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## INDEX

### 1. INDIAN SOCIETY & POLITY

1. Judicial Transfers	04
2. Process for Repealing a Law	06
3. Pre- Legislative Consultation Policy	07
4. How and when MPs are suspended	09

### 2. GOVERNANCE

1. No money left in MGNREGA coffers; 21 States in the red	11
2. In India, the steady subversion of equality	12
3. The Court's order on Pegasus still falls short	13
4. A new jurisprudence for political prisoners	15
5. Restoration and continuation of MPLAD Scheme	17
6. HC presses Centre on Uniform Civil Code	18
7. More a private sector primer than health-care pathway	22
8. First ever All India Survey on Domestic Workers	23
9. Key Demographic Transitions captured by 5th round of NFHS	25

### 3. SCIENCE & TECHNOLOGY

1. NASA's DART mission to hit and deflect an Asteroid	28
2. HomoSEP: Robot for cleaning Septic Tanks	29
3. The panoptic nature of biometric technology	30
4. Tundra Satellite	31

### 4. ECONOMY

1. Centre cuts Excise Duty on Petrol and Diesel	35
2. Turmeric Cultivation in India	36
3. FCRA changes: ease of monitoring vs crippling curbs	38
4. Retail Direct Scheme for investors in G-Secs	40
5. Shale and its potential in India	41
6. Cartelization	43
7. Semiconductor Shortage and the tech industry	45
8. Tackling the problem of bad loans	47
9. The growth and inclusion potential of India's telecom sector	49
10. Emulating Amul's success across other agricultural commodities	51

## 5. GEOGRAPHY & ENVIRONMENT

1. Guidelines released for safe rescue, release of Ganges River Dolphins (GRDs)	53
2. Global Methane Pledge	54
3. Climate Change Performance Index, 2021	55
4. Froth formation in Yamuna'	56
5. India's first Fishing Cat Collaring Project	57
6. Glasgow Agreement	58
7. Kaiser-i-Hind is Arunachal's State butterfly	61
8. Why Glasgow Climate Pact disappoints	62

## 6. INTERNATIONAL RELATIONS

1. India offers 'Panchamrita' Strategy for Climate Conundrum at Glasgow	64
2. AUKUS could rock China's boat in the Indo-Pacific	65
3. U.S. not seeking a new Cold War	66
4. Will U.S. sanction India for S-400 purchase?	67
5. Creating safe digital spaces	69
6. Dynamism in India-U.S. ties	70
7. Trilateral Exercise 'Dosti'	71
8. Land Boundary Agreement (LBA) with Bangladesh	72

## 1. INDIAN SOCIETY & POLITY

### 1. Judicial Transfers

#### Why in News?

- The transfer of Chief Justice Sanjib Banerjee from the Madras High Court to the Meghalaya High Court has given rise to a controversy over the question of whether judicial transfers are made only for administrative reasons or have any element of ‘punishment’ behind them.

#### Transfer of judges and the Constitution:

- Article 222 of the Constitution provides for the transfer of High Court judges, including the Chief Justice.
- It says the President, after consultation with the Chief Justice of India, may transfer a judge from one High Court to any other High Court.
- It also provides for a compensatory allowance to the transferred judge.
- This means that the executive could transfer a judge, but only after consulting the Chief Justice of India.
- From time to time, there have been proposals that one-third of the composition of every High Court should have judges from other States.

#### What is the Supreme Court’s View on the Issue?

- **Union of India vs. Sankalchand Himatlal Sheth (1977):**
  - ✓ The Supreme Court rejected the idea that High Court judges can be transferred only with their consent.
  - ✓ It reasoned that the transfer of power can be exercised only in public interest.
  - ✓ It held that the President is under an obligation to consult the CJI, which meant that all relevant facts must be placed before the CJI.
  - ✓ It ruled CJI had the right and duty to elicit and ascertain further facts from the judge concerned or others.

#### S.P. Gupta vs. President of India, 1981 (First Judges Case):

- It considered the validity of the transfer Judges as well as a circular from the Law Ministry.
- The Ministry had put that additional judge in all High Courts may be asked for their consent to be appointed as permanent judges in any other High Court, and to name three preferences.

- The Minister's reasoning was that such transfers would promote national integration and help avoid parochial tendencies bred by caste, kinship and other local links and affiliations.
- The majority ruled that consultation with the CJI did not mean 'concurrence' with respect to appointments.

### **SCARA Vs Union of India, 1993 (Second Judges Case):**

- In effect, it emphasized the primacy of the executive in the matter of appointments and transfers.
- However, this position was overruled in the 'Second Judges Case' (1993).
- The opinion of the CJI, formed after taking into account the views of senior-most judges, was to have primacy.
- Since then, appointments are being made by the Collegium.

### **Current Procedure for Transfers:**

- As one of the points made by the 'Second Judges Case' was that the opinion of the CJI ought to mean the views of a plurality of judges, the concept of a 'Collegium of Judges' came into being.
- In the collegium era, the proposal for transferring a High Court judge, including a Chief Justice, should be initiated by the Chief Justice of India, "whose opinion in this regard is determinative".
- The consent of the judge is not required.
- All transfers are to be made in public interest, i.e. for promoting better administration of justice throughout the country.
- For transferring a judge other than the Chief Justice, the CJI should take the views of the CJ of the court concerned, as well as the CJ of the court to which the transfer is taking place.
- The CJI should also take into account the views of one or more Supreme Court judges who are in a position to offer their views.
- In the case of transfer of a Chief Justice, only the views of one or more knowledgeable Supreme Court judges need to be taken into account.

### **Provision for Written Recommendation:**

- The views should all be expressed in writing, and they should be considered by the CJI and four senior-most judges of the Supreme Court, which means, the full Collegium of five.

- The recommendation is sent to the Union Law Minister who should submit the relevant papers to the Prime Minister.
- The PM then advises the President on approving the transfer.

### What makes Transfers Controversial?

- Punitive intent: Transfer orders become controversial when the Bar or sections of the public feel that there is a punitive element behind the decision to move a judge from one High Court to another.
- No disclosure of reasons: As a matter of practice, the Supreme Court and the government do not disclose the reason for a transfer.
- Adverse opinions behind: For, if the reason is because of some adverse opinion on a judge's functioning, disclosure would impinge on the judge's performance and independence in the court to which he is transferred.

## 2. Process for Repealing a Law

### Why in News?

- PM after repealing the farm laws has said that the process of repealing the laws — which are currently stayed by the Supreme Court — will take place in the upcoming Winter Session of Parliament.

### Repealing a Law:

- Repealing a law is one of the ways to nullify a law.
- A law is reversed when Parliament thinks there is no longer a need for the law to exist.
- Legislation can also have a “sunset” clause, a particular date after which they cease to exist.
- For example, the anti-terror legislation Terrorist and Disruptive Activities (Prevention) Act 1987, commonly known as TADA, had a sunset clause, and was allowed to lapse in 1995.
- For laws that do not have a sunset clause, Parliament has to pass another legislation to repeal the law.
- (Sunset Clause: A law shall cease to have effect after a specific date, unless further legislative action is taken to extend the law.)

### How can the Government Repeal a law?

- Article 245 of the Constitution gives Parliament the power to make laws for the whole or any part of India, and state legislatures the power to make laws for the state.
- Parliament draws its power to repeal a law from the same provision.

- A law can be repealed either in its entirety, in part, or even just to the extent that it is in contravention of other laws.

### What is the Process for Repealing a Law?

- Laws can be repealed in two ways — either through an ordinance, or through legislation.
- In case an ordinance is used, it would need to be replaced by a law passed by Parliament within six months.
- If the ordinance lapses because it is not approved by Parliament, the repealed law can be revived.
- The government can also bring legislation to repeal the farm laws.
- It will have to be passed by both Houses of Parliament, and receive the President's assent before it comes into effect.

### Legislations required:

- All three farm laws can be repealed through a single legislation.
- Usually, Bills titled Repealing and Amendment are introduced for this purpose.

## 3. Pre- Legislative Consultation Policy

### Why in News?

- The Union Government has listed 29 Bills (26 new and three pending) to be tabled in the winter session of Parliament.

### What is Pre-Legislative Consultation Policy?

- In 2014, the Pre-Legislative Consultation Policy was adopted, mandating a host of rules, including that whenever the Government makes any law, it must place a draft version of it in the public domain for at least 30 days.
- This policy provides a forum for citizens and relevant stakeholders to interact with policymakers.
- The policy also says that along with the draft, a note explaining the law in simple language and justifying the proposal, its financial implication, impact on the environment and fundamental rights, a study on the social and financial costs of the bill, etc. should be uploaded.
- The respective departments should also upload the summary of all the feedback that they receive on the Circulated Draft.

## Why in News?

- Since the inception of the policy, 227 of the 301 bills introduced in Parliament have been presented without any Prior Consultation. Of the 74 placed in the public domain for comment, at least 40 did not adhere to the 30-day deadline.

## Inception of the PLCP:

- The PLCP was formulated based on the broad recommendations of the National Advisory Council in 2013 and the National Commission to Review the Working of the Constitution (2002).
- It aimed to create an institutionalized space for public participation in lawmaking processes.

## Significance of the policy:

- This policy provides a forum for citizens and relevant stakeholders to interact with the policymakers in the executive during the initial stages of lawmaking.
- Protests in the recent past over laws such as the farm laws, the RTI Amendment Act, the Transgender Persons (Protection of Rights) Act, etc. have all highlighted that there is discontent among relevant stakeholders and the public at large since they were not looped in while framing such laws.
- Public consultations enhance transparency, increase accountability and could result in the building of an informed Government where citizens are treated as partners and not as subjects.

## Status of its Implementation:

- During the 16<sup>th</sup> Lok Sabha (May 2014 to May 2019) 186 bills were introduced in Parliament, of which 142 saw no consultation prior to introduction.
- From the 44 bills placed in the public domain for receipt of comments, 24 did not adhere to the 30-day deadline. During the 17<sup>th</sup> Lok Sabha (June 2019 to present), 115 bills were introduced in Parliament, of which 85 saw no consultation prior to introduction.
- From the 30 bills placed in the public domain for receipt of comment, 16 of them did not adhere to the 30-day deadline.

## Why is Implementation Difficult?

- Though it is required that the mandates of an approved policy be heeded by all Government departments, the absence of a statutory or constitutional right has watered down its effect.



- The effective implementation of the policy requires subsequent amendments in executive procedural guidelines like the Manual of Parliamentary Procedures and Handbook on Writing Cabinet Notes.
- Conclusion
- Incorporation of pre-legislative consultation in the procedures of the Cabinet, Lok Sabha, Rajya Sabha etc. should be prioritized.
- Similarly, it must be required of ministers while introducing the bill to place an addendum note on the details of the pre-legislative consultation.
- Empowering citizens with a right to participate in pre-legislative consultations through a statutory and constitutional commitment could be a gamechanger.

#### 4. How and when MPs are Suspended

##### Why in News?

- Twelve Opposition members of the Rajya Sabha were suspended for the entire winter session for unprecedented acts of misconduct, unruly and violent behaviour and intentional attacks on security personnel.

##### Decorum of the Parliament:

- Freedom of speech is one of the most important privileges enjoyed by Members of Parliament. This freedom is circumscribed, however, by the necessity of maintaining order and decorum when debate is taking place.
- Thus discipline, decorum and dignity of Parliament are of paramount importance for the efficient functioning and success of parliamentary institutions.
- All over the world concerns have been expressed about the decline of discipline, decorum and dignity of legislative bodies.

##### Maintaining the Decorum:

- MPs are required to adhere to certain rules of parliamentary etiquette.
- For example the Lok Sabha rulebook specifies that MPs are not to interrupt the speech of others, maintain silence and not obstruct proceedings by hissing or making running commentaries during debates.
- Newer forms of protest led to these rules being updated in 1989.
- Now, members should not shout slogans, display placards, tear up documents in protest, and play a cassette or a tape recorder in the House.

- Rajya Sabha has similar rules. To conduct the proceedings smoothly, the rulebook also gives certain, similar powers to the presiding officers of both Houses.

### **Power of Suspension:**

- The presiding officer of each House can direct an MP to withdraw from the legislative chamber for grossly disorderly conduct.
- The MP then has to remain absent from the proceedings of the House for the remainder of the day.
- The presiding officers can also “name” an MP for “persistently and wilfully obstructing the business” of the House.
- In such a case, usually, the Parliamentary Affairs Minister moves a motion for suspending the offending MP from the service of the House.
- The suspension can last until the end of the session.

### **Why are such Disruptions Frequent in the Parliament?**

- The reluctance and procrastination of the treasury benches to face discussions is the main cause for disorder in Parliament.
- In most cases, disorders in the House arise out of a sense of frustration felt by members due to lack of opportunities to make his point.
- They are perhaps easier to deal with. What is more difficult to tackle is planned Parliamentary Offences and deliberate disturbances for publicity or for political motives.

### **Way Forward:**

- Debate is central to democracy, and therefore there should be more debate and fewer disruptions.
- The majority party is responsible for governing and should take other parties into confidence.
- The Opposition should play a constructive role in Parliament and be allowed to put forward its views and express itself in a dignified manner.
- The presiding officers must help the Opposition in raising issues uncomfortable to the government.

## 2. GOVERNANCE

### 1. No money left in MGNREGA coffers; 21 States in the red

#### Why in News?

- Many states are running out of funds to continue timely payments under MGNREGA.

#### Highlights:

- The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) provides a legal guarantee for one hundred days of employment in every financial year to adult members of any rural household willing to do public work-related unskilled manual work at the statutory Minimum Wage.
- The Ministry of Rural Development (MRD), Government of India is monitoring the implementation of this scheme in close coordination with State Governments.

#### Overview:

- According to its own financial statement, the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) scheme shows a negative net balance of Rs 8,686 crores.
- Close to 21 out of 35 states and UTs have already utilised over 100% of the allocated funds under MGNREGA for the financial year 2022 till October 29, 2021.
- Key states are showing a negative net balance with Andhra Pradesh, Tamil Nadu, and West Bengal faring the worst. Andhra Pradesh and Tamil Nadu had a negative balance of Rs 2,323 crores and Rs 1,999 crores respectively.
- Reasons:
  - The scheme was given a budget of ₹1.11 lakh crore in the previous financial year which provided critical support to close to 11 crore workers.
  - However, the scheme's 2021-22 budget was set at ₹73,000 crores with the option of supplementary allocations in case of any insufficiency.
  - As of October 29, the total expenditure, including payments due had already reached 79,810 crores.
  - Officials at the centre have also blamed State governments for using it as a supply-led scheme instead of a demand-driven one with many states asking the field authorities to artificially create the demand.

### Impact:

- Payments of MGNREGA wages, as well as material costs, will be delayed unless the states use their own funds.
- It also increases the economic distress on poor and vulnerable households.
- MGNREGA data shows that 13% of households who demanded work under the scheme were not provided work.
- A Supreme Court judgement in 2016 had described pending wage payments under MGNREGA as “a clear constitutional breach committed by the State” and “a modern form of begar”.

### Way Ahead:

- Supplementary budget allocations will take another month at least till the next parliamentary session begins.
- A senior official of Rural Development Ministry has also emphasised that people will continue to get the work according to the demand. States can also provide temporary funds out of their own resources which could be reimbursed by the Centre once the funds are available.

## 2. In India, the steady subversion of equality

### Why in News?

- The sharp turns away from democracy seen recently in the country must jolt citizens into stopping the descent.

### Equality in Democracy:

- The central edifice of a democracy, or what makes it a revolutionary idea, is equality, or that it accords an equal status to all its people.
- The promise of the far-sighted Indian Constitution was of equal rights to all.
- If any benefit was accorded to smaller groups, religious or linguistic minorities or Dalits, it was in order to achieve Substantive Equality.

### Faith as a Differentiator:

- The basis of citizenship under the Citizenship (Amendment) Act 2019, allowing for non-Muslims from three countries to fast-track their citizenship, was the most serious push to introduce religion into citizenship.
- Impact on marital choice: In terms of marital choices, laws in the country in States where the national ruling party holds sway have drawn harsh attention on inter-faith couples.

- The Gujarat law criminalising inter-faith marriages has been called out by the Gujarat High Court.
- But the ordinance introduced in Uttar Pradesh (Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020) is now a law.
- **Food has been Criminalised:** Stringent laws on cattle end up penalising those who have a certain diet, namely beef. The mood in the country created and abetted by people close to the powers that be, has led to lynching's.
- State governments and the Union government have mostly ignored the Supreme Court's directions in 2018 to set up fast track courts, advice to take steps to stop hate messages on social media, or compensation to victims, or bringing in an anti-mob lynching law.
- Circumscribe where one can reside: The Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from Premises in Disturbed Areas Act, popularly known as the Disturbed Areas Act, circumscribes where one can reside.
- The act was brought in an atmosphere where there was communal rioting and forced displacement, to ostensibly protect communities from distress sales, the twist accorded to it over the years firmly makes the forced separation of communities. evident.

### Hostile Environment:

- Scholars like Thomas Blom Hansen and Paul Brass have unhesitatingly pointed to the role of violence that has historically been acceptable in Indian society and politics.
- Scholars like Christophe Jaffrelot have pointed out that there will not be a seamless transition to an "ethnic democracy".
- The Indian nation is one formed on the promise of shared and participatory kinship, which recognised Indian nationalism as being distinct from the faith you practised at home.
- Prioritising any one identity will have disastrous consequences and history provides enough evidence of this.

### 3. The Court's order on Pegasus still falls short

#### Why in News?

- The Supreme Court of India appointed an independent committee to inquire into charges that the Union Government had used the mobile phone spyware Pegasus to invade, access, and snoop into devices used by India's citizens.

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## Background:

- The petitioners before the Supreme Court relied on an investigation conducted by a consortium of global media.
- These reports revealed that hundreds of phone numbers from India had appeared on a global list of more than 50,000 numbers that were selected for surveillance by clients of the Israeli firm, the NSO Group.
- The NSO has since confirmed that its spyware is sold only to governments, chiefly for the purposes of fighting terrorism.

## Government's Defence:

- In response to the allegations made against it, the Government invoked national security.
- What is more, according to it, the very adoption of this argument virtually forbade the Court from probing Further.
- In matters purportedly involving national security, the Court has shown an extraordinary level of deference to the Executive.
- The cases also posed another hurdle: a contest over facts.
- The petitioners were asserting the occurrence of illegal surveillance.
- The Government was offering no explicit response to their claims.
- Now, to some degree, in its order appointing a committee, the Court has bucked the trend of absolute deference. The Court has held that there is no magic formula to the Government's incantation of national security, that its power of judicial review is not denuded merely because the state asserts that the country's safety is at stake.

## Accountability on part of the Government:

- The order recognises, correctly, that spying on an individual, whether by the state or by an outside agency, amounts to an infraction of privacy.
- This is not to suggest that all surveillance is illegal.
- In holding thus, the Court has effectively recognised that an act of surveillance must be tested on four grounds:
- First, the action must be supported by legislation.
- Second, the state must show the Court that the restriction made is aimed at a legitimate Governmental end.
- Third, the state must demonstrate that there are no less intrusive means available to it to achieve the same objective;

- Finally, the state must establish that there is a rational nexus between the limitation imposed and the aims underlying the measure.
- The test provides a clear path to holding the Government accountable.

### Way Forward:

- The absence of a categorical denial from the Government, the order holds, ought to lead to a prima facie belief, if nothing else, that there is truth in the petitioners' claims.
- Having held thus, one might have expected the Court to frame a set of specific questions demanding answers from the state.
- If answers to these questions were still not forthcoming, elementary principles of evidence law allow the Court to draw what is known as an "adverse inference".
- A party that fails to answer questions put to it will only risk the Court drawing a conclusion of fact against it.
- If, on this basis, the petitioners' case is taken as true, there can be little doubt that there has been an Illegitimate violation of a fundamental right.
- It is, therefore, unclear why we need a committee at all.
- Ultimately, in the future, the Court must think more carefully about questions of proof and rules of evidence.

## 4. A new Jurisprudence for Political Prisoners

### Why in News?

- In Thwaha Fasal vs Union of India, the Court has acted in its introspective jurisdiction and deconstructed the provisions of the Unlawful Activities (Prevention) Act (UAPA) with a great sense of legal realism. This paves the way for a formidable judicial authority against blatant misuse of this law.

### Background of the Case:

- In this case from Kerala, there are three accused.
- The police registered the case and later the investigation was handed over to the National Investigation Agency (NIA).
- During the investigation, some materials containing radical literature were found, which included a book on caste issues in India and a translation of the dissent notes written by Rosa Luxemburg to Lenin.
- Thus, the provisions of the UAPA were invoked.

- After initial rejection of the pleas, the trial judge granted bail to both the accused in September 2020.
- The Supreme Court was emphatic and liberal when it said that mere association with a terrorist organisation is not sufficient to attract the offences alleged.
- Unless and until the association and the support were “with intention of furthering the activities of a terrorist organisation”, offence under Section 38 or Section 39 is not made out, said the Court.

### Issues with UAPA:

- Section 43D (5) of the UAPA says that for many of the offences under the Act, bail should not be granted, if “on perusal of the case diary or the report (of the investigation), there are reasonable grounds for believing that the accusation is prima facie true”.
- Thus, the Act prompts the Court to consider the version of the prosecution alone while deciding the question of bail.
- Unlike the Criminal Procedure Code, the UAPA, by virtue of the proviso to Section 43D(2), permits keeping a person in prison for up to 180 days, without even filing a charge sheet.
- Prevents examination of the facts: The statute prevents a comprehensive examination of the facts of the case on the one hand, and prolongs the trial indefinitely by keeping the accused in prison on the other.
- Instead of presumption of innocence, the UAPA holds presumption of guilt of the accused.
- In Zahoor Ahmad Shah Watali, the Court said that by virtue of Section 43D(5) of UAPA, the burden is on the accused to show that the prosecution case is not prima facie true.
- The proposition in Zahoor Ahmad Shah Watali is that the bail court should not even investigate deeply into the materials and evidence and should consider the bail plea, primarily based on the nature of allegations, for, according to the Court, Section 43D(5) prohibits a thorough and deeper examination.
- The top court has now altered this terrible legal landscape.

### Key Takeaways from the Judgement:

- The text of the laws sometimes poses immense challenge to the courts by limiting the space for Judicial Discretion and Adjudication.
- The courts usually adopt two mutually contradictory methods in dealing with such tough Provisions.
- One is to read and apply the provision literally and mechanically which has the effect of curtailing the individual freedom as intended by the makers of the law.



- In contrast to this approach, there could be a constitutional reading of the statute, which perceives the issues in a human rights angle and tries to mitigate the rigour of the content of the law.

## 5. Restoration and continuation of MPLAD Scheme

### Why in News?

- Citing economic recovery, the Union Cabinet has restored the Members of Parliament Local Area Development Scheme (MPLADS) till 2025-26.

### What is the MPLAD scheme?

- The Members of Parliament Local Area Development Scheme (MPLADS) is a program first launched during the Narasimha Rao Government in 1993.
- It is a Central Sector Scheme fully funded by Government of India.
- It was aimed towards providing funds for developmental works recommended by individual MPs.

### Funds Available:

- The MPs then were entitled to recommend works to the tune of Rs 1 crore annually between 1994-95 and 1997-98, after which the annual entitlement was enhanced to Rs 2 crore.
- The UPA government since 2011-12 raised the annual entitlement to Rs 5 crore per MP.

### Implementation:

- To implement their plans in an area, MPs have to recommend them to the District Authority of the respective Nodal District.
- The District Authorities then identify Implementing Agencies that execute the projects.
- The respective District Authority is supposed to oversee the implementation and has to submit monthly reports, audit reports, and work completion reports to the Nodal District Authority.
- The MPLADS funds can be merged with other schemes such as MGNREGA and Khelo India.

### Guidelines for MPLADS Implementation:

- The document 'Guidelines on MPLADS' was published by the Ministry of Statistics and Programme Implementation in June 2016 in this regard.
- It stated the objective of the scheme to enable MPs to recommend works of developmental nature with emphasis on the creation of durable community assets.

- Durable assets of national priorities viz. drinking water, primary education, public health, sanitation, and roads, etc. should be created.
- It recommended MPs to works costing at least 15 percent of their entitlement for the year for areas inhabited by Scheduled Caste population and 7.5 percent for areas inhabited by ST population.
- It lays down a number of development works including construction of railway halt stations, providing financial assistance to recognized bodies, cooperative societies, installing CCTV cameras etc.

### **Impact of the Scheme Continuation:**

- It will restart the community developmental projects / works in the field which are halted / stopped due to lack of funds under MPLADS.
- It will restart fulfilling the aspirations and developmental requirements of the local community and the creation of durable assets, which is the primary objective of the MPLADS.
- It will also help in reviving the Local Economy.

## **6. HC presses Centre on Uniform Civil Code**

### **Why in News?**

- Stating that the Uniform Civil Code “is a necessity and mandatorily required today,” the Allahabad High Court has called upon the Central Government to forthwith initiate the process for its implementation.

### **What is a Uniform Civil Code?**

- A Uniform Civil Code is one that would provide for one law for the entire country, applicable to all religious communities in their personal matters such as marriage, divorce, inheritance, adoption etc.
- Article 44, one of the directive principles of the Constitution lays down that the state shall endeavour to secure a Uniform Civil Code for the citizens throughout the territory of India.
- These, as defined in Article 37, are not justiciable (not enforceable by any court) but the principles laid down therein are fundamental in governance.

### **Why need UCC?**

- UCC would provide equal status to all citizens
- It would promote gender parity in Indian society.

- UCC would accommodate the aspirations of the young population who imbibe liberal ideology.
- Its implementation would thus support the national integration.

### Issues with UCC:

- There are practical difficulties due to religious and cultural diversity in India.
- The UCC is often perceived by the minorities as an encroachment on religious freedom.
- It is often regarded as interference of the state in personal matters of the minorities.
- Experts often argue that the time is not ripe for Indian society to embrace such UCC.

### Greater role for State:

- Fundamental rights are enforceable in a court of law.
- While Article 44 uses the words “state shall endeavour”, other Articles in the ‘Directive Principles’ chapter use words such as “in particular strive”; “shall in particular direct its policy”; “shall be obligation of the state” etc.
- Article 43 mentions “state shall endeavour by suitable legislation” while the phrase “by suitable legislation” is absent in Article 44.
- All this implies that the duty of the state is greater in other directive principles than in Article 44.

### What are more important – fundamental rights or directive principles?

- There is no doubt that fundamental rights are more important.
- The Supreme Court held in *Minerva Mills* (1980): Indian Constitution is founded on the bed-rock of the balance between Parts III (Fundamental Rights) and IV (Directive Principles).
- To give absolute primacy to one over the other is to disturb the harmony of the Constitution.
- Article 31C inserted by the 42nd Amendment in 1976, however, lays down that if a law is made to implement any directive principle, it cannot be challenged on the ground of being violative of the FRs under Articles 14 and 19.
- Does India not already have a uniform code in civil matters?
- Indian laws do follow a uniform code in most civil matters – Indian Contract Act, Civil Procedure Code, Sale of Goods Act, Transfer of Property Act, Partnership Act, Evidence Act etc.
- States, however, have made hundreds of amendments and therefore in certain matters, there is diversity even under these secular civil laws.

- Recently, several states refused to be governed by the uniform Motor Vehicles Act, 2019.

### What about Personal Laws?

- If the framers of the Constitution had intended to have a Uniform Civil Code, they would have given exclusive jurisdiction to Parliament in respect of personal laws, by including this subject in the Union List.
- But “personal laws” are mentioned in the Concurrent List.
- Last year, the Law Commission concluded that a Uniform Civil Code is neither feasible nor desirable.
- Is there one common personal law for any religious community governing all its members?
- All Hindus of the country are not governed by one law, nor are all Muslims or all Christians.
- Not only British legal traditions, even those of the Portuguese and the French remain operative in some parts.
- In Jammu and Kashmir until August 5, 2019, local Hindu law statutes differed from central enactments.
- The Shariat Act of 1937 was extended to J&K a few years ago but has now been repealed.

### Various Customary Laws:

- Muslims of Kashmir were governed by a customary law, which in many ways was at variance with Muslim Personal Law in the rest of the country and was, in fact, closer to Hindu law.
- Even on registration of marriage among Muslims, laws differ from place to place. It was compulsory in J&K (1981 Act), and is optional in Bengal, Bihar (both under 1876 Act), Assam (1935 Act) and Odisha (1949 Act).
- In the Northeast, there are more than 200 tribes with their own varied customary laws.
- The Constitution itself protects local customs in Nagaland. Similar protections are enjoyed by Meghalaya and Mizoram.
- Even reformed Hindu law, in spite of codification, protects customary practices.
- How does the idea of a Uniform Civil Code relate to the fundamental right to religion?
- Article 25 lays down an individual’s fundamental right to religion;
- Article 26(b) upholds the right of each religious denomination or any section thereof to “manage its own affairs in matters of religion”;
- Article 29 defines the right to conserve distinctive culture.

- An individual's freedom of religion under Article 25 is subject to "public order, health, morality" and other provisions relating to FRs, but a group's freedom under Article 26 has not been subjected to other fundamental rights
- In the Constituent Assembly, there was division on the issue of putting UCC in the fundamental rights chapter. The matter was settled by a vote.
- By a 5:4 majority, the fundamental rights sub-committee headed by Sardar Patel held that the provision was outside the scope of FRs and therefore the UCC was made less important than freedom of religion.
- Minority opinion in the Constituent Assembly
- Some members sought to immunize Muslim Personal Law from state regulation.
- Mohammed Ismail, who thrice tried unsuccessfully to get Muslim Personal Law exempted from Article 44, said a secular state should not interfere with the personal law of people.
- B Pocker Saheb said he had received representations against a common civil code from various organisations, including Hindu organisations.
- Hussain Imam questioned whether there could ever be uniformity of personal laws in a diverse country like India.
- B R Ambedkar said "no government can use its provisions in a way that would force the Muslims to revolt".
- Alladi Krishnaswami, who was in favour of a UCC, conceded that it would be unwise to enact UCC ignoring strong opposition from any community.
- Gender justice was never discussed in these debates.
- How did the debate on a common code for Hindus play out?
- In June 1948, Rajendra Prasad, President of the Constituent Assembly, warned Nehru that to introduce "basic changes" in personal law was to impose "progressive ideas" of a "microscopic minority" on the Hindu community as a whole.
- Others opposed to reforms in Hindu law included Sardar Patel, Pattabhi Sitaramayya, M A Ayyangar, M M Malaviya and Kailash Nath Katju.
- When the debate on the Hindu Code Bill took place in December 1949, 23 of 28 speakers opposed it.
- On September 15, 1951, President Prasad threatened to use his powers of returning the Bill to Parliament or vetoing it. Ambedkar eventually had to resign.
- Nehru agreed to the trifurcation of the Code into separate Acts and diluted several provisions.

## 7. More a private sector primer than health-care pathway

### Why in News?

- NITI Aayog recently published a road map document entitled “Health Insurance for India’s Missing Middle”.

### About missing middle and provision in the NITI Aayog report:

- The Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (AB-PMJAY), aims to extend hospitalisation cover of up to ₹5 lakh per family per annum to a poor and vulnerable population of nearly 50 crore people.
- Left out segment: Covering the left out segment of the population, commonly termed the ‘missing middle’ sandwiched between the poor and the affluent, has been discussed by the Government recently.
- Towards this, NITI Aayog recently published a road map document entitled “Health Insurance for India’s Missing Middle”.
- Primary role for private commercial health insurer: The report proposes voluntary, contributory health insurance dispensed mainly by private commercial health insurers as the prime instrument for extending health insurance to the ‘missing middle’.

### Issues with the provision in the NITI Aayog Report:

- Narrow coverage: Government subsidies, if any at all, will be reserved for the very poor within the ‘missing middle’ and only at a later stage of development of voluntary contributory insurance.
- This is a major swerve from the vision espoused by the high-level expert group on UHC a decade ago, which was sceptical about such a health insurance model.
- No country has ever achieved UHC by relying predominantly on private sources of financing health care.
- Contributory insurance not best way: Evidence shows that in developing countries such as India, with a gargantuan informal sector, contributory health insurance is not the best way forward and can be replete with problems.
- Issues with low premium model: For hospitalisation insurance, the report proposes a model similar to the Arogya Sanjeevani scheme, albeit with lower projected premiums of around ₹4,000-₹6,000 per family per annum.
- This model is a little different from commercial private insurance, except for somewhat lower premiums.

- Low premiums are achieved by reducing administrative costs of insurers through an array of measures, including private use of government infrastructure.
- This model is vulnerable to nearly every vice that characterises conventional private Insurance.
- **Insufficient measures to deal with Adverse Selection:** The report suggests enrolment in Groups as a means to counter adverse Selection.
- The prevailing per capita expenditure on hospital care is used to reflect affordability of hospital insurance, and thereby, a possible willingness to pay for insurance.
- Both these notions are likely to be far-fetched in practice, and the model is likely to be characterised by widespread adverse selection notwithstanding.
- OPD insurance on a subscription basis: The report proposes an OPD insurance with an insured sum of ₹5,000 per family per annum, and again uses average per capita OPD spending to justify the ability to pay.
- However, the OPD insurance is envisaged on a subscription basis, which means that insured families would need to pay nearly the entire insured sum in advance to obtain the benefits. Clearly, this route is unlikely to result in any significant reduction of out-of-pocket expenditure on OPD care.
- **Role of Government:** The NITI report defies the universally accepted logic that UHC invariably entails a strong and overarching role for the Government in health care, particularly in developing countries.

## 8. First ever All India Survey on Domestic Workers

### Why in News?

- Union Minister for Labour and Employment has flagged off the first ever All India Survey on Domestic workers being conducted by Labour Bureau.

### All India Survey on Domestic Workers:

- The Survey is aimed to estimate the number and proportion of domestic workers at National and State level. It would help find percentage distribution of domestic workers with respect to Live-in/Live-out, formal/ Informal Employment, Migrant/Non-Migrant, their wages and other Socio-Economic Characteristics.
- The survey will also provide the Household Estimates of Live-in/Live-out domestic workers and average number of domestic workers engaged by different types of households.

## Objectives of the Survey:

- Estimate the number/proportion of DWs at National and State level.
- Household Estimates of Live-in/ Live-out DWs.
- Average number of DWs engaged by different types of households.

## Why need such Survey?

- Domestic workers (DWs) constitute a significant portion of total employment in the informal sector.
- However, there is a dearth of data on the magnitude and prevailing employment conditions of DW.
- Hence with the view to have time series data on domestic workers, GoI has entrusted Labour Bureau to conduct an all-India survey on DWs.

## Parameters of the Survey:

- The Domestic Worker Survey collects information on the following broad parameters:
- Household Characteristics such as HH size, Religion, Social Group, Usual Monthly Consumption Expenditure, Nature of Dwelling unit.
- Demographic Characteristics such as Name, Age, Relation to Head, Marital Status, General Education Level, Usual Principal Activity Status, Subsidiary Activity Status and Status of DWs.
- Information on Employer is also collected such as their preferences of DW regarding Gender and marital status, mode of payment of wages, number of days worked, mode of engagement, whether DW services were availed during ii COVID-19 pandemic, medical support given to DWs.

## Scope of the Survey

- All India States/UTs of India covered are 37 and Districts covered are 742
- Unit of Enumeration is Villages as per Census 2011 and Urban Blocks as per latest phase of UFS.
- At the all-India level, a total number of 12766 First Stage Units (FSUs) i.e., 6190 villages and 6576 UFS blocks will be covered in the survey.
- 1,50,000 Households i.e., the Ultimate Stage Units (USU) will be covered.



## 9. Key Demographic Transitions captured by 5th round of NFHS

### Why in News?

- The Union health ministry released the summary findings of the fifth round of the National Family and Health Survey (NFHS-5), conducted in two phases between 2019 and 2021.

### NFHS:

- The NFHS is a large-scale, multi-round survey conducted in a representative sample of households throughout India.
- The previous four rounds of the NFHS were conducted in 1992-93, 1998-99, 2005-06 and 2015-16.
- The survey provides state and national information for India on:
- Fertility, infant and child mortality, the practice of family planning, maternal and child health, Reproductive Health, Nutrition, Anaemia, Utilization and quality of health and family Planning Services etc.

### Objectives of the Survey:

- Each successive round of the NFHS has had two specific goals:
- To provide essential data on health and family welfare needed by the Ministry of Health and Family Welfare and other agencies for policy and programme purposes
- To provide information on important emerging health and family welfare issues.

### Key highlights of the NFHS-5:

- **Women outnumbering men:**
  - ✓ NFHS-5 data shows that there were 1,020 women for 1000 men in the country in 2019-2021.
  - ✓ This is the highest sex ratio for any NFHS survey as well as since the first modern synchronous census conducted in 1881.
  - ✓ To be sure, in the 2005-06 NFHS, the sex ratio was 1,000 or women and men were equal in number.
  - ✓ Fertility has decreased:
  - ✓ The Total Fertility Rate (TFR) has also come down below the threshold at which the population is expected to replace itself from one generation to next.
  - ✓ TFR was 2 in 2019-2021, just below the replacement fertility rate of 2.1. To be sure, in rural areas, the TFR is still 2.1.

- ✓ In urban areas, TFR had gone below the replacement fertility rate in the 2015-16 NFHS itself.

### Population is ageing:

- A decline in TFR, which implies that lower number of children are being born, also entails that India's population would become older.
- Sure enough, the survey shows that the share of under-15 population in the country has therefore further declined from 28.6% in 2015-16 to 26.5% in 2019-21.
- Children's nutrition has improved:
- The share of stunted (low height for age), wasted (low weight for height), and underweight (low weight for age) children have all come down since the last NFHS conducted in 2015-16.
- However, the share of severely wasted children has not, nor has the share of overweight (high weight for height) or anaemic children.
- The share of overweight children has increased from 2.1% to 3.4%.

### Nutrition Problem for Adults:

- For children and their mothers, there are at least government schemes such as Integrated Child Development Services (ICDS) that seek to address the nutritional needs at the time of childbirth and infancy.
- However, there is a need to address the nutritional needs of adults too.
- The survey has shown that though India might have achieved food security, 60% of Indians cannot afford nutritious diets.
- While the share of women and men with below-normal Body Mass Index (BMI) has decreased, the share of overweight and obese (those with above-normal BMI) and the share of anaemic has increased.

### Basic Sanitation Challenges:

- Availability of basic amenities such as improved sanitation facilities clean fuel for cooking, or menstrual hygiene products can improve health outcomes.
- There has been an improvement on indicators for all three since the last NFHS. However, the degree of improvement might be less than claimed by the government.
- For example, only 70% population had access to an improved sanitation facility.
- While not exactly an indicator of open defecation, it means that the remaining 30% of the population has a flush or pour-flush toilet not connected to a sewer, septic tank or pit latrine.

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- The share of households that use clean cooking fuel is also just 59%.
  - Financial inclusion:
  - The share of women having a bank account that they themselves use has increased from 53% to 79%.
  - Households' coverage by health insurance or financing scheme also has increased 1.4 times to 41%, a clear indication of the impact of the government's health insurance scheme.

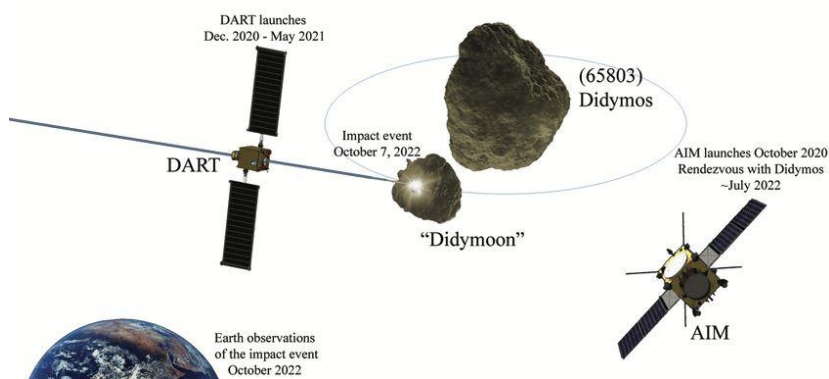


### 3. SCIENCE & TECHNOLOGY

#### 1. NASA's DART mission to hit and deflect an Asteroid

##### Why in News?

- NASA will launch the agency's First planetary defense test mission named the Double Asteroid Redirection Test (DART).



##### What is DART Mission?

- The main aim of the mission is to test the newly developed technology that would allow a spacecraft to crash into an asteroid and Change its course.
- It is a suicide mission and the spacecraft will be completely destroyed.
- The target of the spacecraft is a small moonlet called Dimorphos (Greek for “two forms”).
- It is about 160-metre in diameter and the spacecraft is expected to collide when it is 11 million kilometres away from Earth.
- Dimorphos orbits a larger asteroid named Didymos (Greek for “twin”) which has a diameter of 780 metres.
- Is there any threat from this asteroid?
- The asteroid and the moonlet do not pose any threat to Earth and the mission is to test the new technology to be prepared in case an asteroid head towards Earth in the future.
- The spacecraft will navigate to the moonlet and intentionally collide with it at a speed of about 6.6 kilometres per second or 24,000 kilometres per hour.

##### Why Dimorphos?

- Didymos is a perfect system for the test mission because it is an eclipsing binary which means it has a moonlet that regularly orbits the asteroid.
- It is observable when it passes in front of the main asteroid.
- Earth-based telescopes can study this variation in brightness to understand how long it takes Dimorphos to orbit Didymos.

##### How Big is the Spacecraft?

- NASA states that DART is a low-cost spacecraft, weighing around 610 kg at launch and 550 kg during impact.

- The main structure is a box (1.2 × 1.3 × 1.3 metres). It has two solar arrays and uses Hydrazine propellant for Manoeuvring the Spacecraft.

## 2. HomoSEP: Robot for cleaning Septic Tanks

### Why in News?

- IIT Madras has developed a robot that can, if deployed extensively, put an end to this practice of sending people into septic tanks.

### HomoSEP:

- HomoSEP stands for “homogenizer of septic tanks”.
- It has a shaft attached to blades that can open like an inverted umbrella when introduced into a septic tank. This is helpful as the openings of the septic tanks are small and the tank interiors are Bigger. The sludge inside a septic tank contains faecal matter that has thickened like hard clay and settled at the Bottom.
- This needs to be shredded and homogenized so that it can be sucked out and the septic tank cleaned. The whirring blades of the robot achieve precisely this.
- Manual scavenging deaths in India:
- A statement by the Social Justice and Empowerment Ministry conveyed that in the five years till December 31, 2020, there have been 340 deaths due to manual scavenging.
- Uttar Pradesh (52), Tamil Nadu (43) and Delhi (36) leads in the list. Maharashtra had 34 and Gujarat and Haryana had 31 each.
- This is despite bans and prohibitory orders.

### Various Policy Initiatives:

- Prohibition of Employment as Manual Scavengers and their Rehabilitation (Amendment) Bill, 2020: It proposes to completely mechanise sewer cleaning, introduce ways for ‘on-site’ protection and provide compensation to manual scavengers in case of sewer deaths.
- Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013: Superseding the 1993 Act, the 2013 Act goes beyond prohibitions on dry latrines, and outlaws all manual excrement cleaning of insanitary latrines, open drains, or pits.
- **Rashtriya Garima Abhiyan:** It started national wide march “Maila Mukti Yatra” for total eradication of manual scavenging from 30th November 2012 from Bhopal.
- **Prevention of Atrocities Act:** In 1989, the Prevention of Atrocities Act became an integrated guard for sanitation workers since majority of the manual scavengers belonged to the Scheduled Caste.

- **Judicial Intervention:** In 2014, a Supreme Court order made it mandatory for the Government to identify all those who died in sewage work since 1993 and provide Rs. 10 Lakh each as compensation to their families.

### 3. The Panoptic Nature of Biometric Technology

#### Why in News?

- Facebook, now renamed as Meta Platforms Inc, had recently stated that it would be shutting down its facial recognition technology (FRT) on its platform, following a class action lawsuit against it for failing to perform necessary disclosures related to handling of its users' biometric data.
- This development has brought the facial recognition technology (FRT) into limelight.

#### Facial Recognition Technology:

- Facial recognition is a Biometric Technology that uses distinctive features on the face to identify and Distinguish an Individual.
- Facial recognition technology has been introduced primarily for two purposes:
- As a compare and contrast tool meant for identification based on existing information or,
- To create a repository on the basis of which the process of identification can be enhanced

#### Concerns:

- Without proper laws protecting digital privacy, inappropriate use of facial recognition technology will enable mass Surveillance
- A growing body of research shows that biometric scanning technologies coupled with AI have an inherent bias. There seems to be an algorithmic bias in this technology.
- A report by the U.S. National Institute of Standards and Technology (NIST) noted that facial recognition technology found Black, Brown and Asian individuals to be 100 times more likely to be misidentified than white male faces.
- Scanning technology and biometric tracking pose a grave threat to freedom of expression, a fundamental right as envisaged by the Indian Constitution. There have been numerous instances when this technology was used by law enforcement agencies to crack down on protestors even in legitimate causes. 100% accuracy in finding matches has not been achieved under this technology. Facial recognition does not return a definitive result. It identifies or verifies only in probabilities (e.g., a 70% likelihood that the person shown on an image is the same person on a watch list).
- For more related information on this issue refer to the following article:

## Significance:

- FRT can act as valuable tool for the law enforcement agencies to nab criminals.
- Example: An FRT software made it possible for the law enforcement agencies to identify perpetrators of the U.S. Capitol siege in January.

## International Scenario:

- There have been the growing calls for laws in various countries to curb the ill-effects of FRT.
- Some U.S. lawmakers introduced the Facial Recognition and Biometric Technology Moratorium Act in 2020. Also, several states in the U.S. have banned the use of FRT.
- In the EU, Article 9 of the General Data Protection Regulation (GDPR) prohibits processing of personal biometric data for the purposes of identifying an individual. This provides the much-needed protection against FRT infringing on individual's privacy.

## Scenario in India:

- The National Crime Records Bureau in India has requested for proposals to create a National Automated Facial Recognition System to build a national database of photographs to identify criminals.
- Notably India lacks a robust legal framework to address the possible misuse of biometric technology even as the Union Government deployed over a dozen different FRT systems across the country that collect and use biometric data.

## 4. Tundra Satellite

### Why in News?

- Russia has successfully placed into orbit a military satellite believed to be part of the Kremlin's early warning anti-missile system. This launch could be delivering a Tundra satellite.

### Tundra Satellite:

- The Tundra or EKS (Edinaya Kosmicheskaya Sistema) series of satellites is the next generation of Russian early-warning satellites.
- The development of the EKS started in 2000.
- These satellites carry a secure emergency communications payload to be used in case of a nuclear war.
- They are launched on Soyuz-2-1b Fregat boosters into Molniya-orbits, inclined highly elliptical 12 h Orbits.

## What are Tundra Orbits?

- A Tundra orbit is a highly elliptical geosynchronous orbit with a high inclination (approximately  $63.4^\circ$ ), an orbital period of one sidereal day.
- A satellite placed in this orbit spends most of its time over a chosen area of the Earth, a phenomenon known as apogee dwell.
- It makes satellites particularly well suited for communications satellites serving high latitude regions.
- The ground track of a satellite in a Tundra orbit is a closed figure 8 with a smaller loop over either the northern or southern hemisphere.
- This differentiates them from Molniya orbits designed to service high-latitude regions, which have the same inclination but half the period and do not hover over a single region.

## Types of Orbits:

- **Geostationary orbit (GEO):**
  - ✓ Satellites in geostationary orbit (GEO) circle Earth above the equator from west to east following Earth's rotation – taking 23 hours 56 minutes and 4 seconds – by travelling at exactly the same rate as Earth.
  - ✓ This makes satellites in GEO appear to be 'stationary' over a fixed position.
  - ✓ In order to perfectly match Earth's rotation, the speed of GEO satellites should be about 3 km per second at an altitude of 35 786 km.
  - ✓ This is much farther from Earth's surface compared to many satellites.
  - ✓ GEO is used by satellites that need to stay constantly above one particular place over Earth, such as telecommunication satellites.
  - ✓ Satellites in GEO cover a large range of Earth so as few as three equally-spaced satellites can provide near-global coverage.
- **Low Earth orbit (LEO):**
  - ✓ A low Earth orbit (LEO) is, as the name suggests, an orbit that is relatively close to Earth's surface. It is normally at an altitude of less than 1000 km but could be as low as 160 km above Earth – which is low compared to other orbits, but still very far above Earth's surface. Unlike satellites in GEO that must always orbit along Earth's equator, LEO satellites do not always have to follow a particular path around Earth in the same way – their plane can be tilted.
  - ✓ This means there are more available routes for satellites in LEO, which is one of the reasons why LEO is a very commonly used orbit.



- It is most commonly used for satellite imaging, as being near the surface allows it to take images of higher resolution.
- Satellites in this orbit travel at a speed of around 7.8 km per second; at this speed, a satellite takes approximately 90 minutes to circle Earth.
- Medium Earth orbit (MEO):
- Medium Earth orbit comprises a wide range of orbits anywhere between LEO and GEO.
- It is similar to LEO in that it also does not need to take specific paths around Earth, and it is used by a variety of satellites with many different applications.
- It is very commonly used by navigation satellites, like the European Galileo system of Europe. It uses a constellation of multiple satellites to provide coverage across large parts of the world all at once.

### **Polar Orbit:**

- Satellites in polar orbits usually travel past Earth from north to south rather than from west to east, passing roughly over Earth's poles.
- Satellites in a polar orbit do not have to pass the North and South Pole precisely; even a deviation within 20 to 30 degrees is still classed as a polar orbit.
- Polar orbits are a type of low Earth orbit, as they are at low altitudes between 200 to 1000 km.

### **Sun-synchronous orbit (SSO):**

- SSO is a particular kind of polar orbit. Satellites in SSO, travelling over the polar regions, are synchronous with the Sun.
- This means they are synchronised to always be in the same 'fixed' position relative to the Sun. This means that the satellite always visits the same spot at the same local time.
- Often, satellites in SSO are synchronised so that they are in constant dawn or dusk – this is because by constantly riding a sunset or sunrise, they will never have the Sun at an angle where the Earth shadows them.
- A satellite in a Sun-synchronous orbit would usually be at an altitude of between 600 to 800 km. At 800 km, it will be travelling at a speed of approximately 7.5 km per second.

### **Transfer orbits and Geostationary Transfer Orbit (GTO):**

- Transfer orbits are a special kind of orbit used to get from one orbit to another.
- Often, the satellites are instead placed on a transfer orbit: an orbit where, by using relatively little energy from built-in motors, the satellite or spacecraft can move from one orbit to another.

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- This allows a satellite to reach, for example, a high-altitude orbit like GEO without actually needing the Launch Vehicle.
  - Reaching GEO in this way is an example of one of the most common transfer orbits, called the Geostationary Transfer Orbit (GTO).



## 4. ECONOMY

### 1. Centre cuts Excise Duty on Petrol and Diesel

#### Why in News?

- The Government has finally reduced fuel prices by slashing excise duties on petrol and diesel by ₹5 and ₹10 per litre respectively.

#### What is Excise Duty?

- Excise duty is a form of tax imposed on goods for their production, licensing and sale.
- It is the opposite of Customs duty in sense that it applies to goods manufactured domestically in the country, while Customs is levied on those coming from outside of the country.
- At the central level, excise duty earlier used to be levied as Central Excise Duty, Additional Excise Duty, etc.
- Excise duty was levied on manufactured goods and levied at the time of removal of goods, while GST is levied on the supply of goods and services.

#### Purview of Excise Duty:

- The GST introduction in July 2017 subsumed many types of excise duty.
- Today, excise duty applies only on petroleum and liquor.
- Alcohol does not come under the purview of GST as exclusion mandated by constitutional provision.
- States levy taxes on alcohol according to the same practice as was prevalent before the rollout of GST.
- After GST was introduced, excise duty was replaced by central GST because excise was levied by the central government.
- The revenue generated from CGST goes to the central government.

#### Types of Excise Duty in India

- Before GST, there were three kinds of excise duties in India.

#### Basic Excise Duty:

- Basic excise duty is also known as the Central Value Added Tax (CENVAT).
- This category of excise duty was levied on goods that were classified under the first schedule of the Central Excise Tariff Act, 1985.
- This duty applied on all goods except salt.

### Additional Excise Duty:

- Additional excise duty was levied on goods of high importance, under the Additional Excise under Additional Duties of Excise (Goods of Special Importance) Act, 1957.
- This duty was levied on some special category of goods.

### Special Excise Duty:

- This type of excise duty was levied on special goods classified under the Second Schedule to the Central Excise Tariff Act, 1985.
- Presently the central excise duty comprises of a Basic Excise Duty, Special Additional Excise Duty and Additional Excise Duty (Road and Infrastructure Cess) on auto fuels.
- Present taxation of Fuels
- Currently, taxes on petroleum products are levied by both the Centre and the states.
- While the Centre levies excise duty, states levy value-added tax (VAT).
- For instance, VAT on Petroleum Products is as high as 40% in Maharashtra, contributing over ₹25,000 crores Annually.
- By being able to levy VAT on these products, the state governments have control over their revenues. When a National GST Subsumed central taxes such as excise duty and state levies like VAT on July 1, 2017, five petroleum goods – petrol, diesel, ATF, natural gas and crude oil – were kept out of its purview.

## 2. Turmeric Cultivation in India

### Why in News?

- Turmeric (*Curcuma longa*), native to India, has been studied extensively for its effects against viral diseases in recent decades, but the COVID-19 pandemic has renewed interest.

### Turmeric:

- Turmeric (*Curcuma longa*) is used as a condiment, dye, drug and cosmetic in addition to its use in religious ceremonies.
- India is a leading producer and exporter of turmeric in the world.
- The top five turmeric-producing states of India in 2020-21 are Telangana, Maharashtra, Karnataka, Tamil Nadu and Andhra Pradesh.

### Climate and Soil:

- Turmeric can be grown in diverse tropical conditions from sea level to 1500 m above sea level.

- It requires a Temperature range of 20-35 C with an annual rainfall of 1500 mm or more, under rainfed or Irrigated Conditions.
- Though it can be grown on different types of soils, it thrives best in well-drained sandy or clay loam soils with a pH range of 4.5-7.5 with good organic status.
- Varieties
- A number of cultivars are available in the country and are known mostly by the name of locality where they are cultivated.
- Some of the popular cultivars are Duggirala, Tekkurpet, Sugandham, Amalapuram, Erode local, Salem, Alleppey, Moovattupuzha and Lakdong.

### Preparation of land:

- The land is prepared with the receipt of early monsoon showers.
- The soil is brought to a fine tilth by giving about four deep ploughings.
- Planting is also done by forming ridges and furrows.

### Plantation:

- Whole or split mother and finger rhizomes are used for planting and well-developed healthy and disease-free rhizomes are to be selected.

### Why Turmeric?

- Post pandemic, turmeric is one of the fastest-growing dietary supplements.
- The global curcumin market, valued at \$58.4 million in 2019, is expected to witness a growth of 12.7 percent by 2027.
- As the world's largest producer, consumer and exporter of turmeric, India stands to gain from this.

### Global Standing:

- India produces 78 per cent of the world's turmeric.
- The country's turmeric production saw a near consistent growth since Independence till 2010-11 after which it started fluctuating.
- The pandemic has given a boost to the crop, with the production witnessing a rise of 23 per cent.
- Though the production and export of turmeric has risen, farmers have not benefitted from its pricing.

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### 3. FCRA Changes: Ease of Monitoring vs Crippling Curbs

#### Why in News?

- The Supreme Court has reserved its judgment on petitions challenging the validity of amendments introduced in 2020 to the Foreign Contribution (Regulation) Act, 2010, aimed at tightening the curbs on NGOs allowed to receive Foreign Funds.

#### FCRA:

- The FCRA regulates foreign donations and ensures that such contributions do not adversely affect internal security.
- First enacted in 1976, it was amended in 2010 when a slew of new measures was adopted to regulate Foreign Donations.
- The FCRA is applicable to all associations, groups and NGOs which intend to receive Foreign Donations.
- It is mandatory for all such NGOs to register themselves under the FCRA.
- The registration is initially valid for five years and it can be renewed subsequently if they comply with all norms.

#### Why was FCRA enacted?

- The FCRA sought to consolidate the acceptance and utilisation of foreign contribution or foreign hospitality by individuals, associations or companies.
- It sought to prohibit such contributions from being used for activities detrimental to national interest.

#### What was the Recent Amendment?

- The FCRA was amended in September 2020 to introduce some new restrictions.
- The Government says it did so because it found that many recipients were wanting in compliance with provisions relating to filing of annual returns and maintenance of accounts.
- Many did not utilise the funds received for the intended objectives.
- It claimed that the annual inflow as foreign contributions almost doubled between 2010 and 2019.
- The FCRA registration of 19,000 organisations was cancelled and, in some cases, prosecution was also initiated.

#### How has the law changed?

- There are at least three major changes that NGOs find too restrictive.

- **Prohibition of Fund Transfer:** An amendment to Section 7 of the Act completely prohibits the transfer of foreign funds received by an organisation to any other individual or association.
- **Directed and Single Bank Account:** Another amendment mandates that every person (or association) granted a certificate or prior permission to receive overseas funds must open an FCRA bank account in a designated branch of the SBI in New Delhi.
- **Utilization of Funds:** Fund All foreign funds should be received only in this account and none other. However, the recipients are allowed to open another FCRA bank account in any scheduled bank for utilisation.
- **Shared Information:** The designated bank will inform authorities about any foreign remittance with details about its source and the manner in which it was received.
- **Aadhaar Mandate:** In addition, the Government is also authorised to take the Aadhaar numbers of all the key functionaries of any organisation that applies for FCRA registration or for prior approval for receiving foreign funds.
- **Cap on Administrative Expenditure:** Another change is that the portion of the receipts allowed as administrative expenditure has been reduced from 50% to 20%.

### What is the Criticism against these changes?

- **Arbitrary restrictions:** NGOs questioning the law consider the prohibition on transfer arbitrary and too heavy a restriction.
- **Non-sharing of Funds:** One of its consequences is that recipients cannot fund other organisations. When foreign help is received as material, it becomes impossible to share the aid.
- **Irrationality of Designated Bank Accounts:** There is no rational link between designating a particular branch of a bank with the objective of preserving national interest.
- **Un-ease of operation:** Due to Delhi based bank account, it is also inconvenient as the NGOS might be operating elsewhere.
- **Illogical Narrative:** ‘National security’ cannot be cited as a reason without adequate justification as observed by the Supreme Court in Pegasus Case.

### What does the Government say?

- **Zero tolerance against Intervention:** The amendments were necessary to prevent foreign state and non-state actors from interfering with the country’s polity and internal matters.
- **Diversion of Foreign Funds:** The changes are also needed to prevent malpractices by NGOs and diversion of foreign funds.

- **Fund flow Monitoring:** The provision of having one designated bank for receiving foreign funds is aimed at making it easier to monitor the flow of funds.
- **Ease of Operation:** The Government clarified that there was no need for anyone to come to Delhi to open the account as it can be done remotely.

#### 4. Retail Direct Scheme for investors in G-Secs

##### Why in News?

- The RBI has announced proposals for the Retail Direct Scheme for investors in Government Securities and the Integrated Ombudsman Scheme.

##### What is the Retail Direct Scheme?

- Under the scheme, small investors can buy or sell government securities (G-Secs), or bonds, directly without an intermediary like a mutual fund.
- It is similar to placing funds in debt instruments such as fixed deposits in banks.
- However, the same tax rules apply to income from G-Secs.

##### Benefits of RDS:

- With the government being the borrower, there is a sovereign guarantee for the funds and hence zero risk of default.
- Also, government securities may offer better interest rates than bank fixed deposits, depending on prevailing interest rate trends.
- For example, the latest yield on the benchmark 10-year government securities is 6.366%.

##### How can Individuals Access G-Sec offerings?

- Investors wishing to open a Retail Direct Gilt account directly with the RBI can do so through an online portal set up for the purpose of the scheme.
- Once the account is activated with the aid of a password sent to the user's mobile phone, investors will be permitted to buy securities either in the primary market or in the secondary market.
- The minimum amount for a bid is ₹10,000 and in multiples of ₹10,000 thereafter. Payments may be made through Net banking or the UPI platform.

##### Why was it necessary to Introduce this Scheme?

- **Broader Investor base:** The scheme would help broaden the investor base and provide retail investors with enhanced access to the government securities market — both primary and secondary.



- **Institutional Investment:** Accessing retail investors could free up room for companies to bring funds from institutional investors which may otherwise have been cornered by the government.
- **Diverse borrowing for Government:** This scheme would facilitate smooth completion of the Government borrowing programme in 2021-22.
- **Structural reform:** It is a major structural reform placing India among select few countries which have similar facilities.

### Why is the RBI setting up an Integrated Ombudsman?

- Prior to the introduction of this scheme, the RBI had three different ombudsman schemes to aid dispute resolution with respect to banks, NBFCs, and non-bank pre-paid payment issuers (PPIs).
- They were operated by the RBI through 22 ombudsman offices.
- The RBI would now appoint the Ombudsman and a Deputy Ombudsman for three years.
- Complaints may be made either physically to the Centralised Receipt and Processing Centre or the RBI's offices; or electronically through the regulator's complaint Management System.

### Government Securities:

- These are debt Instruments issued by the Government to borrow money.
- The two key categories are:
  - Treasury bills (T-Bills) – short-term instruments which mature in 91 days, 182 days, or 364 days, and
  - Dated securities – long-term instruments, which mature anywhere between 5 years and 40 years. T-Bills are issued only by the central government, and the interest on them is determined by market forces.

## 5. Shale and its potential in India

### Why in News?

- Cairn Oil & Gas has announced that it is partnering US-based Halliburton to start shale exploration in the Lower Barmer Hill formation, Western Rajasthan.

### What is Shale oil?

- Shale oil is an unconventional oil produced from oil shale rock fragments by pyrolysis, hydrogenation, or Thermal Dissolution.

- These processes convert the organic matter within the rock (kerogen) into synthetic oil and Gas.
- The refined products can be used for the same purposes as those derived from crude oil.

### How does it differ from Conventional Crude Oil?

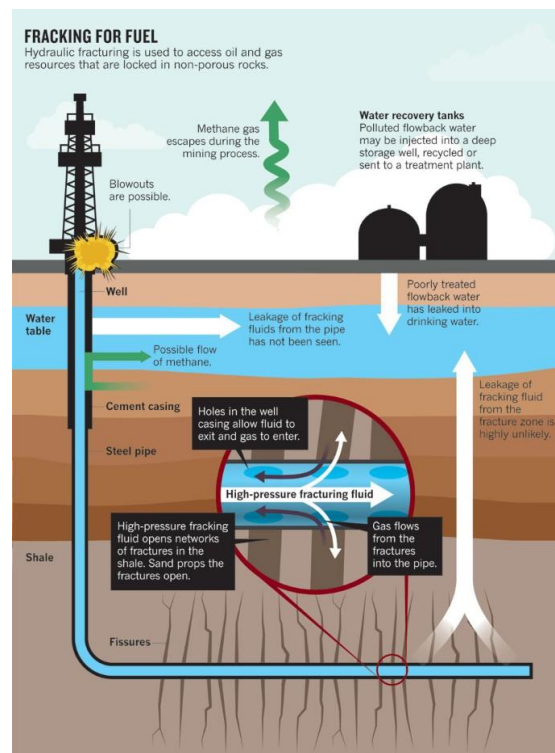
- The key difference between shale oil and conventional crude is that the former, also called ‘tight oil’, is found in smaller batches, and deeper than conventional crude deposits.
- Its extraction requires creation of fractures in oil and gas rich shale to release hydrocarbons through a process called hydraulic fracking.

### What is Fracking?

- Fracking is the process of drilling down into the earth before a high-pressure water mixture is directed at the rock to release the gas inside.
- Water, sand and chemicals are injected into the rock at high pressure which allows the gas to flow out to the head of the well.
- The process can be carried out vertically or, more commonly, by drilling horizontally to the rock layer, which can create new pathways to release gas or used to extend existing channels.
- The term fracking refers to how the rock is fractured apart by the high-pressure mixture.
- Shale production in the world:
- Russia and the US are among the largest shale oil producers in the world.
- With a surge in shale oil production in the US, it has played a key role in turning the country from an importer of crude to a net exporter in 2019.

### Shale Reserves in India:

- As per the US EIA 2015 report, India has got technically recoverable shale gas of 96 trillion cubic feet.
- The recoverable reserves are identified in Cambay, Krishna – Godavari, Cauvery, Damodar Valley, Upper Assam, Pranahita – Godavari, Rajasthan and Vindhya Basins.
- The ONGC has drilled the first exploratory shale gas well in Jambusar near Vadodara, Gujarat, in Cambay basin during October 2013.



## What are the Prospects of Shale Oil Exploration in India?

- Currently, there is no large-scale commercial production of shale oil and gas in India.
- Shale oil and gas exploration faces several challenges other than environmental concerns around massive water requirements for fracking and potential for ground water contamination.
- State-owned ONGC had, in 2013, started exploration and, by the end of FY21, assessed shale oil and gas potential in 25 nomination blocks.
- But it has reduced investments over the past few years after only getting limited success in shale exploration efforts.

## 6. Cartelization

### Why in News?

- The Competition Commission of India (CCI) has slapped certain penalties on paper manufacturing companies from agricultural waste and recycled wastepaper against Cartelization.

### What is a Cartel?

- According to CCI, a “Cartel includes an association of producers, sellers, distributors, traders or service providers who, by agreement amongst themselves, limit, control or attempt to control the production, distribution, sale or price of, or, trade in goods or provision of services”.
- The International Competition Network, which is a global body dedicated to enforcing competition law, has a simpler definition.
- The Three Common components of a cartel are:
  1. an agreement
  2. between competitors
  3. to restrict competition

### What is Cartelization?

- Cartelization is when enterprises collude to fix prices, indulge in bid rigging, or share customers, etc.
- But when prices are controlled by the government under a law, that is not cartelization.
- The Competition Act contains strong provisions against cartels.
- It also has the leniency provision to incentivise a party to a cartel to break away and report to the Commission, and thereby expect total or partial leniency.

- This has proved a highly effective tool against cartels worldwide.
- Cartels almost invariably involve secret conspiracies.

### How do they work?

- According to ICN, four categories of conduct are commonly identified across jurisdictions (countries). These are:
  - ✓ price-fixing
  - ✓ output restrictions
  - ✓ market allocation and
  - ✓ bid-rigging
- In sum, participants in hard-core cartels agree to insulate themselves from the rigours of a competitive marketplace, substituting cooperation for competition.

### How do Cartels Hurt?

- While it may be difficult to accurately quantify the ill-effects of cartels, they not only directly hurt the Consumers but also, indirectly, undermine overall economic efficiency and Innovations. A successful cartel raises the price above the competitive level and reduces output. Consumers choose either not to pay the higher price for some or all of the cartelized product that they desire, thus forgoing the product, or they pay the cartel price and thereby unknowingly transfer wealth to the cartel operators.
- Are there provisions in the Competition Act against monopolistic prices?
- There are provisions in the Competition Act against abuse of dominance.
- One of the abuses is when a dominant enterprise “directly or indirectly imposes unfair or discriminatory prices” in purchase or sale of goods or services.
- Thus, excessive pricing by a dominant enterprise could, in certain conditions, be regarded as an abuse and, therefore, subject to investigation by the Competition Commission if it were fully functional.
- However, it should be understood that where pricing is a result of normal supply and demand, the Competition Commission may have no role.

### How might cartels be Worse than Monopolies?

- It is generally well understood that monopolies are bad for both individual consumer interest as well as the society at large.
- That’s because a monopolist completely dominates the concerned market and, more often than not, abuses this dominance either in the form of charging higher than warranted prices or by providing lower than the warranted quality of the good or service in question.

## How to stop the Spread of Cartelization?

- Cartels are not easy to detect and identify.
- As such, experts often suggest providing a strong deterrence to those cartels that are found guilty of being one.
- Typically, this takes the form of a monetary penalty that exceeds the gains amassed by the cartel. However, it must also be pointed out that it is not always easy to ascertain the exact gains from cartelization.
- In fact, the threat of stringent penalties can be used in conjunction with providing leniency — as was done in the beer case.

## Competition Commission of India (CCI):

- The CCI is the chief National Competition regulator in India.
- It is a statutory body within the Ministry of Corporate Affairs.
- It is responsible for enforcing The Competition Act, 2002 in order to promote competition and prevent activities that have an appreciable adverse effect on competition in India.

## 7. Semiconductor Shortage and the tech industry

### Why in News?

- Chips or processors power every possible product on the market from high-end cars to washing machines. There is a worldwide shortage of semiconductor chips.

### What are Semiconductors?

- A semiconductor sits between a conductor and an insulator and is commonly used in the development of electronic chips, computing components, and devices.
- It's generally created using silicon, germanium, or other pure elements.
- Semiconductors are created by adding impurities to the element.
- Giants of Global Chip Industry
- Semiconductor manufacturing is now dominated by Taiwan Semiconductor Manufacturing Company (TSMC) in Taiwan and Samsung Electronics in South Korea.
- American chipmaker Intel now plans to spend \$20 billion to build two new chip factories in Chandler, Arizona. These new fabs will also manufacture chips designed by Amazon, Qualcomm, and other customers.

### Why is there a semiconductor shortage?

- During the pandemic, manufacturing came to a standstill impacting the supply chains of products that need one or more of these.

- As the automotive sector almost shut down last year, chip makers shifted capacity to cater to increased demand for electronics items such as cell phones and laptops.
- Since orders for advanced chips are placed well in advance, manufacturers have not yet been able to come back to pre-pandemic production schedules to cater to all sectors.
- The automotive chips are of medium-level complexity, compared to the really small and extremely complicated ones on smartphones and personal computers.
- Building something this small, featuring billions of transistors is an expensive process.
- Has India missed the bus in setting up chip factories?
- There is a lot of risks involved in setting up a chip plant.
- Past initiatives to set up chip manufacturing units in the country never took off due to lack of long-term vision, lack of government incentives, and poor planning.
- Now the government is keen to promote manufacturing and has even proposed tax incentives under Production Linked Incentive Scheme.
- Things are progressing slowly, but the recent announcement of Tata Group entering semiconductor manufacturing is being seen positively.

### How is the chip crisis Playing out in Geopolitics?

- The global chip crisis and geopolitical tensions with China have shifted focus back on semiconductors.
- The US, which was once a leader in chip manufacturing, wants the crown back.
- The protectionist US is looking to bring manufacturing back to America and reduce its dependency on a handful of chipmakers mostly concentrated in Taiwan and South Korea.
- China's renewed aggression on Taiwan is also being seen in light of the chip crisis.

### Impact:

- The crisis is expected to cost the global automotive industry \$210 billion in revenue in 2021.
- The global semiconductor shortage has affected many industries for more than a year and because of that, they are either forced to pay more for products or being asked to wait a little more.
- The consumption of integrated circuits in products is ever increasing and a large manufacturing sector for these kinds of integrated circuits are a part of the supply chain.
- The shortage has affected smartphones, personal computers, game consoles, automobiles, and medical devices.

## 8. Tackling the problem of bad loans

### Why in News?

- The newly-created National Asset Reconstruction Company (NARCL) in the public sector offers hopes for the faster clean-up of lenders' balance sheets.

### Features of National Asset Reconstruction Company (NARCL):

- The newly-minted ARC, NARCL is not a bank, but a specialised financial institution to help resolve the distressed assets of banks.
- Faster aggregation: Its greatest virtue lies in the faster aggregation of distressed assets that lie scattered across several lenders.
- Sovereign assurance: Its securitised receipts (SRs) carry sovereign assurance.
- This is of particular comfort to PSU banks as price discovery would not be subject to later investigations.
- Focus on large accounts: It would initially focus on large accounts with debts over Rs 500 crore.
- IDRCL: All eyes will be focused on IDRCL (Indian Debt Resolution Company), the operating arm, which would be in the private sector.

### Past Policy Measures to Resolve the Bad Debts:

- Institutional measures include BIFR (Board for Industrial and Financial Reconstruction, 1987), Lokadalat, DRT (Debt Recovery Tribunal, 1993), CDR (Corporate Debt Restructure, 2001), SARFAESI (Securitisation and Reconstruction of Financial Assets and Enforcement, 2002), ARC (Asset Recovery Company, 2002).
- The RBI has also launched a slew of measures during 2013-14 to resolve, reconstruct and restructure stressed assets.
- Why the measures to resolve the bad debt failed?
- Of the 28 ARCs (private sector) in operation, many are bit players.
- Dominance of few ARC: The top five ARCs account for over 70 per cent of the asset under management (AUM) and nearly 65 per cent of the capital.
- Restructuring as an exception: Financial and business restructuring appears to be more an exception than the norm.
- Nearly one-third of debts are rescheduled.
- This is not much value addition to what lenders would have otherwise done at no additional cost.

- Success and shortcomings of IBC: The IBC, introduced in 2016, was landmark legislation and marked a welcome departure from the earlier measures, with a legally time-bound resolution.
- The focus is on resolution rather than recovery.
- It nearly put an end to evergreening.
- Even though there are delays under this newfound promise, they are counted in terms of days and not years and decades.
- The NCLT (National Company Law Tribunal) is the backbone of the IBC, but lamentably is starved of infrastructure and over 50 per cent (34 out of 63) of NCLT benches were bereft of regular judges.
- Even the parliamentary committee has expressed indignation on a large number of positions left vacant.
- This lack of adequate infrastructure, coupled with the poor quality of its decisions, has proved to be the IBC's Achilles' heel.
- We need judicial reforms for early and final resolutions.
- Issue of delayed recognition and resolution: Forty-seven per cent of the cases referred to the IBC, representing over 1,349 cases, have been ordered for liquidation.
- Against the aggregate claims of the creditors of about Rs 6.9 lakh crore, the liquidation value was estimated at a paltry Rs 0.49 lakh crore.

### **Suggestions to make IBC more Effective:**

- Delayed recognition and resolution: Lenders and regulators need to address the issue of delayed recognition and resolution.
- Business stress and/or financial stress needs to be recognised even prior to regulatory norms on NPA classification.
- Dealing with anchoring bias: The tendency to make decisions on the basis of first available information is called "anchoring bias".
- The first available information in bidding for distressed assets is the cost of acquisition to ARCs.
- Potential bidders would quote prices nearer to this anchor.
- Nobel Laureate Daniel Kahneman has suggests a three-step process to mitigate anchor bias: One, acknowledge the bias; two, seek more and new sources of information, and three, drop your anchor on the basis of new information.



## Way Forward:

- Forbid wilful defaulters from taking back distressed asset: The IBC has made considerable progress in bringing about behavioural change in errant and wilful defaulters by forbidding them to take back distressed assets.
- Otherwise, the credit culture suffers.
- The NARC should uphold this principle, not dilute it
- Introduce Sunset clause: It should have a sunset clause of three to five years.
- This will avoid the perpetuation of moral hazard and also encourage expeditious resolution. Deal with anchor bias: Anchor bias needs to be mitigated by better extrinsic value discovery. Avoid selling to other ARCs: It should avoid selling to other ARCs.

## 9. The Growth and Inclusion Potential of India's Telecom Sector

### Why in News?

- Shortly after the Cabinet announced nine structural and procedural reforms in September to address the deep financial woes of telcos, Vodafone Idea and Bharti Airtel hiked their Tariff.

### Package for Telecom Sector:

- The telecom relief package announced by the government in September supports proposals that have been repeatedly presented to the government by the regulator, industry associations and think tanks.
- Risk of duopoly: With the risk of a duopoly looming large, the government was pushed to take up these long-pending decisions that included nine key changes.
- Provisions in the package: Besides providing immediate relief on payment of licence fee and penalties due to the government, the package increased FDI limits, extended licence tenure to 30 years from 20, removed charges on spectrum-sharing and proposed timelines for spectrum auctions.
- The package will undoubtedly have a positive short-term impact and perhaps safeguard competition in the future.

### Reforms and Challenge of Addressing the Inequality:

- From socialist to market-oriented economy: In July this year, we celebrated three decades of India's 1991 reforms, one that catapulted India from being a socialist economy with a heart but no trickle-down, to a market-oriented economy with a mind but also very little trickle-down.

- Inequality has been a feature of both models.
- The 2018 Oxfam report showed that 10 per cent of the richest Indians took home 77.4 per cent of wealth (compared to 73 per cent the year before).
- Moreover, 58 per cent of India's wealth was in the hands of 1 per cent of the country's population.
- Changes in the modes of distribution: In the pre-1991 period, the principal modes of redistribution were taxation and public sector operations.
- In the post-1991 period, it has been a combination of taxation, technology, smartphones and the associated direct benefit transfers.
- Role of telecom sector in addressing the challenge of achieving growth and inclusion
- High growth dividend of telecom sector: Every 10 per cent increase in investment in telecom, for example, leads to a 3.2 per cent increase in GDP growth for India.
- Not only is the growth dividend positive, it is large.
- Mobile as a mean of financial integration: At the same time, the mobile phone has become a means for sophisticated financial integration, as shown by the expanding usage of pre-paid payment instruments and mobile banking.
- The Jan-Dhan Yojana (JDY) attempts to include the marginalised and unbanked through technology.
- As of October 2021, a total of 440 million bank accounts have been opened and more than 310 million RuPay cards have been issued under the latter, indicating the large unmet demand for banking services.
- Making transfers predictable and targeted: The Jan-Dhan-Aadhaar-Mobile (JAM) trinity ties the Aadhaar number to an active bank account, making income transfers predictable and targeted.
- There is already evidence that payments through Aadhaar-linked bank accounts have increased efficiency and reduced leakages.

### Way Forward:

- Predictable and less erratic telecom policy: The benefits of digitalisation could have been much larger and more widespread had telecom policy been more predictable and less erratic.
- That Indian reforms more often than not happen on the back of a crisis is true for the Telecom Sector.

- The principal motive of the New Telecom Policy of 1999 was to rescue the deeply indebted sector of its own reckless bidding by replacing the fixed licence fee system with a revenue-sharing regime.
- In hindsight, it was the right thing to do since it threatened business continuity.
- The move to auction spectrum “for all times to come” in 2008 was necessitated by the administrative bungling in spectrum assignment.
- Quick adaptation: A question we pose is why did it take a crisis — a grave one at that — to push the needle on policy change?
- It is a reasonable expectation of policy to adapt quickly and not wait for a crisis to Emerge.

## 10. Emulating Amul’s success across other agricultural commodities

### Why in News?

- Many wish for legendary “Milk Man of India” Verghese Kurien’s presence in our midst today as the conflict between the Central government and the farming community on the issue of the farm laws appears to be still unresolved.

### Adopting Cooperative Model:

- Kurien won the farmers over with his professional integrity and his vision of a central role for farmers in India’s journey of development.
- It is on that foundation that Kurien went on to design his idea of Amul as a co-operative.
- He turned it over the years into a global brand, and later launched the White Revolution that would make India the largest milk producing nation in the world.
- Central to Kurien’s vision was the co-operative model of business development.
- Kurien’s fascination for the co-operative model was also influenced by Gandhian thinking on poverty alleviation and social transformation.
- Kurien could borrow from the ideas and the practices of the corporate world.
- In areas such as innovations in marketing and management, branding and technology, the private sector excels and sets benchmarks for businesses across the world to follow and adopt.
- Innovations and evolving technologies: At the same time, Amul was steadily emerging as a laboratory, developing significant innovations and evolving technologies of its own, and these have strengthened its competitive power against Multinational Corporations.

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## Challenges facing Cooperative Movements in India:

- Amul's success has not been the catalyst for similar movements across other agricultural commodities in India.
- Bypassing digital revolution: India's digital revolution has bypassed the agriculture sector.
- The cooperative movement in India is in a state of flux.
- Decline of cooperative movement: India has suffered due to lack of professional management, adequate finance and poor adoption of technology.



## 5. GEOGRAPHY & ENVIRONMENT

### 1. Guidelines released for safe rescue, release of Ganges River Dolphins (GRDs)

#### Why in News?

- The Jal Shakti Ministry has released a guide for the safe rescue and release of stranded Ganges River Dolphins.

#### Gangetic Dolphin:

- The Gangetic River system is home to a vast variety of aquatic life, including the Gangetic dolphin (*Platanista gangetica*).
- The species, whose global population is estimated at 4,000, are (nearly 80%) found in the Indian subcontinent. It is found mainly in the Indian subcontinent, particularly in Ganga-Brahmaputra-Meghna and Karnaphuli-Sangu River systems.
- It is one of five species of river dolphin found around the world.
- Only three species of freshwater dolphins are remaining on the earth after the functional extinction of the Chinese river Dolphin (Baiji) in 2006.

#### Conservation Status:

- The GRDs have been designated the National Aquatic Animal of India since 2010.
- It is listed as:
  - ✓ Endangered under IUCN Red List
  - ✓ Schedule I of the Indian Wildlife (Protection) Act (1972)
  - ✓ Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
  - ✓ About the guidelines
  - ✓ The document has been prepared by the Turtle Survival Alliance, India Program and Environment, Forest and Climate Change Department (EFCCD), Uttar Pradesh.
  - ✓ The guide has been drawn from years of experience of the organization while rescuing 25 Ganges River Dolphins (GRDs) stranded in irrigation canals.

#### Various Threats:

- They often accidentally enter canal channels in northern India and are often entrapped, and die as they are unable to swim up against the gradient.
- They are Eventually Harassed by the locals.
- Opportunistic poaching for meat and oil in certain pockets of the country is another big threat.

## 2. Global Methane Pledge

### Why in News?

- The Global Methane Pledge was launched at the ongoing UN COP26 climate conference in Glasgow.

### What is the Global Methane Pledge?

- Global Methane Pledge is an agreement to reduce global methane emissions.
- One of the central aims of this agreement is to cut down methane emissions by up to 30 per cent from 2020 levels by the year 2030.
- The pledge was first announced in September by the United States and the European Union.
- So far, over 90 countries have signed this pledge.

### Why Methane?

- According to the UN, 25 % of the warming that the world is experiencing today is because of Methane.
- Methane is the second-most abundant greenhouse gas in the atmosphere, after Carbon Dioxide.
- According to IPCC, methane accounts for about half of the 1.0 degrees Celsius net rise in Global Average Temperature since the pre-industrial era.

### Methane:

- Methane is a greenhouse gas, which is also a component of Natural Gas.
- There are various sources of methane including human and natural sources.
- The anthropogenic sources are responsible for 60 per cent of Global Methane Emissions.
- It includes landfills, oil and natural gas systems, agricultural activities, coal mining, wastewater treatment, and certain industrial processes.
- The oil and gas sectors are among the largest contributors to human sources of methane.
- These emissions come primarily from the burning of fossil fuels, decomposition in landfills and the Agriculture Sector.

### What is Coal-based Methane?

- CBM, like shale gas, is extracted from unconventional gas reservoirs — where gas is extracted directly from the rock that is the source of the gas (shale in case of shale gas and coal in case of CBM).

- The methane is held underground within the coal and is extracted by drilling into the coal seam and removing the groundwater.
- The resulting drop in pressure causes the methane to be released from the coal.

### Why is dealing with Methane Important for Climate Change?

- Methane has a much shorter atmospheric lifetime (12 years as compared to centuries for CO<sub>2</sub>).
- However, it is a much more potent greenhouse gas simply because it absorbs more energy while it is in the atmosphere.
- The UN notes that methane is a powerful pollutant and has a global warming potential that is 80 times greater than carbon dioxide, about 20 years after it has been released into the atmosphere.

## 3. Climate Change Performance Index, 2021

### Why in News?

- The 17<sup>th</sup> edition of the Climate Change Performance Index (CCPI) 2021 was released recently.

### CCPI:

- The CCPI is an independent monitoring tool for tracking countries' climate protection performance. It has been published annually since 2005.
- It is compiled by Germanwatch, the New Climate Institute, and the Climate Action Network.
- It evaluates 57 countries and the European Union, which together generate 90%+ of global greenhouse gas emissions.
- Parameters of the index:
- The CCPI looks at four categories, with 14 indicators: Greenhouse Gas Emissions (40% of the overall score), Renewable Energy (20%), Energy Use (20%), and Climate Policy (20%).
- The CCPI's unique climate policy section evaluates countries' progress in implementing policies working towards achieving the Paris Agreement goals.

### Highlights of the 2021 Report:

- The first three ranks of the overall rankings were kept empty because no country had performed well enough in all index categories to achieve an overall very high rating.
- The 2021 report places Sweden on top, while countries such as Morocco and the UK are also ranked high.

- The bottom-ranked country, the United States, therefore, was placed at 61.

### Low Performers:

- Iran and Russia are ranked the lowest in this category.
- Overall, Australia, South Korea and Russia are among the lowest performing countries along with Kazakhstan and Saudi Arabia.
- China is ranked 33 overall and has an overall rating of “low”.
- India’s performance:
  - In the overall rankings, India is at number 10 with a score of 63.98.
  - It is a high performer except in the renewable energy category, in which it is ranked “medium”.
  - The report says that India is benefiting from its relatively low per-capita emissions.
  - In terms of greenhouse gas emissions, Sweden, Egypt, Chile and the UK are in the top 7. India is ranked 12.

## 4. Froth Formation in Yamuna

### Why in News?

- The visuals of devotees taking a dip in the froth-filled waters of the Yamuna River sent chills down the spine of the residents of Delhi.

### What is Froth Formation?

- This is a phenomenon that takes place on many lakes and streams.
- Foam bubbles are produced when organic matter decomposes.
- These foam-producing molecules have one end that repels water and another that attracts water and they work to reduce the surface tension on the surface of the water.
- These foam bubbles are lighter than water, so they float on the surface as a thin film that Gradually Accumulates.

### What Causes the froth?

- The presence of phosphates and surfactants in untreated sewage from Delhi, Haryana and Uttar Pradesh is a major reason behind frothing.
- While these two components comprise of 1 per cent, the remaining 99 percent is air and water.
- What are the sources of pollution that cause foam formation?
- Untreated sewage may contain soap-detergent particles.



- The other sources are industrial effluents, organic matter from decomposing vegetation, and the presence of filamentous bacteria.
- The pollution from the sugar and paper industries in Uttar Pradesh also causes pollution in the Yamuna.

### What are its Health Hazards?

- Short-term exposure can lead to Skin Irritation and Allergies.
- If ingested, these chemicals may cause gastrointestinal problems and diseases like typhoid.
- Long-term exposure to heavy metals in industrial pollutants can cause neurological issues and hormonal imbalances.

## 5. India's first Fishing Cat Collaring Project

### Why in News?

- The Wildlife Institute of India (WII-Dehradun) Conservation Biologists will begin collaring ten Fishing Cats (*Prionailurus viverrinus*) in the Coringa Wildlife Sanctuary (CWS) in Andhra Pradesh.



### Fishing Cats:

- About twice the size of a typical house cat, the fishing cat is a feline with a powerful build and stocky legs.
- It is an adept swimmer and enters water frequently to prey on fish as its name suggests.
- It is known to even dive to catch fish.
- It is nocturnal and apart from fish also preys on frogs, crustaceans, snakes, birds, and scavenges on carcasses of larger animals.
- It is capable of breeding all year round but in India its peak breeding season is known to be between March and May.

### Conservation Status:

- **IUCN Red List:** Endangered
- **CITES:** Appendix II
- **Indian Wildlife (Protection) Act, 1972:** Schedule I

### Various Threats:

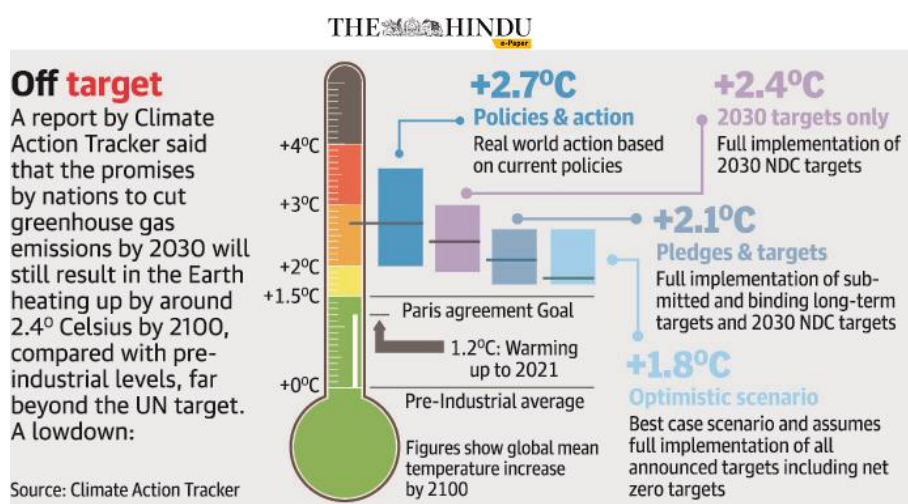
- One of the major threats facing the fishing cat is the destruction of wetlands, which is its preferred habitat.

- As a result of human settlement, drainage for agriculture, pollution, and wood-cutting most of the wetlands in India are under threat of destruction.
- Another threat to the fishing cat is the depletion of its main prey-fish due to unsustainable fishing practices.
- It is also occasionally poached for its skin.

## 6. Glasgow Agreement

### Why in News?

- The Glasgow Agreement was finally adopted after a last-minute intervention by India to water down language on “phasing out” coal to merely “phasing down”.



### Glasgow Agreement:

- The Glasgow meeting was the 26th session of the Conference of Parties to the UN Framework Convention on Climate Change, or COP26.
- These meetings are held every year to construct a global response to climate change.
- Each of these meetings produce a set of decisions which are given different names.
- In the current case, this has been called the Glasgow Climate Pact.
- Earlier, these meetings have also delivered two treaty-like international agreements, the Kyoto Protocol in 1997 and the Paris Agreement in 2015.

### What was achieved?

- **Mitigation:**
  - ✓ The Glasgow agreement has emphasised that stronger action in the current decade was most critical to achieving the 1.5-degree target.
  - ✓ Accordingly, it has asked/decided:

- ✓ To strengthen their 2030 climate action plans, or NDCs (nationally-determined contributions), by next year
- ✓ Establish a work programme to urgently scale-up mitigation ambition and implementation
- ✓ To convene an annual meeting of ministers to raise ambition of 2030 climate actions
- ✓ Annual synthesis report on what countries were doing
- ✓ To convene a meeting of world leaders in 2023 to scale-up ambition of climate action
- ✓ Countries to make efforts to reduce usage of coal as a source of fuel, and abolish “inefficient” subsidies on fossil fuels
- ✓ Phase-down of coal, and phase-out of fossil fuels. This is the first time that coal has been explicitly mentioned in any COP decision.

### Adaptation:

- Most of the countries, especially the smaller and poorer ones, and the small island states, consider adaptation to be the most important component of climate action.
- They have been demanding that at least half of all climate finance should be directed towards adaptation efforts.
- As such, the Glasgow Climate Pact has:
- Asked the developed countries to at least double the money being provided for adaptation by 2025 from the 2019 levels.
- Created a two-year work programme to define a global goal on adaptation.

### Finance:

- Every climate action has financial implications. It is now estimated that trillions of dollars are required every year to fund all the actions necessary to achieve the climate targets.
- Developed countries are under an obligation, due to their historical responsibility in emitting greenhouse gases.
- They need to provide finance and technology to the developing nations to help them deal with climate change.
- In 2009, developed countries had promised to mobilise at least \$100 billion every year from 2020.
- The 2020 deadline has long passed but the \$100 billion promise has not been fulfilled.
- The developed nations have now said that they will arrange this amount by 2023.
- Accounting earlier failures

### The pact has:

- Expressed “deep regrets” over the failure of the developed countries to deliver on their \$100 billion promise.
- It has asked them to arrange this money urgently and in every year till 2025
- Initiated discussions on setting the new target for climate finance, beyond \$100 billion for the post-2025 period
- Asked the developed countries to provide transparent information about the money they plan to provide.

### Loss and Damage:

- The frequency of climate disasters has been rising rapidly, and many of these caused largescale devastation.
- There is no institutional mechanism to compensate these nations for the losses, or provide them help in the form of relief and rehabilitation.
- The loss and damage provision in the Paris Agreement seeks to address that.
- Thanks to a push from many nations, substantive discussions on loss and damage could take place in Glasgow.
- One of the earlier drafts included a provision for setting up of a facility to coordinate loss and damage activities.

### Carbon Markets:

- Carbon markets facilitate the trading of emission reductions.
- They are considered a very important and effective instrument to reduce overall emissions.
- A carbon market existed under Kyoto Protocol but is no longer there because the Protocol itself expired last year.
- Developing countries like India, China or Brazil have large amounts of carbon credits left over because of the lack of demand as many countries abandoned their emission reduction targets.
- The Glasgow Pact has offered some reprieve to the developing nations.
- It has allowed these carbon credits to be used in meeting countries’ first NDC targets.

### Parallel Processes Announced:

- A lot of substantial action in Glasgow happened in parallel processes that were not a part of the official COP discussions.
- India announced a Panchamrita (a mixture of five elements) of climate actions.

- Brazil would advance its net-zero target year from 2060 to 2050.
- China promised to come out with a detailed roadmap for its commitment to let emissions peak in 2030, and also for its 2060 net-zero target. Israel announced a net zero target for 2050.
- Over 100 countries pledged to reduce methane emissions by at least 30 per cent from present levels by 2030.
- Another set of over 100 countries promised to arrest and reverse deforestation by 2030.
- Over 30 countries signed on to a declaration promising to work towards a transition to 100 percent zero-emission cars by the year 2040, at least in the leading car markets of the world.

## 7. Kaiser-i-Hind is Arunachal's State butterfly

### Why in News?

- An elusive swallowtail butterfly carrying 'India' in its name and found in next-door China will become the State butterfly of Arunachal Pradesh.



### Kaiser-i-Hind:

- Protection status: Schedule II of Wildlife (Protection) Act, 1972
- Kaiser-i-Hind (*Teinopalpus imperialis*) literally means Emperor of India.
- This butterfly with a 90-120 mm wingspan is found in six States along the Eastern Himalayas at elevations from 6,000-10,000 feet in well-wooded terrain.
- The butterfly also flutters in Nepal, Bhutan, Myanmar, Laos, Vietnam and southern China.
- The move was made with a view to boosting butterfly tourism and saving the species from extinction in the State.
- Other butterflies in news
- The Malabar Banded Peacock or the Buddha Mayoore which was recently declared the 'State Butterfly' of Kerala will have a dedicated butterfly park in Kochi.
- Tamil Nadu has also recently declared Tamil Yeoman (*Cirrochroa Thais*) as its state butterfly to symbolize its rich natural and cultural heritage.
- Other states to have state butterflies are Maharashtra (Blue Mormon), Uttarakhand (Common peacock), Karnataka (Southern birdwings).

## 8. Why Glasgow Climate Pact disappoints

### Why in News?

- The Glasgow Climate Pact was adopted on Saturday and, as was to be expected, it is a mixed bag of Modest Achievements and Disappointed Expectations.

### Transition Away from Fossil Fuel:

- The Pact is the first clear recognition of the need to transition away from fossil fuels, though the focus was on giving up coal-based power altogether.
- India introduced an amendment at the last moment to replace this phrase with “phase down” and this played negatively with both the advanced as well as a large constituency of developing countries.
- This amendment reportedly came as a result of consultations among India, China, the UK and the US.
- As the largest producer and consumer of coal and coal-based thermal power, it is understandable that China would prefer a gradual reduction rather than total elimination.
- India may have had similar concerns.

### Recognition of Adaptation:

- There is a welcome recognition of the importance of Adaptation and there is a commitment to double the current finance available for this to developing countries.
- Since this amount is currently only \$15 billion, doubling will mean \$ 30 billion.
- This remains Grossly Inadequate.
- According to UNEP, adaptation costs for developing countries are currently estimated at \$70 billion annually and will rise to an estimated \$130-300 billion annually by 2030.
- A start is being made in formulating an adaptation plan and this puts the issue firmly on the Climate agenda, balancing the overwhelming focus hitherto on mitigation.

### Disappointment on the Issue of Finance:

- The Paris Agreement target of \$100 billion per annum between 2005-2020 was never met with the shortfall being more than half, according to some calculations.
- There is now a renewed commitment to delivering on this pledge in the 2020-2025 period and there is a promise of an enhanced flow thereafter.
- But in a post-pandemic global economic slowdown, it is unlikely these promises will be met.
- In any event, it is unlikely that India will get even a small slice of the pie.

- The same applies to the issue of compensation for loss and damage for developing countries who have suffered as a result of climate change for which they have not been responsible.

### **Initiatives on Methane and Deforestation:**

- Two important plurilateral outcomes could potentially develop into more substantial measures.
- The most important is an agreement among 100 countries to cut methane emissions by 30 per cent by 2030.
- India is not a part of this group.
- Cutting methane emissions, which is generated mainly by livestock, is certainly useful but there is a much bigger methane emergency around the corner as the earth's permafrost areas in Siberia, Greenland and the Arctic littoral begin to melt due to global warming that has already taken place and will continue to take place in the coming years.
- Another group of 100 countries has agreed to begin to reverse deforestation by 2030.
- India did not join the group due to concerns over a clause on possible trade measures related to forest products.
- Implications of US-China Joint Declaration on Climate Change for India:
- Declaration was a departure for China, which had held that bilateral cooperation on climate change could not be insulated from other aspects of their relations.
- The declaration implies a shift in China's hardline position.
- It appears both countries are moving towards a less confrontational, more cooperative relationship overall.
- This will have geopolitical implications, including for India, which may find its room for manoeuvre shrinking.

## 6. INTERNATIONAL RELATIONS

### 1. India offers 'Panchamrita' Strategy for Climate Conundrum at Glasgow

#### Why in News?

- PM Modi has proposed a five-fold strategy called the 'Panchamrita' for India to play its part in helping the world get closer to 1.5 degrees Celsius on the first day of the global climate meeting in Glasgow.

#### What is Panchamrita?

- 'Panchamrita' is a traditional method of mixing five natural foods — milk, ghee, curd, honey and jaggery. These are used in Hindu and Jain worship rituals. It is also used as a technique in Ayurveda.
- The PM euphemistically termed his scheme as 'Panchamrita' meaning the 'five ambrosia'.

#### Under Panchamrita', India will:

- Get its non-fossil energy capacity to 500 gigawatts by 2030
- Meet 50 per cent of its energy requirements till 2030 with renewable energy
- Reduce its projected carbon emission by one billion tonnes by 2030
- Reduce the carbon intensity of its economy by 45 per cent by 2030
- Achieve net zero by 2070

#### Key Takeaways:

- **Commitment for climate action:**
  - ✓ India consists of 17 per cent of the world's population but contribute only five per cent of emissions.
  - ✓ Yet, it has left no stone unturned in doing our bit to fight climate change.
  - ✓ At Paris, India was making promises not to the world but to itself and 1.3 billion Indians, PM said.
  - ✓ Climate finance:
    - ✓ The 2015 Paris CoP where the Paris Agreement was signed was not a summit but a sentiment.
    - ✓ The promises made till now on climate finance were useless.
    - ✓ When we all are increasing our ambitions on climate action, the world's ambition could not stay the same on climate finance as was agreed at the time of Paris.



## India's Track Record:

- India was fourth as far as installed renewable energy capacity was concerned.
- The Indian Railways has pledged to make itself net-zero by 2030. This will result in an annual 60 million tonnes reduction in emissions.
- India initiated the International Solar Alliance for solar energy.
- It has also set up the coalition for disaster resilient infrastructure for climate adaptation.

## 2. AUKUS could rock China's boat in the Indo-Pacific

### Why in News?

- The Trilateral Security Agreement between Australia, the United Kingdom and the United States (AUKUS) continues to be in the news.

### Implications for ASEAN:

- There is also the matter of Association of Southeast Asian Nations (ASEAN) disunity over the emergence of AUKUS.
- While AUKUS is clearly an attempt by the U.S. to bolster regional security, including securing Australia's seaborne trade, any sudden accretion in Australia's naval capabilities is bound to cause unease in the region.
- Even though Australia has denied that AUKUS is a defence alliance, this hardly prevents China from exploiting ASEAN's concerns at having to face a Hobson's choice amidst worsening U.S.-China regional rivalry.
- AUKUS is based on a shared commitment of its three members to deepening diplomatic, security and defence cooperation in the Indo-Pacific to meet the challenges of the 21st century.
- Even though this has not been stated explicitly, the rise of China, particularly its rapid militarisation and aggressive behaviour, is undoubtedly the trigger.

### Relations of AUKUS Members with China:

- The AUKUS joint statement clearly acknowledges that trilateral defence ties are decades old, and that AUKUS aims to further joint capabilities and interoperability.
- For three nations, their relations with China have recently been marked by contretemps.
- Australia, especially, had for years subordinated its strategic assessment of China to Transactional Commercial Interests.
- Much to China's chagrin, its policy of deliberately targeting Australian exports has not yielded the desired results.

- Instead of kow-towing, the plucky Australian character has led Canberra to favour a fundamental overhaul of its China policy.
- The Transfer of sensitive submarine technology by the U.S. to the U.K. is a sui generis Arrangement based on their long-standing Mutual Defence Agreement of 1958.
- Elements in the broader agenda provide opportunities to the U.S., the U.K. and Australia to engage the regional countries.

### **AUKUS Engagement with Regional Countries:**

- All three nations will also play a major role in U.S.-led programmes such as Build Back Better World, Blue Dot Network and Clean Network, to meet the challenge of China's Belt and Road Initiative.
- The Quad and AUKUS are distinct, yet complementary. Neither diminishes the other.
- Whereas the Quad initiatives straddle the Indian and the Pacific Oceans, a Pacific-centric orientation for AUKUS has advantages.
- Such a strategy could potentially strengthen Japan's security as well as that of Taiwan in the face of China's mounting bellicosity.
- Shifting AUKUS's fulcrum to the Pacific Ocean could reassure ASEAN nations.
- It could also inure AUKUS to any insidious insinuation that accretion in the number of nuclear submarines plying the Indo-Pacific might upset the balance of power in the Indian Ocean.

### **3. U.S. not seeking a new Cold War**

#### **Why in News?**

- The U.S. President's address at the UN General Assembly (UNGA).

#### **Background:**

- Amid the rising tensions between the U.S. and China, UN Secretary-General Antonio Guterres had asked the two countries to mend their relationship. He had added that this would be essential to avoid a cold war-like situation.

#### **Highlights:**

- In what is being viewed as a reference to the tensions between the U.S. and China, the U.S. President stated that the U.S. was not seeking a "new Cold War" but was interested in renewing diplomacy, development and democracy.
- He further added that although the U.S. would want to use peaceful means for resolution of any outstanding issues, it would stand up for its allies and oppose attempts by stronger

countries to dominate weaker ones via changes to territory by force, economic coercion, technological exploitation or using information. This is being seen as a reference to the increasingly assertive attitude of China in the region.

- He added that the U.S. was ready to work with any nation that pursues peaceful resolution to shared challenges like COVID-19, climate change and terrorism, despite disagreement in other areas.
- Addressing other important aspects, the U.S. President said the U.S. was willing to return to full compliance with the Iran nuclear deal if Iran did the same. He also expressed support for the two-state solution to the Israel-Palestine conflict and sought the complete denuclearisation of the Korean peninsula.

#### 4. Will U.S. sanction India for S-400 purchase?

##### Why in News?


- The arrival of the \$5.4-billion Russian long-range surface-to-air missile defence shield “S-400” is expected next month, which is likely to generate more international headlines.

##### S-400:

- The S-400 is known as Russia’s most advanced long-range surface-to-air missile defence system, capable of Destroying Hostile Strategic Bombers, Jets, missiles and drones at a Range of 380-km.

##### US reservations against S-400 purchase:

- The US has made it clear that the delivery of the five S-400 systems is considered a “significant transaction”.
- Such deals are considered under its Countering America’s Adversaries Through Sanctions Act (CAATSA) of 2017.
- It could trigger sanctions against Indian officials and the Government.



### S-400 MISSILE SHIELD DEAL

**5 SQUADRONS**  
of S-400 Triumf anti-aircraft, anti-missile systems

**COST**  
**\$5.43 BN**  
(₹ 40,000 crore)

**CHARACTERISTICS**

- Can destroy hostile strategic bombers, stealth fighters, missiles and drone up to 380km range
- 4 kinds of missiles to intercept targets in different ranges
- Radars (primary acquisition one has 600 meter range) can track hundreds of missiles simultaneously
- Russia says S-400 can radar-lock and shoot down 5th Gen stealth fighters like US F-35 jets

**PLAN**

- Induct 1 squadron of S-400 in 2 years after the contract is signed, and the remaining in 5 years
- IAF will integrate S-400 with IACCS (integrated air command and control system) network of sensors and weapons

**CHINA**  
Signed a \$3 billion deal for integrating six S-400 batteries in 2014

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## CAATSA:

- The CAATSA is designed to ensure that no country is able to increase military engagement with Iran, North Korea and Russia without facing deterrent punitive action from the US.
- The sanctions are unilateral, and not part of any United Nations decision, and therefore no country is bound to accept them.
- Section 231 says the President shall impose no fewer than five different sanctions on any Government that enters into a significant defence or intelligence deal with Russia.
- Section 235 lists 12 options, including stopping credit lines from US and international banks such as the IMF, blocking sales of licensed goods and technology, banning banks, manufacturers and suppliers, property transactions and even financial and visa sanctions on specific officials.
- However, the law also empowers the President to waive sanctions or delay them if the waiver is in the US's "vital national security interests".

## Has the US used CAATSA before for S-400 Sales?

- The US has already placed sanctions on China and Turkey for purchase of the S-400.
- The sanctions included denial of export licences, ban on foreign exchange transactions, blocking of all property and interests in property within the US jurisdiction and a visa ban.
- Types of sanctions laid:
- In 2020, the US sanctioned its NATO partner Turkey, which had warned about CAATSA sanctions for years, besides cancelling a deal to sell Ankara F-35 jets.
- The sanctions on Turkey's main defence procurement agency, also included a ban on licences and loans, and blocking of credit and visas to related officials.

## Likely impacts after India's purchase:

- The Biden administration has no firm indication on where it leans on India's case.
- However, several senators (US parliamentarians) have called upon the Biden administration to consider a special waiver for India.
- This is on account of India's importance as a defence partner, and as a strategic partner on US concerns over China and in the Quad.
- Other US leaders think that giving a waiver to India would be the wrong signal for others seeking to go ahead with similar deals.
- Why is the S-400 deal so important to India?
- Security paradigm: S-400 is very important for India's national security considerations due to the threats from China, Pakistan and now Afghanistan.

- Air defence capability: The system will also offset the air defence capability gaps due to the IAF's dwindling fighter squadron strength.
- Russian legacy: Integrating the S-400 will be much easier as India has a large number of legacy Russian air defence systems.
- Strategic autonomy: For both political as well as operational reasons, the deal is at a point of no return.

## 5. Creating Safe Digital Spaces

### Why in News?

- Various reports have indicated increased incidence of cyberbullying and online child sexual exploitation by adults.

### Tackling Cyberbullying:

- School closures as a response to the COVID-19 lockdowns have led to an unprecedented rise in unsupervised screen time for children and young people, which in turn exposed them to a greater risk of online violence.
- In India, an estimated 71 million children aged 5-11 years access the Internet on the devices of their family members, constituting about 14% of the country's active Internet user base of over 500 million
- There is growing scientific evidence which suggests that cyberbullying has negative consequences on the education, health and well-being of children and young people.
- Published in 2019 and drawing on data from 144 countries, UNESCO's report 'Behind the numbers: Ending school violence and bullying' highlighted the extent of the problem, with almost one in three students worldwide reporting being bullied at least once in the preceding month.
- Therefore, cyberbullying prevention interventions should aim at tackling all types of bullying and victimisation experiences at the same time, as opposed to each in silo.

### Cyberbullying Prevention Interventions:

- Although online violence is not limited to school premises, the education system plays a crucial role in addressing online safety.
- To prevent and counter cyberbullying, the information booklet brought out by UNESCO in partnership with NCERT on Safe Online Learning in Times of COVID-19 can be a useful reference.

- Effective interventions also require gender-sensitive and targeted approaches that respond to needs of learners who are most likely to be the victims of online violence.
- Concerted efforts must be made to provide children and young people with the knowledge and skills to identify online violence so that they can protect themselves from its different forms, whether perpetrated by peers or adults.
- Teachers also play a critical role by teaching students about online safety, and thus supporting parental involvement.

### **Conclusion:**

- It is imperative that digital and social media platforms are free of cyberbullying, if learners have to access quality education. More importantly, confidential reporting and redress services must be established.

## **6. Dynamism in India-U.S. ties**

### **Why in News?**

- While there are regular interactions among officials at various levels and across sectors, as well as people-to-people engagement, there are no formal interactions between Members of Parliament in India and members of the U.S. Congress.

### **US Congressional Delegation (CODEL) visit to India:**

- CODEL travels across the world during the periods when Congress takes a break from legislative work.
- Interactions during these travels are important in shaping relations with foreign countries.
- In November, a congressional delegation (CODEL) travelled to the Indo-Pacific Command countries, including the Philippines, Taiwan and India.
- In New Delhi, the six-member delegation interacted with Prime Minister Narendra Modi, External Affairs Minister S. Jaishankar, and representatives of the Dalai Lama.
- The members of the delegation noted the “increasing convergence of strategic interests” between India and the U.S. and said they would like to “further enhance cooperation... to promote global peace and stability”.
- Mr. Modi appreciated the consistent support and constructive role of the U.S. Congress in deepening the India-U.S. comprehensive global strategic partnership.
- Enhancing bilateral relationship on critical issues: Mr. Modi and CODEL exchanged views on enhancing the bilateral relationship and strengthening cooperation on contemporary global issues such as terrorism, climate change and reliable chains for critical technologies.

- Demand for the presidential waiver for India: Two days after returning from his trip to India, CODEL member Senator Tommy Tuberville favoured India getting the presidential waiver under the Countering America's Adversaries Through Sanctions Act.
- Significance of CODEL visit: Members of the U.S. Congress play an important role in determining foreign policy, which at times is dictated by the demands of constituents.

### Way Forward:

- Despite the robustness in India-U.S. relations, there is no institutional communication or interaction between MPs in India and members of the U.S. Congress.
- Establishment of India-US Parliamentary Exchange: The joint statement at the end of the 2+2 Dialogue in 2019 stated: "The Ministers looked forward to the establishment of India-US Parliamentary Exchange to facilitate reciprocal visits by Parliamentarians of the two countries".
- Indian Parliamentary Group: India can take it forward through the Indian Parliamentary Group, which acts as a link between the Indian Parliament and the various Parliaments of the world.
- At present, there are eight Parliamentary Friendship Groups of India's including Japan, Russia, China and the European Union.
- The U.S. is absent from this list.

## 7. Trilateral Exercise 'Dosti'

### Why in News?

- The 15<sup>th</sup> edition of the biennial trilateral coast guard exercise 'Dosti' involving India, the Maldives and Sri Lanka is underway in the Maldives.

### Exercise Dosti:

- The aim of this exercise is to further fortify the friendship, enhance mutual operational capability, and exercise interoperability and to build cooperation.
- Both the Maldives and Sri Lanka are of strategic importance to New Delhi and to its maritime security interests.
- 2021 marks 30 years since these exercises were first launched.

### Significance of the Exercise:

- These exercises help during joint operations and missions undertaken by countries and also help enhance interoperability.

- Although piracy is not a major issue in this part of the Indian ocean, these kinds of exercises also help coast guards with training for possibilities.
- These exercises help develop a better understanding of the other nation's coast guard operations and how to enhance coordination during different kinds of missions.

### What it Involves:

- The scope of these exercises are wide-ranging.
- India, Sri Lanka and the Maldives have agreed to work on what they called the “four pillars” of security cooperation.
- These involved the areas of marine security, human trafficking, counter-terrorism and cyber security.

## 8. Land Boundary Agreement (LBA) with Bangladesh

### Why in News?

- Union Home Minister has said that the Northeast States will be linked by road and railway to Bangladesh in a year or two under the historic Land Boundary Agreement (LBA).

### Land Boundary Agreement (LBA):

- India and Bangladesh have signed the LBA in 2014 to ensure proper connectivity in the region.
- The operationalization of LBA lays the way for the exchange of 162 enclaves under the control of either country as per the 1974 pact.
- Under the Agreement, 111 border enclaves will be transferred to Bangladesh in exchange for 51 that will become part of India.
- The agreement settles an old land boundary dispute which dates back to colonial times as India transfers 111 border enclaves to Bangladesh in exchange for 51 enclaves.
- It also settles the question of citizenship for over 50,000 people residing under these enclaves.

### Why was such an Agreement Needed?

- India and Bangladesh share a 4,096 km land boundary covering West Bengal, Assam, Tripura, Meghalaya and Mizoram.
- This is the largest among the international boundaries that India shares with its neighbors.
- On this boundary, some 50,000-100,000 people reside in so-called Chitmahals or Indo-Bangladeshi enclaves.



- There are 102 Indian enclaves inside Bangladesh and 71 Bangladeshi ones inside India.
- Inside those enclaves are also 28 counter-enclaves and one counter-counter-enclave, called Dahala Khagrabari.

### **Inception of the Agreement:**

- For the first time, a vision to solve this issue had been enshrined in the Indira-Mujib pact of 1972.
- Accordingly, the India-Bangladesh LBA was signed between the two countries in 1974.
- However, this agreement need ratification from the parliaments of both countries as it involved the exchange of the territories.
- While Bangladesh had ratified it as back as 1974 only, it was not ratified by the Indian parliament till 2014.
- The 119<sup>th</sup> Amendment Bill 2013 sought to ratify the land boundary agreement between the two countries.

### **Key Features of the LBA:**

- The LBA envisages a transfer of 111 Indian enclaves to Bangladesh in return of 51 enclaves to India.
- The area transferred to India is less than that transferred by India to Bangladesh. In totality India incurs a net loss in terms of area occupancy.
- This remained a major concern of opposition from the north-eastern affected states and west Bengal.
- Also, most of the area concerned is occupied by the tribals of the North-Eastern states and hence the swapping takes away their land rights leaving them more vulnerable.
- Current Status of the Constitution (119th Amendment) Bill has been passed by the Parliament of India on 7th May 2015.
- While India will gain 510 acres of land, ten thousand acres of land will notionally go to Bangladesh. This legislation will redraw India's boundary with Bangladesh by exchanging enclaves in Assam, West Bengal, Tripura and Meghalaya.

### **Implications of the Agreement:**

- It will secure the long-stranded boundary and enable to curb the illegal migration, smuggling and criminal acts cross the border.
- It would help those stateless citizens by granting them citizenship from their respective countries.

- 
- It would help settle the boundary dispute at several points in Meghalaya, Tripura, Assam, and west Bengal.
  - It would improve the access to underdeveloped north-eastern states and would further enhance the developmental works in the region.
  - It would help to increase the connectivity with south-east Asia as part of India's North-eastern policy.

