful on legal grounds and not on the basis of objects.

What questions were considered by the Supreme Court Judgment on Demonetisation?

The Supreme Court had identified six issues in the challenge to the government's demonetisation decision.

A. Sub-section (2) of Section 26 of the RBI Act states that, "On recommendation of the Central Board the Central Government may, by notification in the Gazette of India, declare that.....any series of bank notes of any denomination shall cease to be legal tender...specified in the notification". The Supreme Court considered whether the power available under this clause can be restricted to mean that it can be exercised only for "one" or "some" series of bank notes and not "all" series?

Majority view: The majority opinion held that Section 26(2) RBI Act, which empowers Centre to demonetize any series of bank notes of any denomination, **can be used to demonetize the whole series of currency**. It observed ‘restrictive meaning cannot be given to word “any” in Section 26(2) of RBI Act’. The purposes of the Act must be considered while interpretation. The bench added that Section 26(2) cannot be struck down as unconstitutional on the ground of excessive delegation, adding that there are inbuilt safeguards.

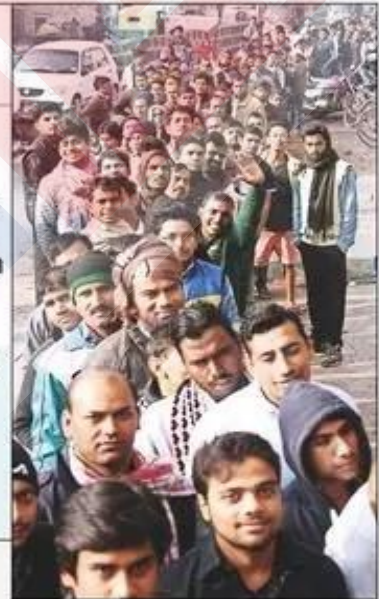
Minority view: The Judge held that “Any series” under Section 26(2) RBI Act cannot mean “all series”. “All Series” would mean that the Government can demonetize all series of all denominations by gazette notification. Such an extensive power can be “exercised only through a plenary legislation, by way of an enactment following a meaningful debate in Parliament”.

2016 DECISION FLAWLESS: MAJORITY ORDER

(The 4:1 majority verdict was authored by Justice BR Gavai on behalf of self and Justices S Abdul Nazeer, A S Bopanna and V Ramasubramanian)

KEY SC OBSERVATIONS

- The central government's **2016 decision** to ban Rs 1,000 and Rs 500 notes **was neither flawed nor hasty** and **hardships faced by citizens** following demonetisation **cannot be a ground to reverse the decision**
- It had a **reasonable nexus with its objectives**, such as eradicating black money, terror funding etc, and it is **not relevant whether those objectives were achieved or not**
- There was **consultation between the RBI and the govt** for six months before the impugned notification was issued; the **52-day window** provided for **exchanging demonetised notes** with legal tenders was not unreasonable and it **cannot be extended now**
- The court must **defer to legislative judgment in matters related to social and economic policies** and **must not interfere** unless the exercise of **executive power** appears to be **palpably arbitrary**



Six years ago, panicked citizens rushed to banks to exchange the demonetised notes & stood in seemingly unending long queues to withdraw money from ATMs

DISSENTING VERDICT

“The action of demonetisation of Rs 1,000 & Rs 500 currency notes was vitiated and the notification issued in this regard in Nov 2016 was unlawful... Parliament must be taken into confidence because it is the representative of the people of the country... The objective of the Centre may have been sound, just and proper, but the manner in which the objectives were achieved and the procedure followed for the same, in my view was not in accordance with law... — Justice Nagarathna in 124-page separate verdict

Source: *The Times of India*

B. If the power under Section 26 (Question A above) means “all series” of bank notes, whether this power would amount to conferring excessive delegation and as such, liable to be struck down?

Majority view: The decision under sub-section (2) of Section 26 has to be taken by the Central Government on the recommendation of the Central Board. Thus there is an inbuilt safeguard in the RBI Act. It also said that the delegation of power is in any case to the Central Government, which is answerable to Parliament.

Minority view: The Judge held that RBI Act **does not envisage initiation of demonetisation by the Central Government**. As per Section 26(2), the **proposal for demonetisation to emanate from the central board of the RBI**. The Judge further held that if demonetisation is to be initiated by the Central Government, such power is to be **through a legislation or an ordinance derived from Entry 36 of List I** (Currency, Coinage, Legal Tender, and Foreign Exchange).

C. Is there a possibility that the Notification of Demonetisation (issued on November 8th, 2016) could be overturned on the ground of legal flaws in the decision-making process?

Majority view: The majority view relied on the Government's argument that **merely because the process was initiated by the Centre, it could not be struck down**. The ruling notes that the minutes of the RBI Central Board meeting that recommended demonetisation on November 8, 2016 itself stated that the **RBI and the Centre had discussed the idea for over six months before it was notified**.

On the merits of the decision, the majority stated that the **Court cannot determine the effectiveness of economic policy**. However, it agreed with the Centre's contention that the **decision had to be made in secrecy and in haste for it to be effective**.

'NOT RELEVANT WHETHER OBJECTIVES ACHIEVED OR NOT'

MAJORITY VERDICT OF JUSTICES SA NAZEER, BR GAVAL, AS BOPANNA & V RAMASUBRAMANIAN	MINORITY VERDICT OF JUSTICE BV NAGARATHNA
<ul style="list-style-type: none"> ➤ Majority verdict says demonetisation had a "reasonable nexus with its objectives" such as eradicating black money and terror funding and it is not relevant whether those objectives were achieved or not ➤ Says government was in consultation with RBI for six months and it is empowered to take such a decision 	<ul style="list-style-type: none"> ➤ Demonetisation move 'exercise of power' by Union government, contrary to law and vitiated under the RBI Act ➤ Carried out in 24 hours, so central bank had no time to consider it ➤ Parliament, which is "at the centre of our democracy, cannot be left aloof in a matter of such importance" ➤ Around 98% of value of banned currency reported to
<ul style="list-style-type: none"> ➤ No fresh window to exchange notes, 52 days' time given earlier not unreasonable <p>“ There has to be great restraint in matters of economic policy. Court cannot supplant the wisdom of executive with its wisdom...</p>	<p>have been exchanged, so measure may not have been as effective as it was hoped to be</p> <p>“ This (use of phrases such as 'as desired' by the Centre in communication to RBI governor) demonstrates that there was no independent application of mind by the Bank</p>

Source: The Times of India

Minority view: The Judge observed that the statement in the records submitted by the RBI "as desired by the Central Government" demonstrates that there was no independent application by the RBI and merely approved Centre's decision. The entire exercise was carried out in 24 hours. The Judge held it in the violation of Section 26(2) of the RBI Act.

D. Does the Government Notification of Demonetisation (issued on November 8th, 2016) fail the Test of Proportionality and thus be subject to being overturned?

Majority view: The majority decision applies a **four-pronged test of proportionality** to the constitutionality of the decision. The four ingredients of the test to be satisfied are: **(a)** Legitimate purpose; **(b)** Rational connection with the purpose; **(c)** Necessity; **(d)** Whether the action taken is proportional or balanced.

The majority verdict states that curbing fake currency, black money and terror funding are **legitimate interests of the State** and have a rational connection with demonetisation. On the question of necessity, the Court said that it is “**exclusively within the domain of the experts**”, (RBI) to answer this question.

On the question of Proportionality, the Court said “what alternate measure could have been undertaken with a lesser degree of limitation is very difficult to define”.

Minority view: The Judge said that since she had already held the **demonetisation decision unlawful**, this question need not be answered.

E. Whether the period of exchange of notes (after demonetisation) can be said to be unreasonable?

Majority view: The Court cited an earlier instance of demonetisation in 1978 where a 3-day period was provided for exchanging the demonetised notes. This was **upheld by a Constitution Bench of the court**. Relying on this decision, the majority view said, “*we fail to understand as to how the said period of 52 days could be construed to be unreasonable, unjust and violative of the petitioners’ fundamental rights.*”

Minority view: Since the dissent had already held the demonetisation decision unlawful, it did not answer this question.

F. Is the RBI authorised to continue accepting the demonetised notes beyond the period specified in notifications issued under sub-section (1) of Section 4 of the 2017 Act?

Majority view: The **Specified Bank Notes (Cessation of Liabilities) Act, 2017** prohibits and penalises holding, transferring, or receiving demonetised currency. However, some earlier notifications **allowed a grace period for certain individuals**, like those who were abroad when demonetisation was notified, to exchange their old currency. The petitioners argued that RBI had no independent powers to allow that when the 2017 Act had been passed by Parliament. The majority view stated that the **earlier notifications have to be read as part of the 2017 law, giving it a “contextual and harmonious construction”**.

Minority view: Since the dissent had already held the demonetisation decision unlawful, it did not answer this question.

Conclusion

During the hearing in November-December 2022, the Supreme Court indicated that **demonetization might not be scrapped because “the clock cannot be turned back”**. After six years, the economy and society have finally recovered from the shock of the demonetisation decision. However, the Supreme Court’s Judgment on Demonetisation and arguments may lead it to establish guidelines for future such exercises.

Syllabus: GS II, Government policies and interventions for development in various sectors and issues arising out of their design and implementation; GS III, Indian Economy.

Cleaning of River Ganga – Explained, pointwise

Introduction

The meeting of the National Ganga Council was held recently. National Ganga Council is the apex body for superintendence, direction and control for the initiatives for the cleaning of River Ganga under the *Namami Gange* Mission. At the meeting, National Mission for Clean Ganga (NMCG) informed the Council that the Union Government has spent more than INR 13,000 crore on cleaning the Ganga since 2014. In December 2021, the Director-General of NMCG had informed that large stretches of the Ganga river have been cleaned, but the mission is not over yet. There are several challenges in cleaning of River Ganga. The Government must continue its mission-mode approach till the entire stretch of the river is clean and rejuvenated.

What are the major pollutants polluting the River Ganga?

Industrial Effluents: Industrial effluents from manufacturing and other units are discharged untreated into the river Ganga. Many big and small cities and industrial towns are situated on banks of the Ganga including Kanpur, Prayagraj, Varanasi etc.

Domestic Sewerage: Domestic sewerage waste, especially in large urban centres, is discharged untreated into the Ganga. In addition, the use of detergents by laundry services (*dhobis*) which wash clothes on the river banks contribute to chemical pollution in the river.

Agricultural Waste: Pesticides, herbicides and fertilizers used in farms ultimately reaches the river through run-off. The Indo-Gangetic plains feed ~40% of the Indian population.

Solid and Bio-medical Waste Disposal: Domestic and other solid waste is dumped directly or indirectly into the river throughout the entire stretch. Moreover, the waste from hospitals and nursing homes, which should be appropriately treated, are disposed of untreated into the rivers resulting in polluted water giving rise to several water-borne diseases.

Social and Cultural Practices: Practices like cremation of dead bodies on river banks, and religious offerings in the river also result in local pollution.

Water Extraction: A vast quantity of water is extracted from the Ganga River (through canals, urban water supply systems) which reduce river run-off. Construction of dams (Uttarakhand) have also reduced flow of fresh water. While this does not directly result in pollution, the reduced run-off **increases the severity of pollution** from other sources.

What steps have been taken for the cleaning of River Ganga?

Ganga Action Plan (GAP): It was launched in 1986. The primary purpose of this plan was to clean up the Ganga River by reducing and removing pollution from cities along its banks. The **Central Ganga Authority** was founded in 1985, and a Ganga action plan was launched in 1986 to clean up the Ganga.

Central Ganga Authority (CGA): It was created under the Ministry of Environment. The CGA was **responsible for the implementation of the Ganga Action Plan** and for establishing future policies and programs. It was later renamed the **National River Conservation Authority (NRCA)**.

National Ganga River Basin Authority (NGRBA): The Government constituted the National Ganga River Basin Authority (NGRBA) in February 2009 under Section 3(3) of the **Environment Protection Act, 1986**. The NGRBA was a planning, financing, monitoring and coordinating body

of the Union and the State Governments. The objective of the NGRBA is to ensure effective abatement of pollution and conservation of the river Ganga by adopting a river basin approach for comprehensive planning and management.

Namami Gange Programme: It is an Integrated Conservation Mission (approved as 'Flagship Programme') launched by the Union Government in June 2014 with budget outlay of INR 20,000 Crore to accomplish the twin objectives of **effective abatement of pollution**, and **conservation and rejuvenation of River Ganga**. The **Ministry of Jal Shakti** is responsible for its implementation. The Vision for Ganga Rejuvenation includes restoring the **Aviral Dhara** (Continuous Flow), **Nirmal Dhara** (Unpolluted Flow), **Geologic Entity** (protection of geological features) and **Ecological Entity** (protection of aquatic biodiversity).

The **National Mission for Clean Ganga** (NMCG) and its State counterpart organisations, known as **State Program Management Groups** (SPMGs), are in charge of putting the programme into action. The Main Pillars of the Programme are: **(a)** Sewerage Treatment Infrastructure; **(b)** River-Surface Cleaning; **(c)** Afforestation; **(d)** Industrial Effluent Monitoring; **(e)** River-Front Development; **(f)** Biodiversity **(g)** Public Awareness; **(h)** Ganga Gram.

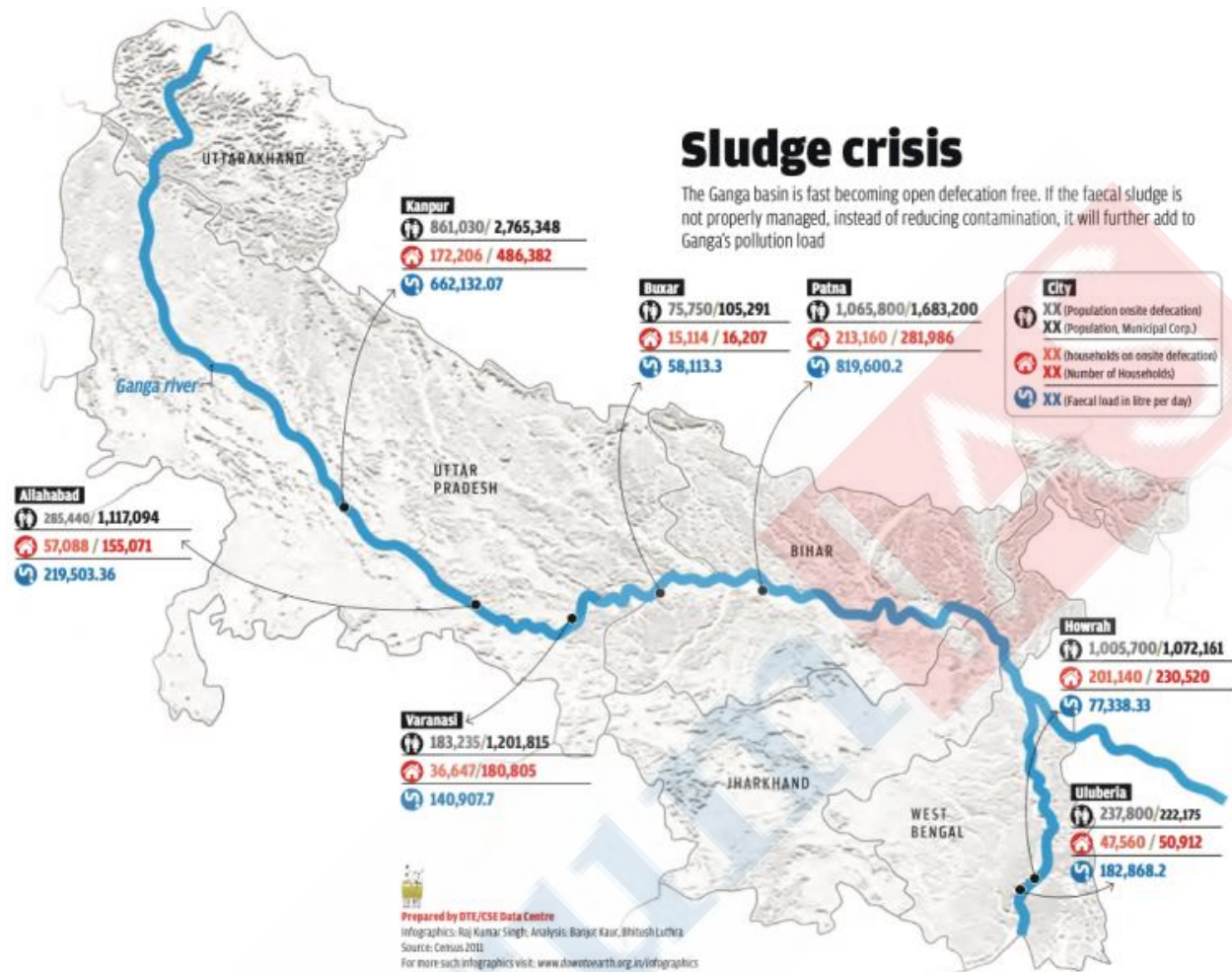
National Mission for Clean Ganga(NMCG): It is a **statutory authority** established under the **National Council for River Ganga (Rejuvenation, Protection and Management) Act, 2016**. In 2016, the Government issued a notification to authorise the National Mission for Clean Ganga (NMCG) to exercise powers under the Environment (Protection) Act, 1986.

What are the challenges in cleaning of River Ganga?

Sewage Treatment: It have been at the centre of Ganga pollution abatement. Despite initiatives, there are challenges like delay in new projects because of land acquisition and other procedural requirements, poor performance of Sewage treatment plants (STPs) and lack of sewerage network in cities. Industries find it easy to dispose their entire waste in the common drain which carries both domestic as well as industrial waste into the river. This is due to lax implementation.

Restoring the Flow: With enough flow, a river acts as **self-purifying system**. However, the Ganga fails this basic test except during monsoons. So it's not just about unclean Ganga. It is about the **existence of Ganga** (or adequate water flow). Due to restrictions and decrease in flow, the velocity of water decreases and siltation increases and the self-purification capacity decreases.

Sludge Control: While the containment of human waste has be largely achieved by Swachh Bharat Mission (SBM) through construction of toilet in Ganga grams, its safe disposal still poses a huge challenge. Faecal sludge is a bigger pollutant than sewerage. While the BOD of sewage is 150-300 mg/l, that of faecal sludge would be 15,000-30,000 mg/l.



Source: Down to Earth

Cost Overruns: The costs of the programme have increased as a result of delays in multiple projects, and ineffective financial management.

Governance Issues: The Ganga Action Plans lacked the coordination of various Ministries. Lack of coordination results in faulty execution, delays and cost overruns.

What more should be done for cleaning of River Ganga?

Autonomous Agency: Experts contend that National Ganga Council (NGC) should be an autonomous agency independent from the Government. Environmental Experts who are familiar with the river should be members of this body rather than bureaucrats because they have more relevant experience.

Improving Flow: The designs of hydroelectric projects can be tweaked in such a manner that they consume less water. Lesser storage will improve water-flow downstream restoring the self-purifying capabilities of the Ganga river. It may raise the cost of the projects but should be done for long-term preservation of the Ganga.

Better Coordination: The National Ganga Council met after ~3 years. More frequent meetings will help improve coordination between Ministries and Union and State Governments.

Decentralisation: Some critics argue that the Programme is centralized, largely driven by the Union Government. Greater involvement of State and Local Governments (bottom-up approach) can help in better implementation.

Initiatives by NMCG: Environment Experts have suggested several steps that NMCG can undertake for Ganga Rejuvenation like decentralised Sewage Treatment Plants (dSTPs), develop local storages (ponds/wetlands), identify and protect 'river corridors', restoring base flow through groundwater recharge etc.



Source: Down to Earth

Conclusion

The Director General of NMCG has said that there has been considerable improvement in the status of cleaning of Ganga river. The Central Pollution Control Board and a special cell have been monitoring real-time water quality of Ganga. In terms of Dissolved Oxygen (DO), the entire stretch of Ganga meets the standards from Uttarakhand to West Bengal. These are measured at nearly 90 stretches. The Biochemical Oxygen Demand (BOD) levels are met in at least 60. The Kanpur BOD used to be 10 at one point and now is 3-4. So, there is significant improvement. Yet, there are many challenges that remain, and Ganga is far from being free of pollution. The Government should build on the success of the programme and scale up its efforts till the River Ganga is restored to its pristine glory.

Syllabus: GS III, Conservation, Environmental Pollution and Degradation.

Source: [Indian Express](#), [Indian Express](#), [Down to Earth](#), [Down to Earth](#), [The Hindu](#), [NMCG](#)

India-Nepal Relationship – Explained, pointwise

Introduction

India and Nepal share deep social, cultural, strategic, political, and economic ties that have been forged over many centuries. However, the relationship has witnessed many ups and downs in recent times. The electoral outcomes in the recent elections in Nepal were on the expected lines. But the post-election developments have created some uncertainties in India-Nepal Relationship. Foreign Policy Experts believe the new developments, a hung-Parliament and the post-election alliance has thrown new challenges for India's Policy.

What are the areas of cooperation in India-Nepal Relationship?

Defence Cooperation: India has been **assisting the modernisation of Nepal Army (NA)** by supplying equipment and providing training. Assistance during disasters, joint military exercises, adventure activities and bilateral visits are other aspects of India's defence cooperation with Nepal. The 'Indo-Nepal Battalion-level Joint Military Exercise SURYA KIRAN' is conducted alternately in India and in Nepal. The **Gorkha regiments of the Indian Army** are raised partly by recruitment from hill districts of Nepal. Currently, about 32,000 Gorkha Soldiers from Nepal are serving in the Indian Army.

Connectivity and Development Partnerships: India's development assistance to Nepal is a broad-based programme focusing on **creation of infrastructure at the grass-roots level**. Various projects have been implemented in the areas of **infrastructure, health, water resources, education** and rural & **community development**.

Two important integrated checks One at Birgunj (Nepal) and another at Biratnagar (Nepal) have been built with Indian assistance.

India has built several hydroelectric projects in Nepal like Pokhra (1 MW), Trisuli (21 MW), Western Gandak (15 MW), Devighat (14.1 MW) etc. Agreements have been signed between Satluj Jal Vidyut Nigam (SJVN) Ltd and the Nepal Electricity Authority (NEA) for development and implementation of **490.2 MW Arun-4 hydropower project**. The project is expected to generate electricity for Nepal, India as well as Bangladesh. The SJVN has 51% share and the NEA has 49% of the project. Nepal has also extended an invitation to Indian businesses to invest in the **West Seti Hydropower Project**.

Power Cooperation: India and Nepal have robust cooperation in the power sector. Three cross-border transmission lines were completed recently with GoI assistance (400 kV Muzaffarpur-Dhalkebar line (2016); 132 kV Kataiya-Kusaha and Raxaul-Parwanipur lines (2017)). A total of about 600 MW of power is currently being supplied by India to Nepal through different transmission lines, assisting Nepal to **overcome power shortage**. The Government of India has granted permission to Nepal Electricity Authority (NEA) in November 2021 to **sell its surplus energy** under **Cross Border Trade of Electricity (CBTE) guidelines**.

Trade and Economic Ties: India remains **Nepal's largest trade partner**, with bilateral trade crossing US\$ 7 billion in FY 2019-20. **India provides transit for almost the entire third country trade of Nepal**. India's export to Nepal has grown over 8 times in the past 10 years while exports from Nepal have almost doubled. In FY 2021-22, it constituted 2.34% of India's exports. In fact, exports from India constitute almost 22% of Nepal's GDP.

Indian firms are among the largest investors in Nepal, accounting for more than 33% of the total FDI stock in Nepal, worth nearly US\$ 500 million. India and Nepal have also signed the **Double Taxation Avoidance Agreement (DTAA)** in November 2011. The **bilateral remittance flow** is estimated at approximately US\$ 3 billion (Nepal to India) and US\$ 1 billion (India to Nepal).

New Partnership in Agriculture: In April 2018, the **'India-Nepal New Partnership in Agriculture'** was launched with a focus on collaborative projects in **agricultural research, development and education**.

Water Resources Cooperation: A three-tier bilateral mechanism was established in 2008, to discuss issues relating to **cooperation in water resources, flood management, inundation and hydropower** between the two countries. The arrangement has been working well. There are specialized committees (like the Joint Team of Experts (JTE) on Saptkosi and Sunkosi projects, Joint Committee on Inundation and Flood Management (JCIFM) etc.) which implement the recommendations of the three-tier mechanism and meet more regularly.

Educational, people-to-people and Cultural Exchanges: India and Nepal extend **visa-free entry** in their respective territories to each other's nationals. Nearly eight (8) million Nepalese citizens live and work in India and around 6,00,000 Indians reside in Nepal.

Indians account for about **30% of foreign tourists** in Nepal. With a view to strengthen people to people exchanges, **sister city agreements have been signed** (Kathmandu-Varanasi, Lumbini-Bodhgaya, Janakpur-Ayodhya) & **India-Nepal Ramayana Circuit** have been launched.

International Centre for Buddhist Culture and Heritage: The Centre presents the essence of spiritual aspects of Buddhism. The facility is aimed at catering to scholars and Buddhist pilgrims from all over the world who visit **Lumbini**. **Sampark India-Nepal Alumni network** is an initiative which seeks to bring Nepali alumni and students presently pursuing studies in India together on a common platform to establish a vibrant alumni network.

India has offered to set up a **satellite campus of the Indian Institute of Technology (IIT)** in Rupandehi and has sent some draft memoranda of understanding for signing between Indian and Nepali Universities.

MoUs/Agreements have been signed between: **(a)** Sahitya Kala Akademi (India) and Nepal Academy, **(b)** Doordarshan (India) and Nepal TV, **(c)** Press Council of India and Press Council of Nepal, **(d)** Lalit Kala Akademi (India) and Nepal Academy of Fine Arts, **(e)** GoI and Government of Nepal for twinning of sister cities Kathmandu-Varanasi, Lumbini-Bodhgaya and Janakpur-Ayodhya etc.

The **Swami Vivekananda Centre for Indian Culture** was set up in Kathmandu in August 2007 to showcase the best of Indian culture. The **Nepal-Bharat Library** was founded in 1951 in Kathmandu. It is regarded as the first foreign library in Nepal.

Parliamentary Exchanges: In May 2019, the Federal Parliament of Nepal formed **'Nepal-India Parliamentary Friendship Group'** comprising nine members from both, the House of Representatives (Lower House) and the National Assembly (Upper House) of the Federal Parliament of Nepal.

COVID Assistance: As part of COVID-19 assistance, India had supplied more than 23 tonnes of medicines and medical equipment to Nepal on Grant basis during the first wave of COVID-19.

The total COVID-19 assistance provided to Nepal is more than US\$ 7 million. India also ensure uninterrupted supply of Medical Oxygen to Nepal during the peak of the pandemic.

What the challenges in India-Nepal Relationship?

Economic: (a) The close cultural and family ties between people from both sides of border meant that a lot of India-Nepal trade occurred through network of informal arrangements. Lenders and suppliers offered credit based on family references. Such informal ties and the simplicity of those traditional businesses are now under stress due to transition to formal economy in India. For many small and medium Nepali businesses, it is now easier to trade with China because, the rules have made it harder to do business with India; **(b) Decline in Indian Investments:** Chinese investments are replacing Indian investments. In 2019, for instance, China accounted for approximately 40% of new FDIs against India's 30%.

Territorial Disputes: India-Nepal boundaries had been fixed in 1816 by the British, and India inherited the areas over which the British had exercised territorial control in 1947. While 98% of the India-Nepal boundary was demarcated, two areas, **Susta** and **Kalapani** remained in limbo. In 2019, Nepal released a new political map **claiming Kalapani, Limpiyadhura and Lipulekh** of Uttarakhand and the area of Susta (West Champaran district, Bihar) as part of Nepal's territory.

Read More: [Kalapani territorial dispute between India and Nepal resurfaced](#)

Issues with Peace and Friendship Treaty: The 1950 Treaty of Peace and Friendship guaranteed Nepali citizens **free movement across the border** and **legal employment opportunities** in India. But now, it's seen as a sign of an unequal relationship and something that the Indians imposed. Since the mid-1990s, Joint Statements have sometimes, but not always, talked about the idea of revising and updating

Chinese Interference: Nepal has been moving away from India's sphere of influence in recent years, and China has been filling the void with investments, aid, and loans. China plans to **invest in Nepal's infrastructure** as part of its ambitious **BRI (Belt and Road Initiative)** to increase global trade. Rising cooperation between Nepal and China **threatens Nepal's status as a buffer state between India and China.**

Terrorism: Terrorist organisations and insurgent groups operating in India's northeast take advantage of the **porous and poorly patrolled border between India and Nepal** to smuggle in weapons, ammunition, trained cadres, and counterfeit Indian currency, all of which pose serious security risks to India.

Trust Issues: The trust gap between India and Nepal has grown over time due to India's notoriously slow pace of project implementation. Some Nepalese ethnic groups dislike India because they think that India meddles too much in Nepal's politics and interferes with their political sovereignty.

What should be done to further strengthen India-Nepal Relationship?

Strengthening Economic Relation: With China now a factor directly or indirectly influencing India-Nepal relations, the Government must act swiftly to remove challenges blocking economic engagements. They must allow people across the borders to share in each other's growth just as they did before. There is a need to revitalise the socio-economic network which was the main driver of investments in the past.

Constructive Discussions for Resolving Border Disputes: Rather than engaging in heated rhetoric about territorial nationalism, it is important to **lay the groundwork for a dialogue** in which both parties show respect and consideration for one another while investigating what is realistically possible. For the **Neighbourhood First Policy** to take hold, India needs to be a considerate and generous partner. International law on Trans-boundary Water Disputes will be used to guide diplomatic talks about how to solve the problem. The boundary dispute resolution between India and Bangladesh should serve as a model.

Raising Awareness About Nepal: India needs to step up its interactions with Nepal on all fronts (political, administrative, and interpersonal) in order to better serve both countries. India should stick to its policy of **staying out of Nepal's domestic affairs**.

Investments: India should step up its investments in Nepal. The focus should be on faster completion of projects. Projects benefiting local people will help create goodwill for India. This will also force the Left parties in Nepal to curb their anti-India rhetoric.

Conclusion

India and Nepal share age old civilisational ties. Nepal is crucial for India's economic and strategic interests. A friendly and favorable Nepal will act as a vital buffer between India and an increasingly aggressive China. The Government of India should constructively engage with new regime in Nepal and work towards greater cooperation on multiple dimensions. This will be in favor of India's long term interests.

Syllabus: GS II, India and its neighbourhood relations.

Source: [The Hindu](#), [ORF](#), [The Diplomat](#), [MEA](#)

Green Hydrogen Mission – Explained, pointwise

Introduction

The Union Cabinet has formally approved the **National Green Hydrogen Mission**. The Mission has stated aims of **making India energy independent** and a **global hub for the production of green hydrogen**, along with **decarbonising major sectors of the economy**. The Mission has an outlay of INR 19,744 crore. Green Hydrogen is being considered as one of the vital avenue for energy transition away from fossil fuels, for both the mobility (transportation) and industrial sectors. Many breakthroughs have been made in the Green Hydrogen Technology, yet many challenges remain for scaling-up the utilization and adoption of Green Hydrogen technologies. Hence, a mission-mode approach through the Green Hydrogen Mission is a welcome step.

What is Green Hydrogen?

Hydrogen is the **lightest element** found in nature. In standard conditions it **exists as a gas** of diatomic molecules (H₂). Hydrogen is the **most abundant chemical substance in the universe**, constituting roughly 75% of all normal matter. Stars including the Sun, are mainly composed of hydrogen. (though in the plasma state instead of gaseous state). The hydrogen gas can act as a useful fuel. Its **combustion with oxygen releases a lot of energy** and **produces water as byproduct**. Hence, it is more environment-friendly as it does not produce carbon-dioxide (produced by combustion of fossil fuels) and thus does not contribute to climate change.





There are several ways to produce Hydrogen on industrial scale (large-scale). These include **steam reforming of natural gas**, **oil reforming**, or **coal gasification**. A small percentage is also

produced using more energy-intensive methods such as the **electrolysis of water**. The hydrogen produced via these methods have been given various different names in order to distinguish them in terms of their carbon footprints.

Grey Hydrogen is traditionally produced from methane (CH₄), split with steam into carbon-dioxide (CO₂, Green House Gas) and hydrogen. Grey hydrogen is increasingly being produced from coal, with **significantly higher CO₂ emissions per unit of hydrogen produced**. It is produced at industrial scale today. It has no energy transition value.

Blue hydrogen follows the **same process as grey**, with the **additional technologies necessary to capture the CO₂ produced** (when hydrogen is split from methane (or from coal)) and **store it for long term**. It is not possible to capture 100% of the CO₂ produced and not all means of storing it are equally effective in the long term.

Green hydrogen is defined as **hydrogen produced by splitting water into hydrogen and oxygen using renewable electricity**.

Color	GREY HYDROGEN	BLUE HYDROGEN	TURQUOISE HYDROGEN*	GREEN HYDROGEN
Process	SMR or gasification	SMR or gasification with carbon capture (85-95%)	Pyrolysis	Electrolysis
Source	Methane or coal 	Methane or coal 	Methane 	Renewable electricity 

Note: SMR = steam methane reforming.
* Turquoise hydrogen is an emerging decarbonisation option.

Source: WEF, IRENA

Read More: [Green Hydrogen: Potential, Issues and Solutions – Explained, pointwise](#)

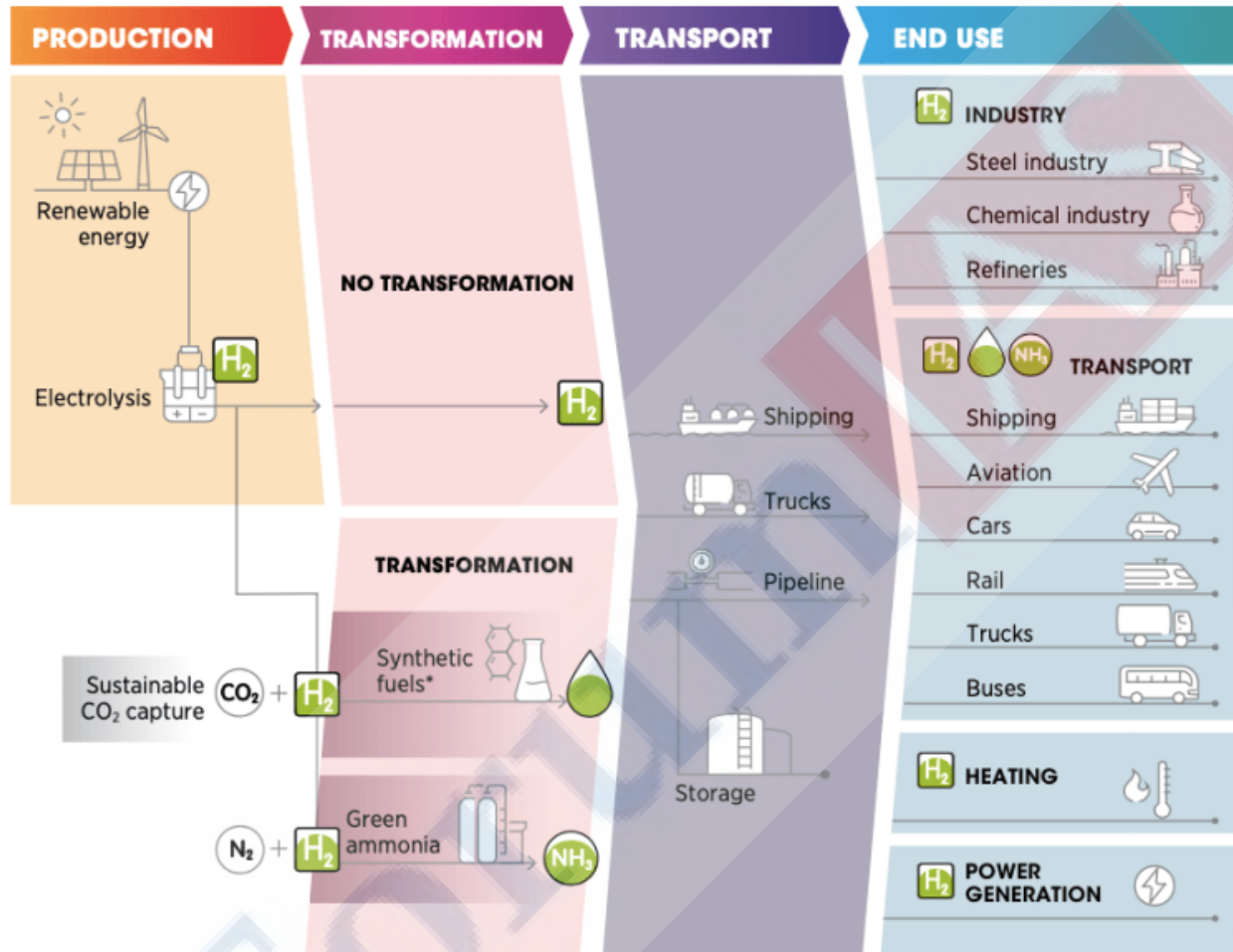
What are the benefits of Green Hydrogen?

Net Zero Transition: The use of hydrogen in combustion has zero GHG emissions. Since, renewable energy is used in producing the Green Hydrogen, the entire chain (production to consumption) has very low GHG emissions (in contrast to Grey Hydrogen). Thus Green Hydrogen is vital to Net Zero transition. It can be utilized to decarbonize the heavy industry, long haul freight, shipping, and aviation sectors. Governments and industry have both acknowledged **Green Hydrogen as an important pillar of a Net Zero economy**.

Clean Energy Solution: (a) **Energy Storage Solution:** Hydrogen is emerging as one of the leading options for **storing energy from renewables**. Hydrogen-based fuels can potentially transport energy from renewables over long distances; from regions with abundant energy resources, to energy-intensive areas thousands of kilometers away; (b) **Versatility:** Green

Hydrogen can be transformed into electricity or synthetic gas and used for commercial, industrial or mobility purposes.

FIGURE 1.1 Green hydrogen production, conversion and end uses across the energy system



Source: WEF, IRENA

Availability of Water: Green Hydrogen can be produced from water which has abundant availability.

What are the challenges in scaling up adoption of Green Hydrogen?

High Cost: The process of production of hydrogen using electrolysis consumes a lot of energy. The process uses **high end-technological Electrolysers**. Electrolysers are devices that use electricity to split water into hydrogen and oxygen and **are expensive**. Hence, the cost of production of Green Hydrogen is high.

High Energy Consumption: The production of hydrogen in general and green hydrogen in particular requires more energy than other fuels.

Safety Issues: Hydrogen is a **highly volatile** and **flammable element** and **extensive safety measures** are therefore required to prevent leakage and explosions.

What steps have been taken to promote Green Hydrogen?

India

National Green Hydrogen Mission: The intent of the Mission is to **incentivise the commercial production of green hydrogen** and make India a **net exporter of Green Hydrogen by creating opportunities for exports**. The Mission is also aimed at **decarbonisation of the energy sector** and use in **mobility applications** in a bid to **lower the dependence on imported fossil fuels**; and to develop **indigenous manufacturing capacities**. It will also help in creating employment opportunities; and developing new technologies such as efficient fuel cells.

The mission has laid out a target to **develop Green Hydrogen production capacity** of at least 5 MMT (Million Metric Tonne) per annum. This is alongside adding renewable energy capacity of about 125 GW (gigawatt) in the country.

The Government hopes that by 2030, the Mission will help bring in investments worth INR 8 trillion and create over six lakh jobs. With implicit subsidy support and a **Government-backed R&D push**, the plan is to target lower costs of renewable power generation and to **bring down the costs of electrolyzers** to make the production of Green Hydrogen **cost-competitive**.

There are two umbrella sub-missions under the Green Hydrogen Mission: **(a) Strategic Interventions for Green Hydrogen Transition Programme (SIGHT)** will fund the domestic manufacturing of electrolyzers and produce Green Hydrogen; **(b) To support pilot projects** in emerging end-use sectors and production pathways. States and regions capable of supporting large scale production and/or utilisation of hydrogen will be identified and developed as **Green Hydrogen Hubs**.

INR 17,490 crore has been earmarked for the SIGHT programme, INR 1,466 crore for pilot projects and hydrogen hubs, INR 400 crore for R&D and INR 388 crore for other parts of the Mission.

Green Hydrogen Policy: The Government had launched the Green Hydrogen Policy, 2022 in February 2022 that envisages to build a prominent role for clean fuels in the country's fossil fuel-dominated energy mix.

Read More: [Green Hydrogen Policy – Explained, pointwise](#)

Other Initiatives (States/PSUs): **(a)** Kerala has set up a high-level working group for its own **Hydrogen Economy Mission** to devise a strategic roadmap, policy formulations, and implementation plans for facilitating investments in green hydrogen and making the State “a green hydrogen hub”; **(b)** In April 2022, state-owned Oil India Limited commissioned India's first 99.99% pure Green Hydrogen plant in **Jorhat, Assam.**; **(c)** Indian Oil Corporation Ltd has set up an R&D centre, in collaboration with Tata Motor Limited. The Centre had earlier carried out trials of hydrogen fuel cell buses

Private Sector Initiatives: Companies such as Reliance Industries Ltd, Adani Enterprises, JSW Energy, and Acme Solar have plans to tap the Green Hydrogen opportunities. Adani Group has announced in June that it will collaborate with France's Total Energy to jointly create the “world's largest green hydrogen ecosystem”. US-based Ohmium International has commissioned India's first Green Hydrogen Electrolyzer Gigafactory to manufacture Indian-made **Proton Exchange Membrane (PEM) hydrogen electrolyzers** in Karnataka.

Global Initiatives

(a) The **Green Hydrogen Catapult**, a **United Nations** initiative to bring down the cost of Green hydrogen has announced that it will increase its goal for green electrolyzers from 25 gigawatts set last year, to 45 gigawatts by 2027; (b) The **European Commission** has adopted a set of legislative proposals to decarbonize the EU gas market by facilitating the uptake of renewable and low carbon gases, including hydrogen; (c) The **UAE** had declared new hydrogen strategy aiming to hold a fourth of the global low-carbon hydrogen market by 2030; (d) **Japan** announced it will invest US\$ 3.4 billion from its Green Innovation Fund to accelerate research and development and promotion of hydrogen use over the next 10 years.

What more steps can be taken to scale-up production/adoption of Green Hydrogen?

First, To gain access to a consistent supply of components, India must improve the **manufacturing capabilities and skill levels** of its **small and medium-sized manufacturing enterprises** (SMEs).

Second, There is a need to build a **transmission network** capable of delivering hydrogen from supply-spots to industrial centres across the country.

Third, Although India has the potential to become a leading producer of Green Hydrogen, there is a **lack of requisite infrastructure** to fully realise this vision. It is necessary to **build supply chains** in the form of pipelines, tankers, intermediate storage, and last-leg distribution networks etc.

Fourth, Incentives must be announced in order to persuade enough industrial hydrogen users to **switch to Green Hydrogen**.

Fifth, It is imperative to **implement an effective skill development programme** to ensure that lakhs of workers are adequately trained to adapt to a viable Green Hydrogen economy.

Conclusion

Shift to Green Hydrogen based economy requires a mission mode approach to ensure quick transition without any disruption. The Green Hydrogen Mission is a foresighted initiative in this regard. The focus should be on effective implementation with the target oriented approach. The Green Hydrogen Mission may be single biggest initiative in transition of the economy to Net Zero.

Syllabus: GS III, Infrastructure: Energy; GS III, Conservation.

Source: [Indian Express](#), [The Hindu](#), [The Hindu](#), [MoneyControl](#), [WEF](#)

Establishing Campuses of Foreign Universities in India – Explained, pointwise

Introduction

The regulator for higher education in India, the University Grants Commission (UGC) has released draft regulations to allow foreign universities to establish campuses in India. The UGC has sought comments and feedback from the public. The regulations are expected to be notified by end of January 2023. The move has been welcomed, with expectations that campuses of foreign universities in India will help in enhancing the quality and standards of higher education in India. However, many experts have opined that previous such moves have failed to achieve desired results. The result of these regulations will depend on several factors including the autonomy granted to foreign universities.

What are the salient features of UGC Regulations on Foreign University Campuses in India?

Eligibility: Two types of Foreign Higher Education Institutions (FHEIs) can apply to establish campuses in India: **(a)** Universities that are in the top 500 global rankings (either overall or subject-specific rankings); **(b)** Institutions of repute in their home countries.

Approvals: The UGC will set up a permanent committee to look into questions about how FHEIs can set up and run campuses in India. The panel will look at each application based on **merits**, including the **credibility of the educational institutions**, the **programmes to be offered**, their **potential to improve educational opportunities in India**, and the **proposed academic infrastructure**. The Committee will make recommendations within 45 days. After the approval, the FHEI has to establish campus in India within 2 years.

Criteria for Admission and Fees: FHEIs will be **free to set and change their admissions process and criteria**. They can admit both domestic and international students. The **fee structure should be transparent and reasonable**. The institution will have to put the prospectus on its website at least 60 days before the start of admissions. The prospectus will include information about fees, refunds, number of seats in a program, eligibility criteria and admission process etc. Based on an evaluation, the FHEI may give **full or partial need-based scholarships** from funds like endowment funds, donations from the alumni, tuition, and other sources.

Faculty: FHEI will have the **freedom to hire faculty and staff from India and other countries**, as long as they follow the rules for hiring. It may **decide the qualifications** for hiring faculty and staff, their remuneration and other terms of the job. The FHEI has to ensure that the faculty hired **have the same qualifications as the main campus in the home country**. It shall ensure that the foreign faculty appointed to teach at the Indian campus **shall stay at the campus in India for a reasonable period**.

Protecting the Interests of Students: FHEI cannot stop a course or programme or close the campus without first getting permission from the Commission. If a course or programme is interrupted or stopped, it is the **FHEI's responsibility to find an alternative for the affected students**. FHEI shall have a mechanism to address students' grievances. However, the students may appeal to UGC if the Institution does not redress their grievances.

Equivalence with degrees given by Indian HEIs: The qualifications given to students on the Indian campus must be the same as the qualifications given by the FEHI on the main campus in the home country. The qualifications given out under the rules will be the same as any similar degree given out by an Indian higher education institutions.

Securing National Interest: FHEIs must not offer any programme or course that **puts India's national interest or higher education standards at risk**. The way FEHIs work can't go against India's sovereignty and integrity, the State's security, good relations with other countries, public order, decency, or morality.

Working of Finances: The Foreign Exchange Management Act (FEMA), 1999 and its rules must be followed for movement of money across borders, keeping foreign currency accounts and making payments etc. FHEI must submit an annual report with information about the programmes it offers, the number of students enrolled, and the qualifications they receive etc.

What are the benefits of establishing Foreign University Campuses in India?

Internationalisation of Higher Education: Allowing foreign universities to establish campuses in India would aid in the internationalisation of higher education. As stated in the NEP 2020, “A legislative framework will be put in place to facilitate such entry, and such universities will be given special treatment in terms of regulatory, governance, and content norms on par with other autonomous institutions in India”.

Quality of Education: Due to competition between FHEIs and Indian institutions, there will be an enhancement in the quality of education and the overall talent pool.

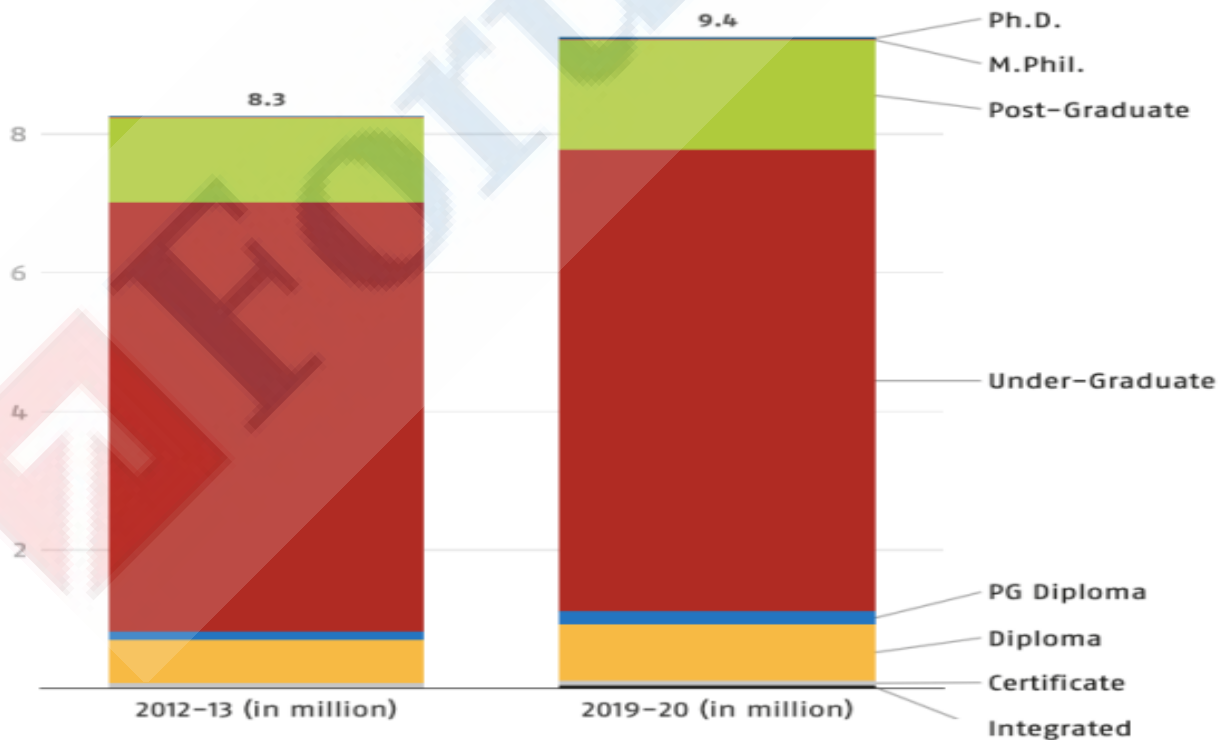
Beneficial for Students: The Government recently told the Rajya Sabha that **11.3 lakh Indian** students were studying abroad. Various reports estimate the annual spending to be between US\$ 13-30 billion every year. One report has estimated that Indians would be spending US\$ 80 billion annually for studies abroad by 2024-25. Presence of campuses of foreign universities may ease the tendency to shift abroad for higher studies. This will help reduce the need for foreign exchange.

Attract Foreign Students: Campuses of reputed FHEIs will attract foreign students. This will help in exchange of ideas and cultures. It will prove beneficial to Indian students helping them to develop a more holistic outlook with global perspectives.

Boost Research: The enrolments in M.Phil and PhD courses is very low. It is expected that campuses of reputed FHEIs will improve enrolments in research courses and help improve the ecosystem in India.

Over 9 million completing their courses every year

Shows number of students across educational segments



Source: Business Standard

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What are the concerns with the UGC Regulations?

First, Some experts contend that the **national security clause is too restrictive in nature**. The FHEIs may be reluctant to enter India because it may impact academic autonomy. However, any aggrieved party will have the right to approach the Judiciary.

Second, Earlier regulations released by the Government (October 2022) regarding **establishing campuses by Foreign Universities in the GIFT City** (Gandhinagar) were exempted from the regulations set by the UGC. Two set of regulations may result in **confusion**.

Third, According to some education experts, the regulations **have not elaborated about certain aspects that are applicable to Indian Universities** like academic bank of credits, multiple entry and exit system, up to 40% online delivery along with the **issue of reservations in admissions**.

Fourth, there are **multiple 'global rankings'** like the QS, Times Higher Education, Financial Times Rankings etc. The regulations have not elaborated which rankings shall be considered for eligibility criteria (top 500).

Fifth, the Regulations will also allow Institutions of repute in their home countries (not in top 500 in Global Rankings). **Repute has a subjective interpretation** and has not been elaborated.

What are the challenges in establishing Campuses of Foreign Universities in India?

Affordability: FHEIs may prefer to hire foreign faculty. Also they have autonomy in deciding the tuition fee. This may impact the affordability, making access to these institutions limited to the elite. Students from non-affluent families may have to rely on education loans.

Infrastructure Funding: The FHEIs may be reluctant to acquire real estate to establish big campuses. Acquisition of land is anyway a contentious issue in India with several instances of **prolonged delays and litigations**. The Government may have to step-in to facilitate land acquisition.

Faculty Restraints: FHEIs have to ensure that the education they impart do not violate India's national interests including on grounds like sovereignty and integrity, public order, decency, or morality etc. Some of the terms like morality and decency are subjective based on cultural differences. This may make foreign faculty reluctant to join Indian campuses.

Attracting Top Universities: FHEIs will set up campuses only if they find it as a lucrative option. Very few top ranked FHEIs have foreign campuses (e.g., very few US Universities have campuses in the EU) even in countries with relative much liberal standards than in India.

Political Interference: Higher Educational Institutions in India are vulnerable to political interference including on issue of appointments to senior administrative positions. It will need to be ensured that FHEIs do not face such issues in India.

Expertise: Some critics argue that UGC Officials lack the experience and expertise in dealing with FHEIs. Issues of yearly review, campus visits, and other forms of monitoring and intervention may pose some challenges.

Level Playing Field: FHEIs can be for-profit institutions and they'll be allowed to repatriate surplus funds abroad. Indian public HEIs are not 'for-profit' and have to reinvest the surplus. This will put FHEIs on a different pedestal than Indian HEIs.

What should be done to improve quality of Higher education in India?

First, As committed in NEP-2020, the Government should cater to the needs of a large section of Indian society termed '**Socio-Economically Disadvantaged Groups-SEDGs**' that include women, transgenders, SCs, STs, OBCs, EWS, differently abled, migrants and geographically disadvantaged groups.

Second, Many private universities from India have shown great potential to innovate and become renowned globally. Such universities should be **given a free hand on par with FHEIs** in regard to autonomy, favourable regulations, taxation etc.

Third, Political interference in Universities must be checked. UGC regulations may be relaxed to grant **greater academic autonomy to Universities**.

Fourth, There is an urgent need for **increased funding**, along with establishing **dedicated funding streams for infrastructure** grants/loans and financial aid. Universities can also be freed up to utilise other revenue streams such as start-up royalties and advertising.

Fifth, **Funding for research needs to rise significantly**, with institutions like the NRF supplementing existing schemes (including those from the Ministry of Science). Funding should also be allocated to enable course-based research experiences for undergraduates

Conclusion

The UGC Regulations on establishing Campuses by Foreign Universities in India is a welcome move. If regulations are successful in attracting FHEIs, it will have several benefits like increased competition, quality and improving R&D ecosystem. However, the real challenge is getting the FHEIs establish campuses in India. Several such initiatives in the past have failed to achieve desired results. India's position (especially in terms of economy) globally has changed a lot in recent times. So FHEIs may find India more favorable than 2 decades ago. However, only time will tell the success or failure of UGC initiative in attracting FHEIs to India.

Syllabus: GS II, Issues relating to development and management of Social Sector/Services relating to Education.

Source: [Indian Express](#), [Indian Express](#), [The Hindu](#), [Business Standard](#),

The Supreme Court's Judgment on Freedom of Speech of Ministers – Explained, pointwise**Introduction**

In 2016, a Minister in the then Uttar Pradesh Government had made unsavoury remarks against a victim of sexual assault. In the ensuing litigation (*Kaushal Kishore vs State of Uttar Pradesh*), the Supreme Court considered the issue of freedom of speech of the Ministers and Legislators. The Supreme Court's Judgment (regarding Freedom of Rights of Ministers) has now ruled that no further curbs could be imposed on the fundamental right to freedom of speech and expression. The Supreme Court has held that the existing eight "reasonable" restrictions under Article 19(2) of the Constitution are exhaustive. A statement made by a Minister, (including MLAs and MPs), **cannot be attributed vicariously to the Government** even when applying the **principle of collective responsibility**.

What is the Fundamental Right to Freedom of Speech?

The Constitution of India guarantees all **citizens the right to freedom of speech and expression under the Article 19(1)(a)**. In the Preamble of the Constitution, there is a solemn resolve made to secure to all of its citizenry **liberty of thought and expression**.

The right is available only to the citizens of India. Article 19(1)(a) guarantees the right to express one's opinions on any issue through any medium, including speech, writing, printing, pictures, films and movies.

However, the exercise of this right is **not absolute and is subject to reasonable restrictions**, as outlined in Article 19(2) of the Constitution of India. These restrictions are: **(a)** Sovereignty And Integrity of India; **(b)** Security of the State; **(c)** Friendly relations with Foreign States; **(d)** Public Order; **(e)** Decency and Morality; **(f)** Contempt of Court; **(g)** Defamation; **(h)** Incitement to an offence.

The Legislature (Parliament) can **frame laws to impose these reasonable restrictions**. Several provisions of the Indian Penal Code (IPC) have such restrictions like **Section 124A** (Sedition), **Section 153A** (Promoting enmity between groups), **Section 295A** (Hurting religious feelings) etc.

What is the Supreme Court's Judgment regarding Freedom of Speech of Ministers?

The main questions before the Constitution Bench were:

(A) Whether the Court can impose restrictions on the right to freedom of speech and expression beyond the present restrictions provided under Article 19(2) of the Constitution?

(B) Can a Fundamental Right under Article 19 and Article 21 of the Constitution, can be **claimed against anyone other than the 'State' or its instrumentalities**?

(C) Whether the State is under a duty to affirmatively protect the right of the citizens under Article 21 of the Constitution even if it is against a threat to the liberty of the citizen by the acts (or omissions) of another citizen or private agency?

(D) Whether the statement of a Minister, traceable to any affairs of the State, should be **attributed vicariously to the Government** itself for not keeping in mind the principle of collective responsibility?

Vicarious Liability is a situation in which **one party is held partly responsible for the unlawful actions of a third party**. The third party also carries their own share of the liability. The word "vicarious" is used to describe the fact that the **liability imposed is indirect**.

(E) Whether a Statement made by a Minister, which is inconsistent with the Fundamental Rights granted under Part III of the Constitution, constitutes as a violation of such Fundamental Rights and is actionable as 'Constitutional Tort' (civil wrong)?

A **Constitutional Tort** is a violation of a person's Constitutional rights by an agent of the Government, acting in his/her official capacity. It is a legal tool that allows the State to be held vicariously accountable over the actions of its agents.

Majority Opinion

The majority of the SC Bench (4:1) held that collective responsibility is that of Council of Ministers. Each **individual Minister is responsible for the decisions taken collectively by the Council of Ministers**. The flow of stream in collective responsibility is **from the Council of**

Ministers to the individual Ministers. The **flow is not on the reverse.** (i.e., from the individual Ministers to the Council of Ministers).

The Court also elaborated that: **(a)** The concept of collective responsibility is essentially a **political concept**; **(b)** The collective responsibility is that of the Council of Ministers; **(c)** Such **collective responsibility is to the House of the People/Legislative Assembly of the State.** Such responsibility is related to decisions taken by the Council of Ministers. It is **not possible to extend this concept of collective responsibility to any and every statement orally made by a Minister outside the House of the People/Legislative Assembly.**

Thus a statement made by a minister, even if traceable to any affairs of the State or for protecting the Government, **cannot be attributed vicariously to the government** by invoking the principle of collective responsibility. (Question D).

The Court said that there are **no additional restrictions that can be imposed on people's right to free speech** other than those that are listed in Article 19(2) of the Constitution. (Question A).

The SC also held that a fundamental rights under Article 19 and Article 21 can be enforced **even against persons other than the State or its instrumentalities.** (Question B).

The State is under a duty to affirmatively protect the rights of a person under Article 21 whenever there is a **threat to personal liberty even by a private actor.** (Question C).

A mere statement made by a Minister, inconsistent with the rights of a citizen, **may not constitute a violation of constitutional rights** and become actionable as a constitutional tort. However, if as a consequence of such a statement, any act of omission or commission is done by the officers resulting in harm or loss to a person/citizen, then the same may be actionable as a constitutional tort. (Question E).

'STATE MUST PROTECT RIGHT TO LIFE'

➤ Five-judge bench of unanimous view that **state duty-bound to protect right to life** whenever there is threat from any quarter, including private persons

➤ Majority verdict says **fundamental right to free speech and life can be enforced against private persons** other than state or its instrumentalities

➤ In dissenting verdict, **Justice Nagarathna** says except for habeas corpus (produce the person), **right to free speech and life cannot be enforced against persons other than state**

➤ Majority verdict says mere **statement of a minister may not lead to violation of constitutional rights** and hence not actionable for award of compensation

“ Article 19(1)(a) (right to free speech) serves as a vehicle through which dissent can be expressed. The right to dissent, disagree and adopt varying and individualistic points of view inheres in every citizen of this country – **Justice BV Nagarathna**

Source: The Times of India

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What is the dissenting view?

Justice BV Nagarathna gave a dissenting Judgment. She had a differing view on the collective responsibility. She opined that it possible for a Minister to make statements in two different capacities: Personal and Official (as a delegate of the Government).

In case of statements made in personal capacity, **no vicarious responsibility may be attributed to the Government** itself. If such statements are stray opinions of an individual Minister, and are not consistent with the views of the Government, then they shall be attributable personally and not to the Government.

The statements made in official capacity may be traced to any affair of the State or may be made with a view to protect the Government. If such statements are derogatory, and represent not only the personal views of the individual Minister but also embody the views of the Government, then such statements **can be attributed vicariously to the Government** itself, especially in view of the principle of **collective responsibility**. Thus the attribution is contingent on the statement made in personal or official capacity.

Justice Nagarathna also held that while Constitutional courts can be approached in Habeas Corpus matters, the remedy for violation of other rights by private citizens would lie with the common law courts. She pointed out that the SC had laid down in the past that the remedy for violation of a common law right by a private person lies under the common law and not under the Constitution.

She also observed that it is for Parliament in its wisdom to enact a legislation or code to **restrain citizens**, in general, and **public functionaries**, in particular, from **making disparaging or vitriolic remarks against fellow citizens**. It is also for the **respective political parties to regulate and control the actions and speeches of its functionaries and members**. This could be through enactment of a **code of conduct**, which would prescribe the limits of permissible speech by functionaries and members of the respective political parties

Conclusion

Constitutional experts have praised the Supreme Court's Judgment of Freedom of Speech of Ministers. The Court has done well not to put any additional restrictions on the freedom of speech. However, as observed by Justice Nagarathna, the onus is on the Parliament and the political parties to ensure that the freedom is not violated to indulge in acts of hate speech.

Syllabus: GS II, Indian Constitution: Features, Significant Provisions; GS II, Parliament and State Legislatures: Powers and Privileges and issues arising out of these.

Source: [Indian Express](#), [Indian Express](#), [The Times of India](#), [The Times of India](#)

Remote Voting: Benefits and Challenges – Explained, pointwise**Introduction**

In the last week of December 2022, the Election Commission of India (ECI) wrote to the major political parties. Through the letter, the Commission invited the parties to attend a demonstration of the prototype Remote Voting Machine (RVM) on January 16, 2023. The Commission has also asked them to send in their comments by January 31, 2023. It is expected that the remote voting facility will improve electoral turn-outs by enabling migrants in different parts of India to vote, without having to physically visit the voting booths in their home

constituencies. At the same time there are concerns related to the integrity of the process, which is absolutely essential to ensure free and fair elections. Hence, it important to take a cautious approach, consult all stakeholders and take them on-board before the launch of the remote voting facility.

What is Remote Voting ?

Remote Voting refers to all means which **allow electors to vote from locations other than the polling station assigned to the location where they are registered to vote**. The remote voting location can be either abroad or from within the country. It comprises both **electronic voting and non-electronic voting mechanisms**.

There have been demands from various political parties that the ECI should ensure that migrant workers and NRIs (Non-Resident Indians) who miss out on voting should be allowed to vote for their constituency from the city they are working in. Many such voters aren't able to visit their home constituency to vote because of multitude of reasons including professional commitments, cost of travelling etc.

How is the Remote Voting proposed to be implemented in India?

The ECI has come up with a prototype Remote Voting Machine (RVM). It is a modified version of the existing Electronic Voting Machine (EVM). The RVM has been developed with the assistance of Bharat Electronics Limited (BEL) and the Electronics Corporation of India Limited (ECIL).

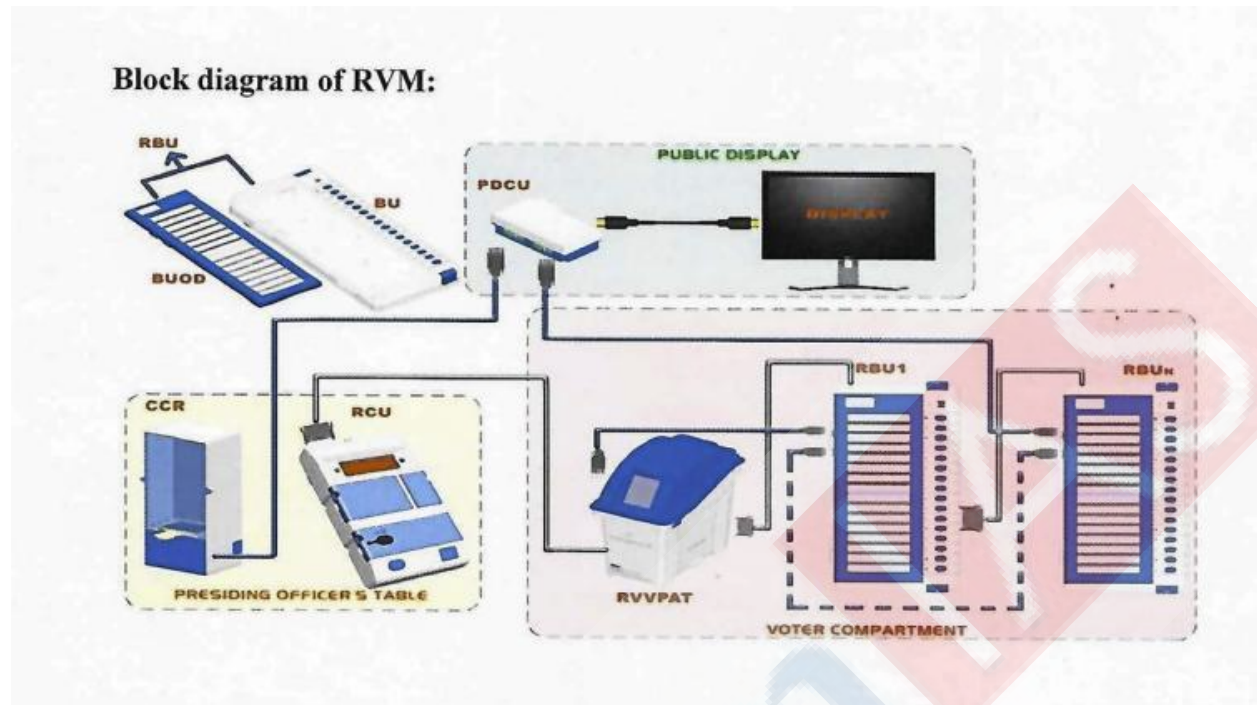
Hardware and Voting Process

The RVMs are **'stand alone, non-networked systems'**, effectively providing the voter the same experience as currently used EVMs. They will be set up in remote locations outside the State under similar conditions as current polling booths.

The unique feature of RVMs is that a **single Remote Ballot Unit (RBU) can cater to multiple constituencies** (up to 72) by using a 'dynamic ballot display board' instead of the usual **printed paper ballot sheet on the EVMs**.

Based on the constituency number read from the voter's Constituency card, the **Ballot Unit Overlay Display (BUOD)** will display the required candidates. These cards will be read using a barcode scanning system.

After verifying a voter's identity, their constituency card will be read with a public display showing the constituency details and candidates. This will also be displayed privately, on the BUOD in the RVM's RBU. The voter will then vote and **each vote will be stored constituency-wise in the control unit of the voting machine**.



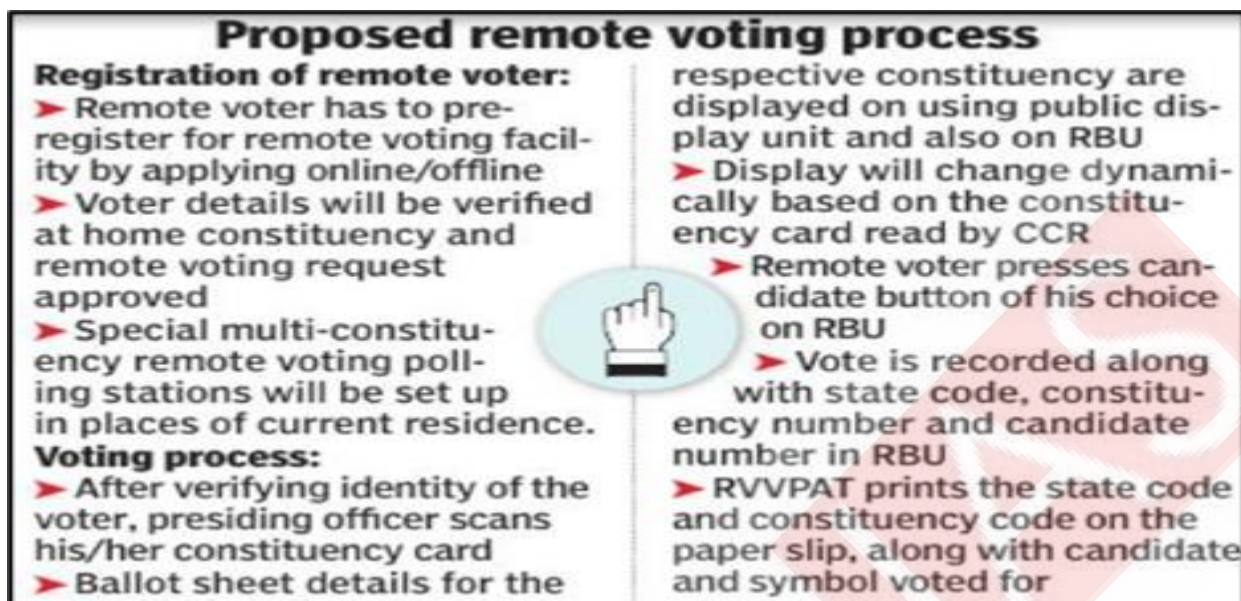
Source: The Hindu

Process of Registration

The **remote voter will have to pre-register for the remote voting facility** by applying online or offline with the Returning Officer of the home constituency. The special polling stations would then be set up in the places of current residence of the remote voters.

Security

According to the ECI, the RVM, like the EVM, **would not be connected to the internet**. The Returning Officer (RO) in the remote location will load the symbols of candidates into the unit using a laptop. These laptops would not be connected to the internet. Representatives of political parties and candidates would be invited to be present when the symbols are loaded onto the unit. The symbols would be visible on a display unit for all to see. This will ensure that the process is transparent and is not susceptible to manipulation.



Source: The Times of India

What are the benefits of Remote Voting?

Disenfranchisement of Voters: There are an estimated 600 million internal migrants as of 2020(450 million according to Census 2011). Approximately 85% of migration is within the States. Internal migration happens for various reasons including employment, education and marriage. Migration is considered to be a major reason behind the disenfranchisement of voters as they are unable to visit home constituency to cast their ballot.

Voting Turnout: The electoral turn-out has improved since the time of the first General Elections. The First General Elections (1951-52) witnessed turn-out of 45.7%. In 1960s-70s, the turn-out used to be between 50-60% (61.3% in 1967). In 2014 and 2019 General Elections, the turn-out touched 66.44% and 67.40% respectively. Yet, almost 33% voters failed to cast their vote. In 2019, this translated to almost 300 million (30 crore) registered voters failing to exercise their democratic right.

Promote Inclusion: Remote voting solutions can help facilitate voting for voters who are unable to travel far because of factors like old age or disability.

What are the challenges associated with Remote Voting?

Legal: (a) Amendments will be needed in Representation of the People Act, 1950 and 1951; Conduct of Election Rules, 1961; and The Registration of Electors Rules, 1960; (b) The 'Migrant voter' will need to be defined in terms of **period and purpose of absence**; (c) The process of Remote voting itself will need to be defined as whether 'remoteness' means outside the **Constituency, District or State**.

Administrative: There are several challenges like: (a) Requirement of **comprehensive migrant database** and enumerating remote voters; (b) Ensuring **secrecy of voting** at remote locations; (c) Preventing impersonation; (d) Deciding number and location of remote polling booths; (e) Appointing polling personnel for remote polling stations; (f) Implementing model code in locations outside the poll-bound State; (g) Creating awareness about the remote voting facility among poor

and illiterate migrant voters; **(h)** Placing remote voting in the electoral concept of territorial constituencies or demarcated areas in States for equal representation of votes.

Technological: **(a)** Familiarising voters with multi-constituency RVM; **(b)** Counting votes cast at remote booths and transmitting results to returning officers in poll-bound State.

What are the major concerns related with Remote Voting in India?

Might favour Big National Parties: Smaller regional parties may lack enough cadre strength to deploy at remote voting locations, for political canvassing as well as monitoring the remote voting process. National Parties are better placed in this regard having nation-wide cadre of political workers. Allowing Remote Voting across the country for State Assembly elections will deny opportunity to regional parties to send in their nominees to booths.

Urban Apathy: Experts attribute low turn-out typically to 'urban apathy', 'youth apathy' and 'migration-based disenfranchisement'. Voting turn-out has been low in urban/metropolitan areas despite low out-migration from these regions. Remote voting will be able to address only the 3rd reason of the above.

Union-State Rights: The ECI plans to bring in a common electoral roll that can be used for elections to the Lok Sabha, State Assemblies, and Local Bodies. Opposition Parties contend that this would impinge on the federal rights of the States since the preparation of electoral rolls come under the exclusive domain of the State Election Commissions.

Concern raised by ECI: ECI has also expressed concern that several things have to be defined like 'migrant voter', 'ordinary residence', 'temporary absence' etc. Procedural issues like Implementation of MCC in remote States need to be sorted.

What should be the approach going ahead?

First, It is critical that any system of remote voting take into account the trust and acceptability of all stakeholders in the electoral system including voters and political parties. Political consensus is a must before the introduction of Remote Voting.

Second, The issue should be properly debated in the Parliament and the relevant laws should be amended.

Third, The ECI has to build confidence among the voters and political parties about the transparency and the integrity of the Remote Voting process.

Conclusion

The ECI is renowned world over for its impeccable record in conducting free and fair elections, at such a grand scale. The ECI has driven unique innovations in electoral processes in India like the EVMs, voting IDs etc. Remote Voting Machines (RVMs) can be a revolutionary development in facilitating enfranchisement of migrant voters. However, the process has to be fool-proof and error free. All political parties should be on-board and be convinced about the transparency and integrity of the process. It should be introduced only after thorough deliberations and political consensus.

Syllabus: GS II, Salient Features of the Representation of People's Act

Source: [Indian Express](#), [The Hindu](#), [The Hindu](#), [The Times of India](#), [The Week](#)

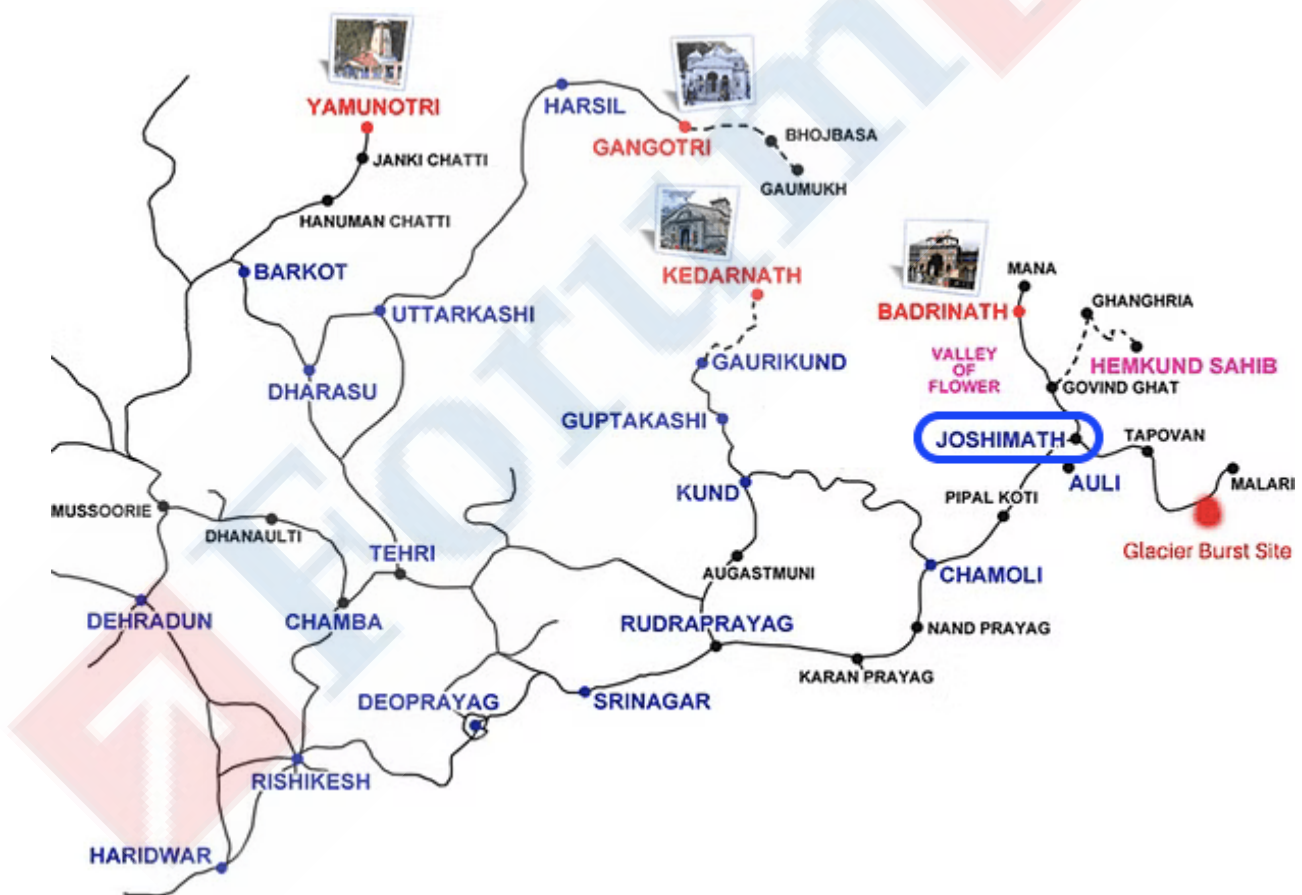
Joshimath Crisis: Causes and Solutions – Explained, pointwise

Introduction

The town of Joshimath in Uttarakhand is witnessing an unprecedented crisis. Wide Cracks have appeared on the roads and on hundreds of residential and commercial buildings in the town. Many structures have been declared unsafe, and the residents have been asked to vacate them. The Authorities have declared Joshimath as a landslide and subsidence-hit zone. The whole town is sinking. While the town is situated in a geologically unstable region, the major reason for sinking is being attributed to large-scale development projects being undertaken in the region. The Government and its agencies have responded to the crisis through various measures, yet they are rightly being criticized for long ignoring the warnings given by various environmental activists and geological experts about uncontrolled development being undertaken in the region.

About Joshimath

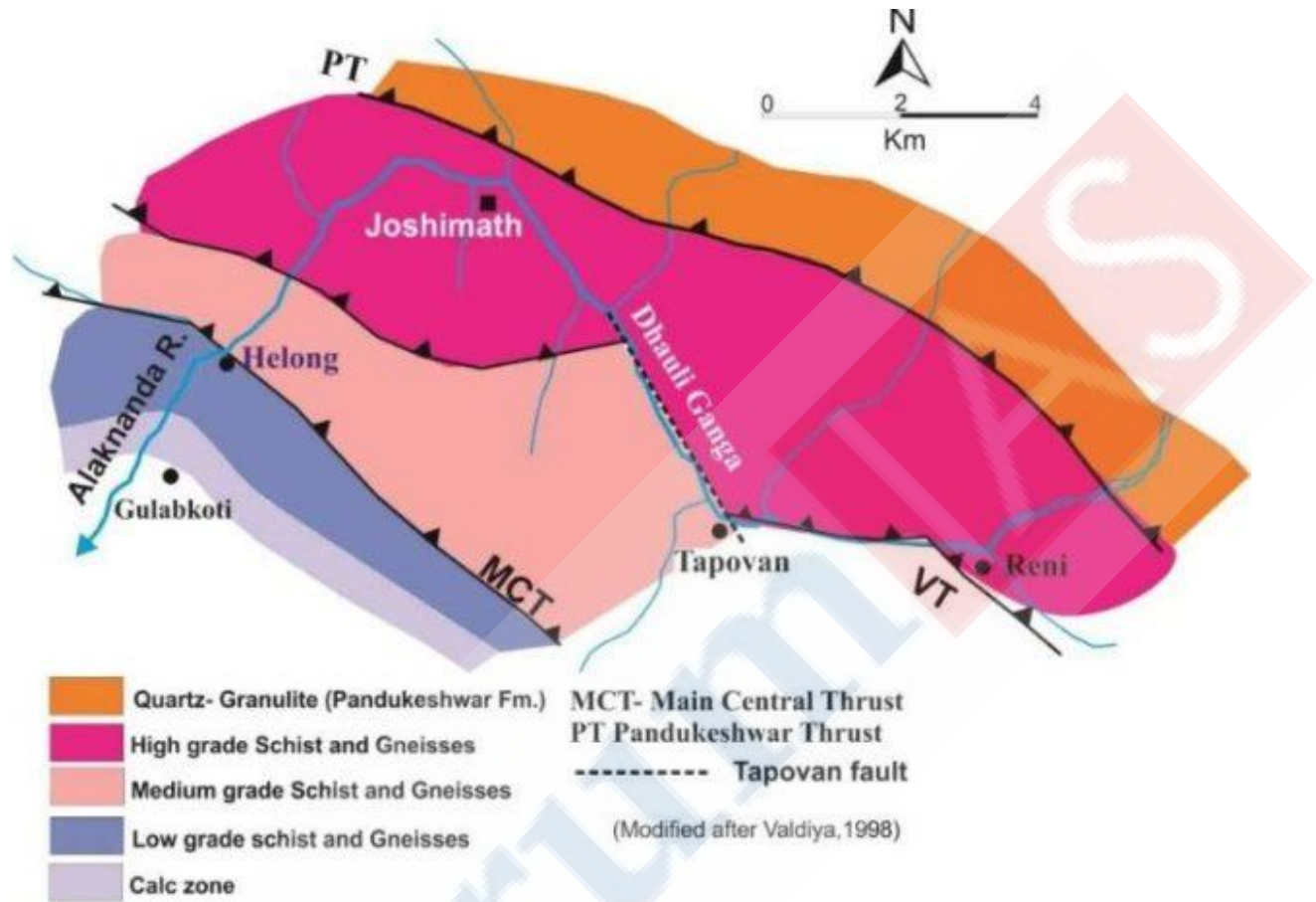
Joshimath, is a town situated in Chamoli District of Uttarakhand. It is located in the Middle Himalayas at an altitude of ~1875 m. Joshimath is a religious and tourist place, and is situated near holy shrine of Badrinath (one of the *Char Dhams* in Uttarakhand). It is also proximal to Valley of Flowers National Park and Shri Hemkund Sahib (a holy shrine in Sikhism).



Source: *The Times of India*

The Town is situated in a geologically unstable region (Seismic Zone V). It is situated north of Main Central Thrust (of Himalayas) nearby Tapovan Fault. (Vaikrita Thrust and Panduksewar

Thrusts are very close to Joshimath). Its location nearby a fault is one of the reasons making it susceptible to subsidence.

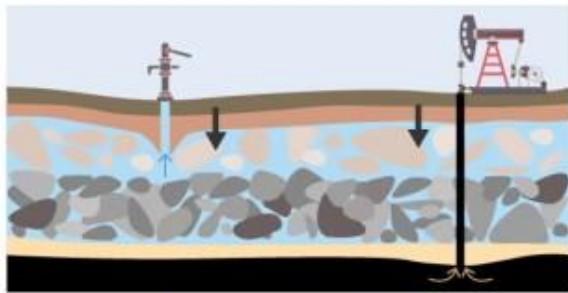


What is Land Subsidence?

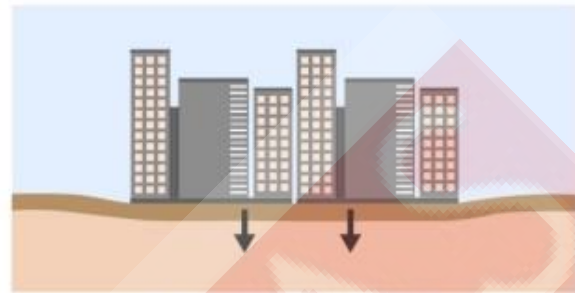
According to National Oceanic and Atmospheric Administration (NOAA), Land subsidence is **sinking of the ground** because of underground material movement. Subsidence can be caused by **gradual settling** or **sudden sinking** of the Earth's surface.

Subsidence is generally caused by: **(a) Resource Extraction:** The removal of water, oil, natural gas, or mineral resources out of the ground by pumping, fracking, or mining etc.; **(b) Natural Causes:** Natural events such as earthquakes, soil compaction, **glacial isostatic adjustment**, erosion, sinkhole formation, and **adding water to fine soils**; **(c) Infrastructural Load:** High load exceeding load-carrying capacity of the underlying soil.

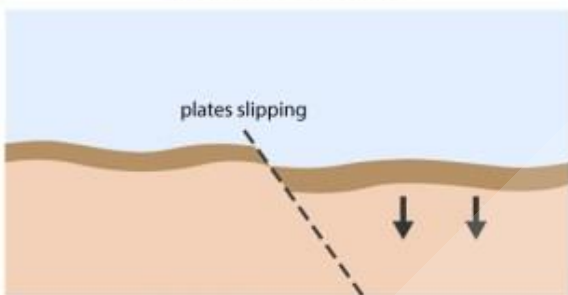
WHAT CAUSES LAND SUBSIDENCE?



Resource extraction
e.g. groundwater, oil and gas



Infrastructural load
the weight of buildings causes compaction



Tectonic movements
e.g. earthquakes



Melting ice sheets
the ground around the melting ice sheet shifts

Source: Earth Observatory of Singapore

What are the reasons for Joshimath Crisis?

Anthropogenic

Development Projects: Various development projects are being undertaken nearby the sinking region. These include NTPC's 520 MW **Tapovan-Vishnugad Hydro Power Project** and widening of roads under the **Char Dham Project**. While NTPC has denied the role of the power project, earlier incidents related to the project indicate the possibility that the project may have a role to play in the current crisis. A tunnel being bore under the town of Auli (near Joshimath) had **punctured an aquifer** in 2009 leading to large-scale seepage and **drying-up of water resources in nearby regions**. Water has been seen pouring out from cracks in several locations in the present crisis. 6-km Helang-Marwari bypass (under Char Dham Project) may have **weakened slopes** and **further destabilising the local topography**. Studies are being undertaken, but experts have blamed these large-scale projects for the current crisis.

Tourism: Joshimath has become overnight stopover for pilgrims and tourists visiting Badrinath, Shri Hemkund Sahib or Valley of Flowers. Skiing resort of Auli is located nearby. As such large number of hotels have come up in the town. The underlying soil may lack the load-carrying capacity of the ever-expanding infrastructure.

Unplanned Urbanisation: Most of the buildings have been constructed without proper studies about the underlying soil.

Water Withdrawal: Subsidence occurs when large amounts of groundwater are withdrawn from specific types of rocks, such as fine-grained sediments. The rock compacts because the water helps to keep the ground in place. When the water is removed, the rocks collapse in on themselves. Increased withdrawal of water due to rising population (tourism) may have contributed to sinking.

Absence of Proper Drainage: It leads to landslides. The existence of soak pits, which allow water to slowly soak into the ground, is responsible for the creation of cavities between the soil and the boulders. This leads to water seepage and soil erosion.

Natural

First, Joshimath is located in **seismic zone V** which is more **prone to earthquakes** besides **gradual weathering** and **water percolation** which reduce the cohesive strength of the rocks over time.

Second, The **Mishra Committee Report** states that Joshimath is **situated on a sand and stone deposit**. A majority of the town has been constructed on the **debris of landslides**, leading to smooth and eroded rocks and **loose soil on the surface**. These slopes can be destabilised even by slight triggers. Hence such slopes are not suitable for a township.

Third, The Mishra Committee Report has also pointed out that subsidence in Joshimath might have been triggered by the **reactivation of a geographic fault** where the Indian Plate has pushed under the Eurasian Plate along the Himalayas.

Fourth, Undercutting by Alaknanda and Dhauliganga river currents is also contributing to landslides in the region.

What were the major recommendations of the Mishra Committee in the context of Joshimath Crisis?

Joshimath has been sinking for a long time. The Union Government had appointed MC Mishra (Collector of Garhwal at that time) to find out the reasons for sinking. The 18-member Committee had submitted the report in 1976.

The Report had pointed out several factors for sinking like location on ancient landslide, erosion of river banks by Dhauliganga and Alaknanda, increased construction activities, lack of proper drainage facilities (water seepage and soil erosion) etc.

The Committee had given several recommendations:

First, The most important preventive measure suggested was **restriction on heavy construction** in the region.

Second, Construction should only begin after the **soil's weight-bearing capacity** and **site stability** have been assessed. It's also important **not to dig too deep into slopes**.

Third, When repairing roads or building structures, it was recommended that the **boulders not be removed by digging or blasting the hillsides**. In landslide areas, stones and boulders should **not be removed from the bottom of the hill** because this would remove toe support, increasing the likelihood of landslides.

Fourth, It is necessary to fill in any cracks that have appeared on the slopes.

Fifth, It has also recommended that **extensive plantation** work be done in the area, particularly between Marwari and Joshimath, to **conserve soil and water resources**, and has cautioned against cutting trees in the landslide zone.

Sixth, there should be **strict regulations on tree cutting** for the township's timber and firewood needs, and that the locals would be required to have access to alternative fuels.

Seventh, It is imperative that **slopes not be used for agricultural purposes**.

Eighth, Water seepage is abundant in the area. To prevent future landslides, **open rain water seepage must be stopped** through the construction of a **pucca drainage system**. Water should not be allowed to accumulate in any depression; instead, drains should be built to transport it to safe areas.

Ninth, Roads should be metalled and free of scuppers, which drain water from the road surface.

Tenth, Cement blocks should be positioned in areas of the river bank that are susceptible to erosion in order to stop the bank from eroding.

Eleventh, In order to **prevent erosion and train rivers**, measures should be taken, and the hanging boulders at foothills should be given the appropriate support they need. (River training is the construction of structures to direct the flow of a river).

What steps have been taken to address the Joshimath Crisis?

First, the Government has halted all construction activities in the region.

Second, An expert panel consisting of 8 people has made the recommendation that homes in the area that sustained the most damage be demolished, that areas that have become inhabitable be identified, and that people be moved to safer areas as a matter of priority. The Government has already declared certain buildings as unfit for inhabitation. People are being relocated. Interim compensation has been provided to the affected families.

Third, controlled demolition of most vulnerable buildings is being undertaken.

Fourth, A group of specialists from the National Disaster Management Authority (NDMA), the National Institute of Disaster Management (NIDM), the Geological Survey of India (GSI), the Indian Institute of Technology Roorkee (IITR), the Wadia Institute of Himalayan Geology, the National Institute of Hydrology, and the Central Building Research Institute (CBRI) will investigate the situation and offer their recommendations.

What should be the approach going ahead?

First, There is need to balance development needs of the region with the protection of the environment. Development is necessary but not at the cost of local environment or population. Ensuring sustainability should be the top priority.

Second, The natural assets of the Himalayas, such as biodiversity, local ecology and environmental balance should be at the centre of any development plan for the area.

Third, Instead of focusing on massive dam construction, attention should be given to smaller projects that can help meet the energy needs of the community.

Fourth, Taking precautions to protect people's well-being ought to be the top priority right now. The State government ought to set up a communication channel that is both transparent and continuous with the individuals who have been impacted.

Fifth, Mishra Committee Recommendations should be implemented for all development projects. No activity should be undertaken on unstable slopes unless structural stability can be ensured.

Conclusion

The Joshimath Crisis brings out harmful impacts of uncontrolled development in geologically unstable and environmentally sensitive region. The multiple crisis in the region (Kedarnath 2013, Chamoli 2021) necessitate a relook at the present development model. An immediate adjustment is imperative that puts sustainability as the top priority. Otherwise, such crisis will become more frequent and disastrous.

Syllabus: GS III, Conservation; Environmental Degradation; Disaster and Disaster Management.

Source: [Indian Express](#), [The Hindu](#), [The Times of India](#), [MoneyControl](#)

Child Mortality in India: Status, Challenges and Way Forward – Explained, pointwise

Introduction

The Report *Levels and Trends in Child Mortality* was released recently by the United Nations Inter-agency Group for Child Mortality Estimation (UNIGME). The Report estimates that globally, 5 million children died before their fifth birthday (under-five mortality) in 2021. Of these, 2.3 million deaths occurred in the first month (neonatal deaths). India's share in under-five deaths is 709,366 (~0.7 million, 14% share) and the share in neonatal deaths is 441,801 (~0.4 million, 19% share). Many of these deaths are preventable. Moreover there are wide variations in the child mortality in India, between various States, and between rural and urban areas. The Government has taken several steps to reduce child mortality in India. While there have been visible benefits of these measures, efforts should be continued to bring the child mortality level to that of the developed countries.

What is Child Mortality and its status in India?

Child Mortality is the death (mortality) of children under 5 years of age. According to UNICEF, Child Mortality or **Under-5 Mortality Rate** refers to the probability a newborn would die before reaching exactly 5 years of age, expressed per 1,000 live births.

Infant Mortality Rate (IMR) refers to the probability of dying between birth and **exactly 1 year of age**, expressed per 1,000 live births.

Neonatal Mortality Rate (NMR) refers to the probability of dying during the **first 28 days of life**, expressed per 1,000 live births.

Trends in India: According to the **Sample Registration System (SRS) Statistical Report, 2020** released in September 2022, India's **Under-5 Mortality Rate stood at 32** while **Infant and Neonatal Mortality Rates were 28 and 20 respectively**.

INDICATOR	SRS 2014	SRS 2019	SRS 2020
Crude Birth Rate (CBR)	21.0	19.7	19.5
Total Fertility Rate	2.3	2.1	2.0
Early Neonatal Mortality Rate (ENMR) – 0- 7 days	20	16	15
Neonatal Mortality Rate (NMR)	26	22	20
Infant Mortality Rate (IMR)	39	30	28
Under 5 Mortality Rate (U5MR)	45	35	32

Source: Economic Times

The NMR ranges from 23 in rural areas to 12 in urban areas. The IMR ranges from 31 in rural areas to 19 in urban areas.

According to the SRS 2020 Report, **6 States/ UTs have already attained SDG target of NMR** (≤ 12 by 2030). These are Kerala (4), Delhi (9), Tamil Nadu (9), Maharashtra (11), Jammu & Kashmir (12) and Punjab (12).

11 States/UTs have already attained SDGs target of U5MR (≤ 25 by 2030). These are Kerala (8), Tamil Nadu (13), Delhi (14), Maharashtra (18), J&K (17), Karnataka(21), Punjab (22), West Bengal (22), Telangana (23), Gujarat (24), and Himachal Pradesh (24).

What are the reasons for high Child Mortality in India?

Poor Infrastructure: There are structural issues like **lack of appropriate facility at primary healthcare centres**, delays in referring patients [to specialists] and **lack of transportation** (especially in rural and remote areas) which lead to high infant deaths.

Poor Nutrition: A significant proportion of population lives below the poverty line. Pregnant women in poor families lack access to adequate nourishment during pregnancy which results in complications in pregnancy and child-birth. Poor nutrition during pregnancy also leads to nutrition deficiency in the child.

Lack of Skilled Personnel: There is shortage of doctors, nurses, and other staff, especially in rural areas. This hinders **regular supervision** and **timely referral** of women to emergency obstetric care when complications are diagnosed.

Education and Awareness Deficit: Women in poor families lack awareness about nutrition requirement. They may also be unaware of other precautions required during and after childbirth. They rely more on traditional midwives in comparison to modern healthcare

Child Marriage: Child Marriage is still prevalent in many parts of India. It leads to early pregnancy (younger age) and more frequent pregnancies etc. Children born to early pregnancies are more vulnerable to death at early age.

Read More: [The Issue of Child Marriage in India – Explained, pointwise](#)

Premature Births: Premature birth refers to child born before 37 weeks of pregnancy. Premature or 'Preterm Babies' are two to four times at higher risk of death after birth in comparison to those born after 37 weeks of gestation.

What steps have been taken to reduce Child Mortality?

National Rural Health Mission: The launch of **facility-based newborn care** under the National Rural Health Mission has created **Newborn Baby Care Corners** at every point of childbirth, **Newborn Stabilisation Units** at First Referral Units (Community Health Centres) and **Special Newborn Care Units** at District Hospitals across the country.

The Integrated Child Development Services (ICDS) Scheme: The beneficiaries under the Scheme are children in the age group of 0-6 years, pregnant women and lactating mothers. Among its various objectives are to **improve the nutritional and health status of children in the age-group 0-6 years** and to **reduce the incidence of mortality, morbidity, malnutrition** and school dropout.

Capacity Building of Health Care Providers: Various trainings are being conducted under National Rural Health Mission (NRHM) to train doctors, nurses and ANM for early diagnosis and case management of common ailments of children. These trainings are being undertaken under the **Integrated Management of Neonatal and Child Illness, Navjat Shishu Suraksha Karyakram** (NSSK) etc. Funds and technical support are provided by the Government of India under NHM to the States for conducting these trainings.

Management of Malnutrition: Malnutrition reduces resistance of children to infections thus increasing mortality and morbidity among children. National Health Management is emphasising management of malnutrition to reduce child mortality. **(a) Nutritional Rehabilitation Centres (NRCs)** have been established for management of severe acute malnutrition; **(b) Exclusive breastfeeding for first six months** and appropriate infant and young child feeding practices are being promoted in convergence with Ministry of Woman & Child Development; **(c) Ministry of Health & Family Welfare** launched '**MAA-Mothers' Absolute Affection**' programme in August, 2016 for **improving breast feeding practices (Initial Breastfeeding within 1 hour, Exclusive Breastfeeding up to 6 months and Complementary Breastfeeding up to 2 years)** through mass media and capacity building of health care providers in health facilities as well as in communities; **(d) National Nutrition Mission:** It is the government's flagship programme to **improve nutritional outcomes for children, pregnant women and lactating mothers**. It aims to reduce stunting and wasting by 2% per year (total 6% until 2022) among children and anaemia by 3% per year (total 9% until 2022) among children, adolescent girls and pregnant women and lactating mothers; **(e) Management of Anaemia in Children: National Iron Plus Initiative (NIPI)** was launched which was based on the life-cycle approach and covers all age-groups.

Home Based Newborn Care (HBNC): As 57 % of child deaths take place in the first 28 days of birth, home based newborn care through ASHA is being provided. The purpose of Home Based Newborn Care is to **improve newborn practices at the community level and early detection and referral** of sick newborn babies. The schedule of ASHA for Home Based Newborn Care consists of 6 visits in case of institutional deliveries.

Universal Immunisation Program (UIP): It was first introduced in 1985. Immunization is one of the key area under the **National Health Mission (NHM)**. Under UIP, immunization is provided free of cost against 12 vaccine-preventable diseases; Nationally against 9 diseases: Diphtheria, Pertussis, Tetanus, Polio, Measles, Rubella, Hepatitis B, and Meningitis and Pneumonia; Sub-

nationally against 3 diseases: Rotavirus diarrhoea, Pneumococcal Pneumonia, and Japanese Encephalitis. **Mission Indradhanush** (2014) and **Intensified Mission Indradhanush** (IMI)-2017 (recent version 4.0) have been launched to strengthen and re-energize the programme and achieve full immunization coverage for all children and pregnant women at a rapid pace.

Protecting Mothers: Paalan 1000: Journey of the First 1000 Days', focuses on the cognitive developments of children in the first 2 years. PAALAN 1000 parenting app provides caregivers with practical advice on what they can do in their everyday routine and helps resolve the various doubts of parents and directs efforts in the development of a child.

Matritva Sahyog Yojana: It is a **conditional Maternity Benefit** (CMB) Scheme. The scheme is being implemented by the Ministry of Women and Child Development as the centrally sponsored scheme. It was launched for pregnant and lactating women to improve their health and nutrition status by providing cash incentives to pregnant and nursing mothers.

Policy Targets: In the National Health Policy (NHP) of 2017, the Government had committed to investing 5% of the GDP on health by 2025. Child Health Goals under SDG include Goal 3.2: By 2030, end preventable deaths of newborn and children under 5 years of age, with aim to reduce neonatal mortality to at least as low as 12 per 1000 live births and under-5 mortality to at least as low as 25 per 1000 live births. India's own NHP targets NMR of 16 and U5MR of 23 by 2025.

What more steps can be taken to further reduce Child Mortality?

First, Since ~50% of all under-5 deaths are among newborns, many can be prevented by **reaching higher coverage of good quality antenatal care, skilled care at birth, postnatal care for the mother and the baby, and care of small and sick newborns.** Focus should be on both antenatal and postnatal care.

Second, many child deaths are preventable through cost-effective interventions such as **kangaroo care** (where babies are kept in skin-to-skin contact with the mother), thermal control, breastfeeding support and basic care against infections and breathing difficulties. Enhancing awareness about these techniques in new mothers can help avoid these preventable deaths.

Third, The Government should **address the neglected challenges** like Stillbirths and preterm births. Both are highly sensitive 'tracer indicators' of the quality of maternal and child health services in particular, and overall health services in general.

Fourth, India's health system needs **more Government funding.** At present, it is ~ 1.5% of the GDP. Children continue to die from preventable causes; pregnant women do not receive good quality care; aggregate mortality hides the inequities in health outcomes and the primary healthcare system is underfunded. The poorest and marginalised families bear the brunt of these inequities. Enhancing spending on healthcare can rectify these shortcomings..

Fifth, The States should cooperate with each other and **share the best practices amongst themselves** in the spirit of cooperative federalism, e.g., the practices of Kerala can be replicated in other states like West Bengal, Bihar, Assam etc.

Sixth, The Government should provide **greater incentives to ASHA workers** who can raise awareness among the masses about the modern healthcare systems. Further, the government can enter into agreements with private medical colleges and induce greater numbers of doctors to serve in rural areas.

Conclusion

Child Mortality has improved a lot in last 2 decades. However, there is still a scope for lot of improvement. Learnings from successful interventions must be used in designing future interventions. Healthcare spending must be enhanced. ASHA workers are a crucial lever in the rural healthcare set-up. Their concerns should be adequately addressed, including enhancing their remuneration. Their role will be crucial in ensuring the achievement of the healthcare targets under the SDGs.

Syllabus: GS II, Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; GS II, Issues relating to development and management of Social Sector/Services relating to Health.

Source: [The Hindu](#), [Economic Times](#), [NewsOnAir](#), [National Health Mission](#)