



# IAS PARLIAMENT

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## GIST OF EPW

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## EPW - JUNE 2018

### 1. The 'Bastariya Battalion'

#### Why in news?

A local tribal force, "Bastariya Battalion", has been created in the Central Reserve Police Force (CRPF) to take on the Maoists in Bastar.

#### What is 'Bastariya Battalion'?

- It is intended to "add teeth to" the paramilitary's "anti-Naxal operations" in the Bastar division of Chhattisgarh.
- The new recruits are tribal youth from the most "highly Naxal-infested" districts of Chhattisgarh: Bijapur, Dantewada, Narayanpur, and Sukma.
- They have been scouted mainly from the CRPF's "civic action programme," supposedly intended to "win hearts and minds," that has actually been used to employ "surrendered Maoists" as police informers.

#### What is the history?

- The CRPF is following the Chhattisgarh police's footsteps of taking advantage of the tribal recruits' familiarity with the local terrain, culture, and language—to bridge its divide with the local population.
- Salwa Judum was a counter-insurgency measure incorporated in June 2005 by the state government, which used armed private vigilante force to cut off the villagers from the Maoists.

- Following this "Special Police Officers" (SPOs) was created by Chhattisgarh government, with the "desire to take revenge on Naxalites,"
- It is been stated that that the 'Bastariya Battalion' too, has the same eligibility criterion, though unstated,.
- The Maoists, has been appealing to these desperadoes to give up their SPO jobs and seek the people's pardon.
- The SPOs, who by 2010 came to be called Koya Commandos, began to be influenced by such appeals.
- Around one-third of them listened to the Maoist plea to leave their jobs.
- The Supreme Court in 2011 directed the government to disband and disarm them.
- Yet they were simply re-designated as "Armed Auxiliary Forces."
- In 2013, another designation, "District Reserve Guard," was created for them, and they were used as decoys.

#### Will it be effective?

- The counter-insurgency and the "experts" believe that the District Reserve Guards, have been "extraordinarily successful."
- They claim that the deployment of local armed units alongside the central paramilitary forces is most effective in suppressing and defeating the insurgents.
- Contrary to counter-insurgency "expert" analysis, however, the reality in the



Bastar division is of a tribal-peasant movement backed by the PLGA and the Maoist party.

- In this setting, similar to the initial six to eight months of the Salwa Judum, the Bastariya Battalion too might give the counter-insurgency a tactical advantage.
- But it will also ultimately prove to be a strategic blunder.

## **2. Auditing Fraud**

### ***What is the issue?***

The Serious Fraud Investigation Office needs the government's attention to fulfil its mandate adequately.

### ***What is SFIO?***

- Serious Fraud Investigation Office (SFIO) is India's premier corporate fraud investigation agency.
- It comes under the Ministry of Corporate Affairs (MCA).
- It describes itself as a "multi-disciplinary" organisation that investigates and guides prosecution in white-collar fraud requiring expertise in forensic auditing, corporate law, information technology, capital markets, taxation, and other allied fields.
- Several high-level cases of corporate fraud investigated by the SFIO includes 2G spectrum allocations case, the Kingfisher Airlines case, the Saradha chit fund scam etc.

### ***What are the problems with SFIO?***

- It was granted statutory powers under the Companies Act, 2013.
- Since then the responsibilities of the SFIO have increased.
- But it is being left to function with inadequate personnel.
- Data from parliamentary questions shows that about 447 company investigations were assigned to the SFIO between April 2014 and January 2018.
- It accounts for 67% of the 667 total investigations assigned to it since its inception in 2003.
- The number of sanctioned positions, however, has remained stagnant at around 133 since 2014–15 and 69 positions lie vacant.
- In many of these cases, the SFIO has invariably found that much of the crime is perpetrated along with auditors who actively collude or look the other way.
- An independent well-functioning SFIO is required to keep corporate greed and colluding auditors in check.

### ***What should be done?***

- To do this, it needs to draw on experts who are capable of executing such investigations.
- SFIO will need to look beyond a deputation-based recruitment system, to one that recruits full-time, specially trained personnel.
- Drawing on the private sector may be fraught with its own difficulties.



- SFIO should have a permanent cadre of its own.

### **3. Criminality and Passport Issuance**

#### ***What is the issue?***

The insistence on “clean/no criminal record” as a qualifying criterion to obtain a passport must be questioned.

#### ***What is the importance of passports?***

- With fading of ration cards, as its benefits have been restricted to certain income groups, the passport became the proof of identity document for many.
- It serves the dual role of establishing identity as well as residence proof.
- This means that passports were not always made with the intent to travel abroad.
- The other documents in the 21st century that have served such a dual purpose in India are the PAN card, driving licence, and now, the Aadhaar card.
- Passports, however, have always been considered a more authentic document given the authentication processes, especially with respect to the police verification.

#### ***Is it logical to have “clean criminal record” as a prerequisite?***

- If one has to interpret Section 6(2) alongside Sections 10(3)(d) and 10(3)(e), it implies that the applicant seeking a passport should have no “criminal case” pending against them at the time of issuance of the passport.

- It can be executed only through a police report.
- However, the jurisdiction of the police station would be limited to the records it maintains in its own police station.
- At best, the police station would be able to verify if there are cases pending against the said applicant within their jurisdiction.
- Given that there is no national-level portal currently, they have no means to verify whether or not cases are pending against the applicant in other states or jurisdictions.
- The government also emphasizes on self-disclosure.
- Even in this case, if the individual does not self-disclose, the chances that their criminal status may not come to light are high.
- In another provision, which maintains that the state can deny a passport to individuals who are under investigation in a crime, the government has prescribed an undertaking.
- This clearly means that the passport can be issued in the context of a pending case.
- This undertaking can also be seen as an acknowledgement of the fact that there is no prescribed period for a closure of investigation and trial.
- Hence, it would not be fair to deny a document, such as a passport, based on the pendency of a case.





- Therefore, police verification should be limited to the extent that the individual is not an imposter and is a citizen of India.

#### **4. A Plastic Calamity**

##### ***Why in news?***

Prime Minister made an announcement on World Environment Day, that India would eliminate single-use plastics by 2022.

##### ***What are the harmful effects of plastic?***

- Our oceans contain an estimated 150 million tonnes of plastic waste.
- Sea life, birds and plants are literally choking because of it.
- Vast tracts of land are overwhelmed with landfills that cannot biodegrade because of indestructible plastic waste.
- Micro-plastics from this waste are now making their way into water sources and the food chain.
- India is third after the U.S and Lebanon in water contaminated by microplastics - 82.4% of the samples tested contained plastic.
- Since the 1950s, 8.3 billion tonnes of plastic have been produced worldwide, but only around 20% of it has been recycled or incinerated.

##### ***How dependent are we on plastic?***

- Polyethylene, or plastic, became available for mass production in 1939.
- Since then, the material has invaded our lives—from single-use plastic bags and packaging to many other utilitarian uses.
- It is cheap, light and flexible.

- Replacing it is not an easy task.
- It is also a symbol of a kind of economic development model, which we in India have embraced, that is premised on the principle of discard and replace.
- Nothing is supposed to last.
- Only then can the engines of industry continue to grow.
- Replacing this model now appears unthinkable.

##### ***How effective were earlier bans?***

- So far, 18 states have banned the use of single-use plastics in specific cities or demarcated areas.
- Nowhere has this been successful.
- Sikkim has achieved the most success in reducing the use of single-use plastics.
- Yet, despite a ban in 1998, till today it has not been successful in eliminating single-use plastic bags entirely.
- It has, however, managed to create awareness among its population of the environmental fallout of plastic waste and has tried to introduce cost-effective alternatives.
- On the other hand, in Delhi and Chandigarh, a ban on plastic carry bags has failed to stop their use or to create consumer awareness.
- If this is the experience in small states of the size of Delhi and Chandigarh, what chance is there of such bans working in larger states like Maharashtra, which has recently notified a fairly drastic ban.
- The problem here is twofold



1. the easy availability and cost-effectiveness of plastic carry bags for vendors
  2. the low level of consumer awareness of the environmental problems created by plastic waste.
- Add to this the generally poor implementation of all manner of environmental regulations in India.
  - This leads to “the classic tragedy of the commons” where “individual consumers benefit from the use of plastic bags because of their convenience, while the whole society bears the collective cost of their disposal.”

#### **What should be done?**

- Regulation, deterrence, and incentives can only be one part of the solution.
  - The larger challenge is stopping production of single-use plastics.
  - In India, for instance, 85%–90% of plastic production is in the small and medium sector that remains largely unregulated.
  - We should also not forget that 48% of the plastic waste is the packaging of branded edible items and it is the bigger industries that are responsible for this.
  - Clearly, we need to enforce extended producer responsibility so that those using non-recyclable plastic in their packaging take responsibility and pay for its disposal.
  - Furthermore, the alternatives to plastic bags, such as those made of biodegradable material, or of paper, jute, and cloth, need to be cost-effective.
- Consumer should also has to make a choice between convenience and an environmental disaster.

### **5. Unending Woes of Pulse Farmers**

#### **Why in news?**

The pulse prices have fallen for the the second year in a row and have not been remunerative for farmers.

#### **Why did the price crash?**

- In 2014–15, pulses output fell by 9.7% over the previous year.
- The shortages were caused by successive droughts as well as hoarding by traders.
- This had caused a spike in prices then, thereby adversely affecting affordability and the average intake of pulses.
- During this period, the government intervened, allowing free imports (for tur, moong and urad dal), imposing export restrictions, and enforcing stockholding limits under the Essential Commodities Act.
- The government also set a procurement target of 20 lakh tonnes as buffer stocks to stabilise market prices.
- The minimum support price (MSP) for pulses were also hiked in successive years.
- Following this, there have been increases in acreage of pulses.
- Consequently, supply exceeded demand. Prices began reducing.



- The current crash in pulse prices is on account of this excess supply in the pulses market.
- The government has failed to frame a policy that addresses the fluctuations in pulse output and prices adequately.

### **What should be done?**

- These shortages as well as surpluses in pulse markets, and the rise and fall in prices reveal that pulses are prone to seasonal price cycles.
- Ways to absorb excess supply must be found.
- Without large-scale demand for pulses outside India, the solutions for price stability can be ensured through domestic policy.
- In the event of bumper crop, in order to pre-empt a price fall, the government should guarantee farmers the procurement of a definite quantity of produce at an appropriate price.
- It should also impose quantitative restrictions on imports and regulate exports.
- Measures to improve market access for farmers through the formation of producer companies or cooperatives to strengthen the bargaining power of the farmer should be done.
- This will also ensure the doing away of middlemen who tacitly collude to manipulate prices.
- Access to and availability of better seeds, irrigation, and storage facilities, such as

warehouses and cold storages, are also necessary.

- Long-term purchase agreements with agro-companies may also protect the farmer to a certain extent from gluts in the market.

## **6. Towards a Toothless UGC**

### **Why in news?**

The Central government has proposed to abolish the University Grants Commission (UGC).

### **What is the rationale?**

- It is not clear whether the central government's move to repeal the UGC act is based on serious dissatisfaction with its performance.
- Nor does the move seem to be inspired by a vision of the institution that will replace the UGC.
- Higher Education Commission (HEC) is the new institution proposed to replace UGC.
- This new institution will cover a considerable part of the UGC's mandate, minus the latter's financial role.
- This function will go to the Ministry of Human Resource Development (MHRD).
- Not surprisingly, the academic world is apprehensive that the move will increase the power of the ministry to curb what little autonomy is left in the system of higher education.
- The government has also referred to the recommendations of expert committees





like Yash Pal Committee and the National Knowledge Commission (NKC) to justify its decision to scrap the UGC.

### ***Is it justified?***

- The nature of the advice of these committees and the diagnosis on which it was based, were quite different.
- The NKC's concern was to give a free hand to the burgeoning private sector, whereas the Yash Pal Committee was concerned about the overlapping roles of the UGC and the regulatory bodies controlling the various areas of professional education.
- In fact, the Yash Pal Committee never suggested that the UGC should be "scrapped." The term it used was "subsumed".

### ***What are the implications?***

- The proposed move to repeal the UGC Act suggests that the government does not want to risk any potential contrary signals from the policy coming in the way of its desire to take financial powers away from the UGC.
- Alternatively, the move could mean that the government does not expect the new policy to have much practical value for taking decisions, especially in the context of finances.
- This surmise acquires its plausibility from the power that the general economic policy has exercised since the early 1990s over decision-making in social sector policies.

## **7. GST - Functional, but Incomplete**

### ***What is the issue?***

- It has been a year since the introduction of the goods and services tax (GST) in India.
- But it is still a work in progress that is far from complete.

### ***What are the achievements?***

- One of the important effects expected from GST is formalisation of the economy.
- GST regime has considerably increased the number of taxpayers registered.
- Some issues regarding classification of commodities into rate categories have been addressed.
- Difficulties with filing of returns have been temporarily addressed.

### ***What are the uncertainties?***

- There is a general agreement that there should be fewer rate categories in the regime.
- The format of returns is yet to stabilise.
- There are certain activities that still remain beyond the scope of GST - crude petroleum, natural gas, petrol, diesel, aviation turbine fuel, electricity, alcoholic beverages, and certain real estate transactions.
- While the introduction of GST was expected to have a significant positive impact on the economy as well as on revenues, the impact would be realised



only gradually when the reform of GST is completed.

### ***What has been the impact?***

- The decline in rate of growth of quarterly gross domestic product (GDP) has been reversed since the introduction of GST, but the levels are below those achieved in the period prior to demonetisation.
- There seems to be some recovery in capital formation as well.
- These indicators suggest that the economy is turning around.
- But it should also be understood that it is still too early to assess the impact.
- It is also difficult to disentangle the impact of demonetisation from that of GST.

### ***Has GST been revenue neutral?***

- So far, GST has not been revenue neutral.
- The union has assured the states of 14% growth in revenues.
- Since the rate of growth of revenue of most states has been less than 14% in the last few years, the assurance ensures the delivery of adequate revenue to the states in the short run.
- For the union government, however, GST has not yet been revenue neutral.
- The revenue from the GST compensation cess is meant for compensating states for any loss of revenue, suggesting thereby that the revenue cannot be appropriated by the union for its expenditure needs.

- Further, the revenue booked under Integrated GST is partly attributable to the states, as when the importing dealer claims input tax credit.
- If these two factors are taken into account, the revenue accruing to the union government in the last 12 months does not match the revenues it received from indirect taxes in the 12 months preceding the introduction of GST.
- In other words, even with the careful calibration of the rates of tax, at least in terms of revenue performance, GST has not been revenue neutral.
- Also any improvement in compliance under GST, in the form of the number of registered taxpayers and the returns filed, without an increase in the revenue reported, reiterates the fact that GST is still a work in progress.

## **8. From Democracy to Mobocracy**

### ***What is the issue?***

Mob lynching in India is moving towards becoming the new “normal.”

### ***Why lynchings are on the rise?***

- The impulse for lynching is driven by two factors.
- One is a cultivated prejudice, and the other is a collective sense of insecurity that results from the overall inefficiency of the police and the judiciary..
- This is further fuelled when a large section of society has failed to invoke unconditional condemnation.



- On the contrary, such mob violence seems to enjoy endorsement in recent times.
  - The monstrous desire that seeks the public flogging and hanging of culprits in cases of rape is deeply mediated by the primary commitment to caste and community.
  - Such lynchings involve discriminatory standards, particularly in cases of rape when the victim is from a dominant social and religious background.
  - In the case of public lynchings of people suspected of a crime, we need to realise that such actions are often not necessarily premeditated.
  - Nor does the public judge them on the basis of fairness or objectivity.
  - In fact, although such actions are provoked and fuelled by posts on social media, they are indefensible.
- How caste plays a role?
- Caste and communal factors begin to intersect with the process of shaping the legal consciousness.
  - Thus, if the tormentor belongs to a social background other than that of the victim, who might be from the Dalit or minority community, it is likely to invoke either complete indifference or rhetorical support to the rule of law.
  - On the other side of the spectrum, if the victims happen to be from non-Dalit or non-minority social backgrounds, then the reaction of the Indian society is to want instant corporal punishment

involving flogging and lynching of the suspected culprit.

- The discriminatory response to mob lynching and mobilisation demanding corporal punishment thus suggests that the closer one is to the caste or religious ideology of the victims, the further one is from the rule of law.
- The stronger the caste and communal consciousness, the weaker and more fragile is the influence of the legal consciousness and belief in the law.

## 9. Rising Caesarean Births

### *What is the issue?*

There is a rising rate of caesarean births in India.

### *Why C-Sections are risky?*

- A Caesarean section (CS) is a significant development of modern medicine.
- It is a life-saving surgical procedure when certain complications arise during pregnancy and labour.
- However, the growing practice of CS without a medical indication or following demand by the patient has not brought any benefit to the women or infants.
- Adverse outcomes of CS include high risk of maternal and neonatal death, various maternal morbidities, including infections, need for blood transfusion, neonatal morbidities often related to iatrogenic prematurity; and potential complications in subsequent pregnancies.



### ***How prevalent are C-Sections?***

- In 1985, an interdisciplinary conference on appropriate technology for birth unanimously accepted a 10%–15% caesarean section rate at community level as reasonable to assist women to deliver safely in the face of complications.
- Yet, the CS rates have been increasing worldwide.
- In 1990, roughly one in 15 babies was born via CS, which has increased to one in five babies in 2014.
- The lowest rates of CS are found in Africa (7.3%), followed by Asia (19.2%) and the highest rates are found in Latin America (40.5%).
- In the year 2008, the highest proportion of unnecessary CS deliveries were performed in China (32%), followed by Brazil (15%) and the United States (11%) (Gibbons et al 2010).
- India has witnessed an increase of 102% in caesarean deliveries, from 8.5% in 2005–06 to 17.2% in 2015–16.
- Although the rate is marginally higher than the acceptable range defined by the WHO, there is a huge geographic disparity.
- e.g The statewise data from the NFHS indicate that the CS rate is highest in Telangana (58%) and lowest in Bihar (6%).
- A sharp urban–rural divide in CS rates is also evident, which could be attributed to the availability of caesarean section

facilities in urban areas than in rural settings.

- The CS rate is also lower in public health facilities than in private health facilities.

### ***What are the challenges?***

- It is difficult to gauge how much could be attributed to unnecessary CS, including patients' demand.
- Decision-making is the most important component of caesarean birth.
- At times, the doctor might leave the decision to the patient to have a caesarean as she might want to have her baby in a particular way or on a particular day.
- In India, a very small section of women choose to have CS, being cognisant of the fact that vaginal delivery is an option.
- Programme and policymakers might not be concerned with this group of women as they have made a conscious choice for CS.
- But this is not the case with rural women.
- The general profile of rural women is that they are uneducated, lack awareness and come from a low socio-economic strata of society.
- They do not have any decision-making power about having a baby, and the low age at conception worsens the situation.
- In such cases, physicians play a crucial role.
- This opportunity gives physicians a window to convert vaginal delivery to CS,



as a CS procedure will enhance the physicians' income.

- The fact that referring patients from a government hospital to a private facility for CS can earn commission for government doctors has also been reported.
- The Rashtriya Swasthya Bima Yojana (RSBY), a public-funded national health insurance scheme, also covers CS.
- The usage of the RSBY for CS was more than that for normal deliveries, indicating monetary benefit for the private healthcare provider.

#### ***What should be done?***

- A low caesarean rate is associated with a high maternal and newborn mortality and can indicate lack of access to life-saving resources.
- On the other hand, a very high caesarean rate can be a sign of over-intervention and a trend of medicalisation of birth.
- It can pose a threat not only to the health of mothers and children, but also to health systems.
- To address this, the Indian health system must focus on strategies to strengthen the health systems, including increasing the doctor–population ratio, placing highly skilled and well-trained midwives in labour rooms, allowing birth companions during labour and delivery, providing for painless delivery options, improving labour room infrastructure etc.

- Hospitals and communities should promote health education among women of reproductive age and counsel pregnant women about delivery process.

## **10. Strengthening Health Insurance Schemes**

### ***What is the issue?***

State-funded health insurance schemes are not very effective as they do not target the truly needy or completely miss them.

### ***What are the challenges in targeting beneficiaries?***

- There is a fundamental problem with using the below poverty line (BPL) lists, as the criteria for inclusion and exclusion are faulty. e.g Widows or women-headed households tend to get excluded.
- There is also no realistic understanding of urban poverty for the purpose of the lists.
- These lists are also not updated regularly.
- Thus, several health care schemes do not take into account the fact that there is a section of vulnerable and marginalised community who are unable to gain any benefit from these.
- Migrants, tribals, and deserted or widowed women were found less likely to be covered by insurance schemes.

### ***What are the other shortcomings?***

- Multiple studies clearly shows that there has been no significant impact on the





out-of-pocket expenditures (OOPE) incurred by the poor.

- Also, none of the schemes were cashless as envisaged.
- Patients and their families continued having to pay for diagnostics and medicines, and the practice of reimbursement of costs is common.
- The situation for the poor can get aggravated if the claims are rejected or there are delays in settling claims or reimbursements.
- High OOPE is also a consequence of the absence of the continuum of care approach, as the maximum expenditure is incurred by the patient prior to reaching tertiary care services and at the level of the outpatient department (OPD).
- The government has been a key facilitator in the growth of the private sector in the country. And yet, the government has limited control over it.
- The private for-profit health sector in the country is powerful, unregulated, unmonitored and unaccountable.
- There is also evidence that charitable hospitals are not honouring their commitments in return for the benefits they have received from the government.

#### ***What should be done?***

- Ensuring universal healthcare requires strengthening of the public sector and promotion of the continuum of care approach.

- Even within the public healthcare system, focus should be on removal of barriers towards ensuring free access to quality healthcare across all levels of health services to all people.
- The private sector needs to be regulated and monitored.