

UPSC

MAIN STORMING

SEPTEMBER- 2016



SHANKAR IAS ACADEMY

Plot No. 1742, 1st Floor, Syndicate Bank Building, 18th Main Road, Anna Nagar, Chennai - 600 040.

Phone : 044-26216435, 64597222, 4353 3445 Mobile : 94441 66435

www.shankariasacademy.com

Content

Sl No.

NEWS

Page No.

GENERAL STUDIES PAPER I

1. **HAJI ALI WILL BE REFERENCE POINT FOR SIMILAR CASES INVOLVING RIGHTS OF MUSLIM WOMEN 1**
2. **TRIPLE TALAQ- BREAK THE NEXUS BETWEEN MALE-DOMINATED CLERGY, POLITICIANS..... 1**
3. **TRIPLE TALAQ -THE 'INHUMAN PRACTICE THAT VIOLATES RIGHTS AND DIGNITY OF WOMEN' 2**
4. **THE EQUALITY OF ENTRY 2**
5. **PATERNAL INSTINCTS 3**

GENERAL STUDIES PAPER II

6. **CAUVERY RIVER WATER SHARING 4**
7. **PARLIAMENT SHOULD ENSURE THAT NHRC'S RECOMMENDATIONS ARE IMPLEMENTED 6**
8. **ONE INDIA, ONE ELECTION AN INTERESTING CONCEPT BUT ITS BENEFITS NOT CLEAR YET 7**
9. **ACCOUNTABILITY OF JUSTICE 7**
10. **THE ROAD TO GENUINE REFORM 8**
11. **BE TRANSPARENT, KEEP POLITICIANS AT BAY 9**



12.	A DECENTRALISED APPROACH TO WATER DISPUTES	10
13.	LABOUR'S LOVE'S LOST	10
14.	RIGHTS FOR ABDUCTED CHILDREN	11
15.	BEFORE AMENDING THE LAW	12
16.	SO THAT MOTHERS CAN WORK.....	13
17.	VIOLATION IN THE NAME OF PROTECTION.....	14
18.	REPUBLIC OF UNREASON	16
19.	RETAINING MGNREGA'S CORE	16
20.	WHAT ISN'T SEDITION?.....	17
21.	NO HARM IN PRE-CONSULTATION	18
22.	A RATING SYSTEM TO TRANSFORM GOVERNANCE	18
23.	GOVERNANCE CHALLENGES FOR CIVIL SERVANTS	19
24.	OUR DIASPORA HAS A LOT TO OFFER.....	20
25.	LETTING NEPAL BE	20
26.	A DEEPER FRIENDSHIP	21
27.	IN TRADE, THREE IS NOT A CROWD.....	22
28.	INDO-UK ECONOMIC RELATIONS AFTER BREXIT.....	23
29.	INDIA AND CHINA - MANAGING MISTRUST?	23
30.	LEMOA	24
31.	LEMOA-MUCH ADO ABOUT NOTHING.....	24
32.	THE MYTH OF MILITARY NEUTRALITY	25
33.	A REUNION OF FRIENDS	26
34.	PM MODI'S VISIT TO VIETNAM	26
35.	ON TO THE PARIS DEAL AT INDIA'S PACE	28
36.	SYRIAN WAR.....	29

Sl No.	NEWS	Page No.
--------	------	----------

GENERAL STUDIES PAPER III

37.	FAT TAX, SLIM EVIDENCE	32
38.	DIGITAL INDIA NEEDS THESE POLICY CHANGES	33
39.	IMPLEMENTING KELKAR COMMITTEE REPORT.....	34
40.	PIPELINES OVER POLITICS.....	35
41.	REALISING ENERGY SECTOR TARGETS	35
42.	REIMAGINING INDIAN ENERGY PLANNING.....	36
43.	INDIA FREE FROM AVIAN INFLUENZA (H5N1)	37
44.	MEETING NUTRITIONAL NEEDS OF THE INDIANS.....	40
45.	MEDICAL VALUE TOURISM-THE NEXT JEWEL IN INDIA'S CROWN	42
46.	TIMELY AND ADEQUATE MONSOONS CANNOT END THE WOES OF FARMERS	43
47.	CREATING A UNIFIED FARM MARKET.....	44
48.	DARK CLOUDS OVER THE PDS	45
49.	A 'GREEN' RAP ON THE KNUCKLES	46
50.	FROM PLATE TO PLOUGH-CONNECTING THE DROPS.....	47
51.	THE NEW EXTREME REALITY OF FLOODS	48
52.	SHOULD THE FARAKKA BARRAGE BE REMOVED?	49
53.	OVER THE LAST FEW DECADES, THE DIVIDING LINE BETWEEN INTERNAL AND EXTERNAL SECURITY.....	49
54.	EXTENSION OF THE DISTURBED AREAS ACT IN NAGALAND.....	50
55.	WE NEED A ROBUST CYBER SECURITY POLICY.....	51



MAIN STORMING

SEPTEMBER - 2016

Main storming - GS - I

HAJI ALI WILL BE REFERENCE POINT FOR SIMILAR CASES INVOLVING RIGHTS OF MUSLIM WOMEN

The Bombay High Court's verdict upholding the constitutional right of women to enter the sanctum sanctorum of the iconic Haji Ali dargah in Worli could serve as a "get real" signal to the custodians of Indian Islam.

What was the case about?

- The Haji Ali Dargah Trust in support of its 2011-12 decision to bar women from getting close to the Sufi saint's mazaar cited that restricting entry of women to the sanctum sanctorum of the dargah is "an essential and integral part of Islam" and was therefore entitled to protection under.
 - Article 25 (Right to freedom of religion) and
 - Article 26(b) (Freedom of every religious denomination or any section thereof to manage its own affairs in matters of religion).

Bombay HC's view

- Essential part of a religion means the core beliefs upon which a religion is founded. Essential practice means those practices that are fundamental to follow a religious belief.
- The test to determine whether a part or practice is essential to the religion is to find out whether the nature of religion will change without that part or practice.
- It noted that the Quranic verses cited by the trustees "do not in any way show that Islam does not permit entry of women at all, in dargahs/mosques". Not only did the

trustees fail the "essential practices" test, by their own admission, women were allowed entry into the sanctum sanctorum until a few years ago.

- The court held that the ban imposed by the Trust, prohibiting women from entering the sanctum sanctorum of the Haji Ali dargah contravenes Articles 14, 15 and 25 of the Constitution.

Conclusion

The HC order already hints at Muslim women's right to pray in mosques; yet another example of an Islam-given right denied by the ulema.

Muslim women are getting more assertive about their rights –as seen in various cases lying with the SC- triple talaq, halala marriage.

Main storming - GS - I

TRIPLE TALAQ- BREAK THE NEXUS BETWEEN MALE-DOMINATED CLERGY, POLITICIANS

Why in news?

All India Muslim Personal Law Board's recently defended 'Triple Talaq' in the Supreme Court. In a disgraceful attempt to support the practice (triple talaq), the Board told the court .

- If it is discontinued, a man could murder or burn his wife alive to get rid of her.
- It added that divorce instead of triple talaq could damage a woman's chances of re-marriage if the husband indicts her of loose character in court
- It also added that muslim personal laws cannot be challenged on the grounds of violation of fundamental rights.

Background

- India has separate sets of personal laws for each religion governing marriage, divorce, succession, adoption and maintenance.
- While the Hindu law overhaul began in the 1950s and continues, activists have long argued that Muslim personal law, which has remained mostly unchanged since 1937, is tilted against women
- The Muslim Personal Law (Shariat) Application Act, 1937 allows a man to divorce his wife by uttering divorce or talaq thrice in one sitting. He can also send a letter with talaq written three times in it.
- India is one of the few countries that still recognize oral triple talaq. The practice has been either explicitly derecognised in countries like Indonesia, Iran and Tunisia, while implicitly in countries like Pakistan.
- In Shamim Ara vs State of UP judgment of 2002 and subsequent orders from various High Courts- this egregious practice has been termed illegal.

Way Ahead and conclusion

- The Supreme Court must not be swayed by the arguments put forth by the AIMPLB, which has held that “personal laws cannot be challenged”.
- Considering the clear and elaborately laid-down norms on marriage in the Koran that grant equal rights to the husband and wife to pursue divorce proceedings and the right to equality guaranteed in the Indian Constitution, it is high time that the Supreme Court ruled this practice as illegal.
- Further the nexus between the male-dominated Muslim clergy and elected representatives needs to be broken.

Main storming - GS - I

TRIPLE TALAQ - THE 'INHUMAN PRACTICE THAT VIOLATES RIGHTS AND DIGNITY OF WOMEN

- The Supreme Court on June 29 decided to examine if Islamic laws governing marriage

and inheritance violated the fundamental rights of women and take a call on how far it can intervene to modify the existing laws.

- The debate around triple talaq started with Shayara Bano of Uttarakhand, filing a petition in the apex court seeking a ban on the practice.
- She had also challenged the practices of polygamy and nikah halala, which mandates that a woman has to marry another man and consummate it if she and her divorced husband wish to get back together.

Shah Bano case

- In the famous Shah Bano case in 1986, the Supreme Court had decided in favour of granting alimony to a Muslim woman after she was divorced.
- However, the Centre later enacted the Muslim Women (Protection of Rights on Divorce) Act, 1986, that virtually nullified the court directive
- Bharatiya Muslim Mahila Andolan, which has been pushing for reforms in Muslim personal laws have alleged the nexus between muslim clergy and elected representatives for ensuing this egregious practice and other discrimination against Muslim women

Conclusion

- Muslim personal laws have not been changed since 1937 and are now been termed as discriminative towards women.
- Muslims women have become more assertive about their rights and are pushing for reforms.
- Egregious practices of Triple Talaq and Halala marriage must be declared invalid.

Main storming - GS - I

THE EQUALITY OF ENTRY

The Bombay High Court agreed with Ambedkar when it held that the exclusion of women from the inner sanctum of the Haji Ali Dargah by the Dargah Trust violated not only

their fundamental right to religious freedom but also their right to equality and non-discrimination under the Indian Constitution

- The Bharatiya Muslim Mahila Andolan, the women's organisation that initiated the public interest litigation against the Dargah Trust, invoked the protection of Articles 14 and 15 (rights to equality and non-discrimination), and 25(1) (right to religious freedom) of the Constitution
- The trust responded by invoking Article 25(1) itself, arguing that Islam mandated the exclusion of women from the inner sanctum. It also (though faintly) invoked Article 26(b), that granted religious denominations the right to manage their own affairs in matters of religion

Court's intervention

- To mediate the competing claims of individuals, communities and the state, very early on in its history, the Supreme Court invented something that it called the "essential religious practices test".
- Under this test, ostensibly religious practices could gain constitutional sanction only if — in the view of the Court — they were "essential" or "integral" to the religion in question.
- In the beginning, the court emphasised that essential religious practices would have to be determined by taking an internal point of view, and looking to the tenets and the doctrines of the religion itself.
- In later years, however, the court began to take an increasingly interventionist stance and even trying to mould religions into more rationalistic and homogenous monoliths, while marginalising dissident traditions.
- The high watermark of this approach came in 2004, when the court held that the public performance of the Tandava dance was no essential part of the religion of the Ananda Marga sect, even though it had been specifically set down as such in their holy book

Approach of Bombay HC

- The court refrained from making grand, rhetorical claims about Islam and gender equality (even though it was invited to do so) and, instead, limited itself to considering the material placed before it by the Dargah Trust
- On a perusal of these passages from the Koran and the Hadith, the court found that none of this material supported the trust's claim that Islam mandated the exclusion of women from the inner sanctum of shrines; further women were allowed entry till 2012.
- Likewise, the court's rejection of the trust's Article 26 claims was sober and measured.
- The trust was set up in pre-Independence days by a government-imposed scheme. That scheme did not even authorise the trust to adjudicate religious claims. Furthermore, the trust was a public charitable trust-akin to a public space, and access to it could not be denied on discriminatory grounds.

Conclusion

- In the exercise of their constitutional functions, there are times when it becomes necessary — and inevitable — for courts to consider and decide deeply divisive and polarising questions about gender relations, the family, religion, and society.
- In such situations, it is tempting for judges to think that they are in a position to solve age-old, intractable social problems, and to sally forth on adventurous tracks where both their competence and their legitimacy are called into question.
- The Bombay High Court verdict in the Haji Ali case, however, is an example of a judgment that adroitly negotiates these difficult issues by hewing closely to the Constitution, to law, and to the judicial task of defending individual rights.

Main storming - GS - I

PATERNAL INSTINCTS

Paternity leaves are the next thing in focus after the recent Maternity amendment bill, 2016.

CAUVERY RIVER WATER SHARING

- There is no legal provision for paternity leave in the private sector, but male civil servants in the central government get 15 days of paternity leave for up to two children.
- Apprehensions regarding percentage of new fathers in the Indian corporate sector, who take their parental responsibilities seriously enough to use the leave.

India –US comparison viz. paternal leave in corporate sector

- One compelling reason for many US corporations to make generous provisions for paternity leave - some, like Yahoo!, offer as much as eight weeks - is that fathers rarely avail of it. It becomes, therefore, a low-cost way for a company to acquire a progressive image.
- In India, many large corporations - and the IT industry honourably leads the way - go significantly beyond the law in terms of the perquisites and work-time flexibility extended to new and expectant mothers, and paternity and parental leave figures prominently in the mix.

Way ahead and conclusion

- The expansion of nuclear families in urban India often requires husbands and wives to work, so it is only right that men should be given time out to shoulder some of the parental burdens.
- The example of Sweden – leader in paternal leave
 - Almost 90 per cent of Swedish fathers take parental leave, and any visitor to the country will attest to the sight of young men baby-sitting in parks and public places. No surprise that Sweden has one of the world’s narrowest gender gaps.
 - Gender parity in workforce, and gender equity overall would get a definite boost.

In News

The Supreme Court has asked Karnataka to consider giving Cauvery water to Tamil Nadu to help that state continue to “exist as an entity”.

Adjourning the case for a detailed hearing on Tamil Nadu’s petition for water, the court left Karnataka in no doubt that the state would end up releasing at least some water to its neighbour. Karnataka must make it clear to the court how much water it could part with during next hearing.

If there was a formula to share the water, Karnataka was bound by it, said Justice Dipak Misra, and he advised Karnataka to “live and let live”.

- In a recent plea in Supreme Court, Tamil Nadu had sought a direction to Karnataka to release 50.52 tmc feet of Cauvery water to save 40,000 acres of samba crops this season.
- Karnataka had said that there were “rain deficit months” in the recent past and it was difficult to release the water due to Tamil Nadu and the earlier Tribunal award has not provided for an alternative for Karnataka on the point of release of water during distress months.
- The apex court had earlier refused to give an urgent hearing to Tamil Nadu’s plea for setting up of Cauvery Management Board for implementation of the CWDT award.
- At the directions of the apex court, the Centre, in 2013, had notified the final award of the CWDT on sharing of water of the Cauvery system among the basin states of Karnataka, Tamil Nadu and Kerala and union territory of Puducherry.
- The CWDT had recommended the setting up of a Cauvery Management Board/Authority on the lines of the Bhakra Beas Management Board for implementation of the order.

- The board, in turn, would constitute a Cauvery Water Regulation Committee for assistance.

Provisions in Indian Constitution for solving River water dispute

- Entry 17 in the State List,
- Entry 56 in the Union List, - Regulation and development of inter-state rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by parliament by law to be expedient in the public interest.
- Article 262- explicitly grants parliament the right to legislate over the matters in Entry 56, and also gives it primacy over the Supreme Court.

The Water Politics

- The Cauvery Water Dispute Tribunal said in its 2007 verdict that the Centre must set up an authority to independently monitor and regulate water availability and releases.
- If this is still waiting to be implemented, it's because the politics of parties take precedence over the economics of suffering farmers.
- In the face of claims and counter-claims, the parties in power at the Centre from 2007 till now had no wish to do anything that might incur the wrath of farmers — key votebanks — in one state or the other.
- When the Cauvery basin goes dry for crops, it turns fertile for politics, makes the problem worse than what it is.

Tamil Nadu and Karnataka's claim

- Tamil Nadu's claim that Karnataka's dams on the river impound more water than they should and stop it from flowing down.
- Karnataka argues that Tamil Nadu has been not only usurping more water but even wasting it with "unscientific" agricultural methods, letting a good amount of it into the sea.

Background of Cauvery Dispute

Originating at Talakavery in Karnataka's Kodagu district, the Cauvery traverses about

322 kilometres, enters Tamil Nadu near Hogenakkal in Dharmapuri district, zigzags for 483 kilometres more before joining the Bay of Bengal at Poompugar in Nagapattinam district of that state.

In the Indian context, there are essentially three kinds of "water rights".

1. The "Riparian Right" It's the people's fundamental right to use the water flowing on the land they live on.
2. The "Prior-Appropriation Right": Appropriate more water first and claim it as your right later. This means Territory-A uses more water before Territory-B gets a chance to do it and, when a dispute crops up later, lays claim to it as its legal share. This sounds suspiciously similar to a squatter's right to land, but it isn't really as bad or illegal. People who have used the water first have already invested in dams and are irrigating their lands, and they do earn some right over its continued use.
3. The "Equality Right" is what Territory-B fights for, accusing Territory-A of usurping more water by prior-appropriation. Territory-B wants an "equitable" share for itself. (Similar to the prior-appropriation right, there is also the "prescriptive right", acquired by long usage of water at a time when existing laws allowed it.)

The Tribunal Award

- The trouble first arose in 1881 when Mysore wanted to build a dam across the Cauvery, and Madras objected to it. The British arbitrated, and the result was an agreement in 1892, followed by another in 1924. But the dispute went on.
- Karnataka's contention is that Tamil Nadu had resorted to "prior-appropriation" of Cauvery water and that the British made it possible. The state says the British favoured the Madras Presidency as against Mysore, then ruled by a king.
- In 1990 came the Cauvery Water Disputes Tribunal which, after 17 years of fierce deliberations, came up with an award in 2007.

- The Tribunal allocated 270 tmcft of water to Karnataka, 419 to Tamil Nadu. Kerala (which has a Cauvery tributary) and Puducherry (which is near the end of the river) were given 30 and seven tmcft respectively.
- These allocations were made on the basis that the Cauvery has a total of 740 tmcft of water “at 50 per cent dependability”, which means that the river has this much of water in 50 out of 100 years.
- The Tribunal said that Karnataka should release 192 tmcft of water to Tamil Nadu in every “water year” (from June to May), and that’s what becomes contentious when the rains fail.
- The Tribunal also said that, during bad monsoon, the states must share the “distress” in the proportion of their normal allocations.
- But in the absence of an effective mechanism to ensure a proportionate sharing of the “distress”, the dispute rages on.

Solution to end the dispute

- When rains are copious, the states have little problem in sharing the water.
- Setting up a Cauvery Management Board or Authority, as suggested by the Tribunal, on the lines of the Bhakra Beas Management Board is perhaps the only way to ensure that the dispute doesn’t repeat itself like a stuck record whenever rainfall is deficient.
- Equally important is to find ways to save water and increase inflows into the river.
- A Rs-1,000-crore proposal that Tamil Nadu had in 1974 to modernise its irrigation system could save up to nearly 50 tmcft of water, but it has been hanging fire for lack of funds.
- Demand of the Tamil Nadu state’s farmers to desilt Cauvery channels has to be done.
- On its part, Karnataka could tap at least part of the huge amount of rain water that falls over Western Ghats and simply flows into the ocean into a network of pipes and let it into the Cauvery.

- Lack of funds is one of the reason behind the non-implementation. Union government should help the states by providing appropriate funds.

Main storming - GS - II

PARLIAMENT SHOULD ENSURE THAT NHRC’S RECOMMENDATIONS ARE IMPLEMENTED

- In July, the Supreme Court had held that the alleged extra-judicial killings by the Army and Manipur police required a thorough probe- which has led to the debate regarding mandate of NHRC, and clarifications have been given by the AG.
- Earlier, Imphal-based Human Rights Alert Manipur (HRAM) and Extra-judicial Execution Victim Families Association, Manipur (EEVFAM), which petitioned the top court on the 1,528 cases, had said people are often picked up at random and killed in “encounters”

Centre’s view

- NHRC cannot investigate alleged excesses by armed forces in militancy-affected areas such as Manipur and Jammu and Kashmir because the panel is a recommendatory body.
- It amounts to judicial legislation and will have a deleterious effect on the Army fighting against all odds in difficult terrain.
- Centre asserted its right to conduct a probe to determine the truth, and argued against any retrospective inspections.

Impediments to NHRC

- It can investigate human rights violations with only very limited resources.
- The evidence collected is put to judicial adjudication by its chairman and members after which it recommends remedial measures or directs the state to pay compensation.
- Its powers however, do not extend to penalising the authorities who do not implement its orders or recommendations.

- The NHRC does not have the backing of the Protection of Human Rights Act nor can it investigate an event if the complaint is made more than a year after an incident.

Way ahead and conclusion

- The Centre should really reconsider the mandate of the NHRC in order to address the human rights challenges that India faces, especially in areas affected by militancy and social unrest.
- While recommendation of NHRC are generally accepted in compensation related cases, its mandate must be enlarged viz. investigation and implementation of its recommendation.
- Full removal of Afspa is not desirable. But every state should review the situation and remove it from areas where it is not needed.

Main storming - GS - II

ONE INDIA, ONE ELECTION AN INTERESTING CONCEPT BUT ITS BENEFITS NOT CLEAR YET

Recent remarks from The President and the Prime Minister have put forward the idea of holding elections together

Pro-arguments for simultaneous elections

- India is in a perpetual election mode and this hampers long-term policymaking because every decision is seen as bait for votes.
- The “vices” such as communalism, casteism, corruption and crony capitalism could be checked.
- The high cost incurred in these elections would be reduced drastically.

Counter-Arguments

- The feasibility of such an exercise in the largest democracy has feeble hopes.
- The normal election routine, also keeps the politicians on their toes and enhances accountability, and more importantly, local and national issues don't get mixed up to distort priorities.

- Need of more staffing and resources for Election commission.
- There are chances of the same party gaining majority in both houses of the Parliament as well as legislatures- which is not desirable.

Conclusion

One India, One election is an interesting concept but whether it will decrease the evils that the nation/government wants to get rid of needs to be debated thoroughly.

Main storming - GS - II

ACCOUNTABILITY OF JUSTICE

The framers of our Constitution did not intend the judiciary to be “superior” to Parliament and the executive, but intended it to be the sentinel on the qui vive should the other two wings overstep the boundaries of their jurisdiction or omit to discharge their duty as public trustees.

The arguments against the current collegium system and scrapping of NJAC.

- All three limbs of the sovereign power have distinct functions and powers. Though they may overlap in some respects, the constitutional demarcation (separation of powers) is not eroded because of such overlap.
 - The Constitution provides for a check, if one limb of sovereign power steps into the domain of another.
 - In this backdrop, the appropriation of the executive and legislative powers by an authority primarily exercising adjudicatory power, without any checks and balances, would be destructive of the basic feature of democracy, and if not forthwith remedied, would dilute the very essence of a democratic form of governance.
- The judiciary is not accountable in the manner that the executive is accountable, even though all the three limbs source their power to the people. It is a constitutional imperative that an authority must be accountable if it wields power.

- Presently, in matters of judicial appointment, the accountability seems to lie neither with the judiciary nor with the executive. Such a situation is without precedent, in our country or elsewhere.
 - The public has interest in the general administration of justice and the government is the elected trustee of public interest. Therefore, it must at least be allowed to have a say in the appointment of judges.
 - But it has now been reduced to a “rubber stamp” in the matter of appointment of judges.
- The “primacy” of the judiciary was neither intended nor provided for by the Constituent Assembly.
- A collegium of five judges curtails the discretion of the president, enshrined in Article 124(2), to consult such judges of the Supreme Court and high courts as he may “deem necessary for the purpose”.
- The parameter for judicial review of a constitution amendment is very narrow, because democracy is based on the principle of majority.
- In exercising the power of judicial review, the courts cannot be oblivious of the practical needs of the government.
 - Judicial review is not intended to create what is sometimes called judicial oligarchy, covert legislation, or judge-made law.
 - The proper forum to fight for the wise use of the legislative authority is that of public opinion and legislative assemblies.

Way ahead and conclusion

- Accountability in appointment of judges in higher judiciary is a must.
- After amending the Constitution, the president may exercise his power to consult the Supreme Court by framing appropriate questions and making a reference under Article 143 to revisit the NJAC decision.
- It is a good sign that the Supreme Court has recently agreed to hear a petition seeking the formation of a “public, transparent body”,

neither controlled by the government nor the judiciary, for the appointment of judges to the Supreme Court and high courts.

Main storming - GS - II

THE ROAD TO GENUINE REFORM

Pendency in Indian courts can be largely accounted to vacancies in court (shortage of judges).

According to the apex court’s own publication, as of May 2016, there were 2 vacancies in the Supreme Court (out of 31 sanctioned posts) and 432 vacancies in the high courts (out of 1,065 sanctioned posts). This constituted a vacancy rate of 6.45 per cent and 40.5 per cent, respectively.

Stand-off between executive and judiciary

- The government and the collegium have been unable to agree on a Memorandum of Procedure for appointment of judges for the better part of this year.
- The government has neither cleared nor returned the files sent by the collegium regarding several high court appointments and transfers, unlike Supreme Court appointments and some transfers which were cleared earlier this year.
- Is this stand off the only cause for vacancies in courts.
- looking at figures from December 2012, much before this stand-off, may provide some perspective.
- At that time, there were 4 vacancies in the Supreme Court (out of 31 sanctioned posts) and 281 vacancies in the high courts (out of 895 sanctioned posts). This constituted a vacancy rate of 12.9 per cent for the Supreme Court, higher than the present, and 31.3 per cent for high courts.
- These figures point towards two fundamental propositions:
- High vacancies are not solely caused by the stand-off — they are endemic to the higher judiciary.

- Even if the current impasse between the executive and judiciary were to end, vacancies would not be even substantially filled.

Reasons for this gullible situation

- Systemic lack of incentives for persons of high quality and integrity to take up judgeships. Judicial pay is poor, pensions are poorer
- Further, the collegium which selects judges and elevates them to the Supreme Court is alleged to be a closed brotherhood

Pendency in judgements-multifaceted

- Vacancies not the sole reason
- Many laws are ambiguous and inconsistent leading to overlapping appeals
- Cases are not disposed off in a timely manner
- Numerous cross examination and adjournment further, particularly in criminal cases further aggravates the situation

Way ahead and conclusion

- To bring more transparency, Memorandum of Procedure should be made public.
- Substantive proposals such as transparently outlining a zone of consideration, setting up a process for nominating and interviewing candidates, outlining criteria for appointment, clarifying the importance of seniority, presenting an annual report of candidates considered, interviewed, appointed and rejected and many others, suggested by scores of civil society representatives should be enacted.
- In the recently enacted Commercial Courts Act, 2015, strict timelines as well as case management provisions have been carefully incorporated. Similar provisions in the Code of Civil Procedure and criminal procedure should be incorporated to check pendency.
- The potential of ADR method have not been fully tapped. this needs to be explored more.

- The trust deficit between the two organs of government must be bridged, otherwise the country will suffer the consequences of a bitter power struggle where whoever wins, the cause of justice for the people of India loses.

Main storming - GS - II

BE TRANSPARENT, KEEP POLITICIANS AT BAY

The stand-off between the Supreme Court collegium that appoints and transfers senior judges and the political class took a nose-dip with one of the five members of the present collegium, Justice J Chelameswar, refusing to attend collegium meetings on the ground that its procedures are not laid down and transparent.

Key differences that the executive has over the memorandum of procedure for the Judicial Appointments Commission.

- The power to reject a name recommended by the collegium on the grounds of “national interest”. Apart from “national interest” being much too vague and broad an idea.
- Should the government have some sensitive information on a candidate, it can share it with the collegiums, which can take a view on it and record a confidential note. It has to be ensured that a candidate is not excluded merely because, say, he appeared for an alleged extremist in a trial.
- The second point of dispute is what happens when the government returns a name to the collegium. Today, the name goes through if the collegium recommends it a second time. The memorandum of procedure proposes that the collegium has no power to recommend a name a second time once the government has returned it.

The proposals

- There can be a National Judicial Service, entry into which will be through written test and interview, conducted by a body like the Public Service Commission. Those that make it to the service should have the

opportunity to go all the way to the top, the Supreme Court

- To ensure impartiality, the whole process (direct recruitment and lateral entry) can be overseen by a Judicial Services Commission, made up of full time (not ex-officio) members chosen from key areas of public life including respected names in the social sector. Britain has something like this in place and it works

Way ahead and conclusion

The solution to the present impasse is not to hand over the final say in appointments to the political class but for the senior-most judges to devise a transparent system which can then be followed.

Main storming - GS - II

A DECENTRALISED APPROACH TO WATER DISPUTES

Amidst the Kaveri river crisis between Karnataka and Tamil Nadu over water-sharing, the Draft National Water Framework Bill 2016 has put forward a decentralised approach which might address the issue.

Aim of the bill

- Suggests a three-layer system dispute resolution mechanism as adopted in Mekong basin - political at the highest level, coordinative at the second level and a delivery apparatus at the third level.
- The bill makes way for decentralisation of powers.
- The bill uses the expression “Appropriate Government” which has different connotations.
 - The Central Government in relation to interstate rivers and river valleys.
 - The State Government in relation to rivers confined to the territory of a State.

Also talks about devolving powers to local bodies

- Local governing bodies such as Panchayats, municipalities, corporations, and water

users’ associations, wherever applicable, are to be empowered and involved in the planning and management of projects.

Conclusion

- The framework of the bill is a welcome step, at this endeavours developing consensus among states, involving all the stakeholders’ in decision- making.
- It would be for the first time that such explicit functions will be legally legislated for the appropriate government at the local level in India.
- The only aspect in which the draft framework is prescriptive at the national level, is its requirement that a minimum amount of life giving water must be the right of every Indian.

Main storming - GS - II

LABOUR’S LOVE’S LOST

On September 2, 10 trade unions in India organised what was said to be one of the largest labour strikes in history.

Various issues involved were:

- Protesting against the government’s unwillingness to grant a 12-point charter of demands they had put forward.
- One of the principal demands of the unions was an increase in the daily minimum wage for unskilled workers from Rs.246 to Rs.692. They rejected an increase in the wage to Rs.350 offered by the government.

Proposed changes in labour laws

- Growing casualization of labour- This was one of the reasons for labour unrest at Maruti’s plant at Manesar in Haryana last year.
- Privatisation and greater opening up to foreign direct investment (FDI).

Labour- Business relations in India

- Indian businesspeople as well as many economists have long clamoured for greater

“flexibility” in labour laws, a euphemism for freedom to hire and fire. Hence, there is little doubt that organised labour in India, as in the rest of the world, sees itself as a loser in the changes unleashed by liberalisation and globalisation.

- Several economists say that rigid labour laws are the reason India has not generated enough jobs in the formal sector — only about 10 per cent of jobs are in the organised sector and the remaining 90 per cent in the unorganised sector.
- As large firms do not have the confidence that they can shed workers in adverse conditions, they do not wish to enter labour-intensive, low-skilled sectors.
- The Industrial Relations Code Bill, 2016, which is said to favour such flexibility, is due to be tabled in Parliament in the near future. It is bound to evoke a strong reaction from unions as well as Opposition parties.

Labour laws – The world Experience

- Dismissal laws in France are more stringent than in India, but that did not come in the way of France’s prospering for over a century.
- China itself has made its labour laws more stringent so that they are comparable to those in India.
- Benefits of extending organised job and social security to workers.
 - Gives workers more incentives to invest in firm-specific skills
 - Along with collective bargaining, worker protection leads to more egalitarian outcomes in society.

Contract labour- A corporate response for regulatory cholesterol

- Companies find it expedient to employ labour on contract. They can then leave the job of managing regulations and inspectors to the contract labour firms
- They can also stay small and escape various labour regulations

- Contract labour is cheap , moreover company is not obliged to provide the social security benefits
- Contract labour is a serious assault on workers’ rights. The Supreme Court has made strong observations on companies’ resort to contract labour in order to avoid statutory obligations

Way ahead and conclusion

- Though a flexibility in labour laws is desirable, but it should be done with the motive of creating more jobs in organised sector and not at the expense of worker’s right
- Both the company and labour should have accountability towards each other.
- As highlighted in IMF’s World Economic Outlook report.
 - Job creation in the private sector is depressed by the low rate of investment. In these conditions, a focus on weakening dismissal laws in the organised sector as the key to job creation is misplaced, as studies have shown that weakening dismissal conditions under adverse economic conditions tends to reduce employment.
 - If such changes to labour laws are to be carried out, there must be offsetting fiscal expansion that helps raise demand for labour. India is in no position to meet this condition as we are still in the process of fiscal consolidation

Main storming - GS - II

RIGHTS FOR ABDUCTED CHILDREN

Indian Diaspora is spread all over the world .There is an ever increasing trend on transnational marriages and migration. So has increased the issue of transnational inter-spousal child custody dispute and increased cases of child being abducted by one of the parents.

The major issues viz. India

- India is not a signatory to Hague convention on Civil Aspects of International Child

Abduction-which desires “to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence, as well as to secure protection for rights of access.”

- When families get split across countries, conflicting child custody litigations are initiated under the separate legal systems of different nations.

Draft of the Civil Aspects of International Child Abduction Bill, 2016

- Considers the removal to or the retention of a child in India to be wrongful if it is in breach of rights of custody attributed to a person, an institution, or any other body, either jointly or alone, at a place where the child was habitually resident immediately before the removal or retention.
- The watershed verdict of the Supreme Court in *Surya Vadanam v/s State of Tamil Nadu* (2015)
 - The principle of Comity of Courts and nations must be respected and the best interest of the child should apply.
 - The principle of “first strike”, namely, whichever court is seized of the matter first, ought to have prerogative of jurisdiction in adjudicating the welfare of the child.
 - The rule of Comity of Courts should not be jettisoned except for compelling special reasons to be recorded in writing by a domestic court.
 - Interlocutory orders of foreign courts of competent jurisdiction regarding child custody must be respected by domestic courts.
 - An elaborate or summary enquiry by local courts when there is a pre-existing order of a competent foreign court must be based on reasons and not ordered as routine when a local court is seized of a child custody litigation
 - The nature and effect of a foreign court order, reasons for repatriation, moral, physical, social, cultural or psychological

harm to the child, harm to the parent in the foreign country, and alacrity in moving a concerned foreign court must be considered before ordering return of a child to a foreign court

Way ahead and conclusion

- There is an urgent need of a codified bill to protect the rights of abducted children
- India’s accession to the Hague Convention would resolve the issue since it is based on the principle of reverting the situation to status quo ante

Main storming - GS - II

BEFORE AMENDING THE LAW

Law-making in democracies is seldom a cut and dried process. There is often a significant time lag between the enactment of a law and its faithful observance, even in societies that have a higher level of adherence to the rule of law, than India.

The recent debate about the Prevention of Corruption (PC) Act demands that changes must be seen in this context

PC Act, 1988- A backgrounder

- It reflected a strong demand for action against corruption in high places, a demand that has only grown stronger since.
- Currently, corruption under Section 13 (1) of the Act is defined in four different ways.
 - First, a public servant accepts a bribe or makes pecuniary gains without any advantage to the bribe-giver.
 - Second, both the public servant and some other person benefit.
 - Third, it is not known whether the public servant has benefited or not, but someone else has benefited.
 - And lastly, no benefit has accrued to the public servant or anyone else, but a certain act has led to a loss to the exchequer

The amendment of section 13 – to protect honest civil servants

- The immediate context is of the former Coal Secretary H.C. Gupta protesting his prosecution in the “Coalgate” scam
- It has been proposed to repeal the 4th clause – the principal argument being that there was no mens rea or intention
 - From a public policy point of view, it has been argued that prosecuting civil servants for such losses would make large number of civil servants vulnerable to future prosecution, making them more risk averse.
 - Further it allows the political heads to yield more power- and keep conforming officials close, thus creating further problems for honest officials.

Any reforms/change in law should be seen in the context of the question

- Does India continue to face a persistent problem of corruption in high places, or has this been overtaken by a bigger problem of harassment of honest civil servants?
- Any definition of corruption or any other crime can be misused to cause harassment and human rights violations. Merely changing or refining the language of the law will not improve investigation and prosecution of anti-corruption laws
- Civil servants cannot be given blanket immunity from either investigation or prosecution. That is neither necessary nor in the larger interest of our society and our economy

Suggested reforms

- Impartial investigation and making sure that investigating agencies are insulated from extraneous influences.
- The current system of a rigid hierarchy or apprehension of the views of the investigating officers being superseded without cogent reasons must be frowned upon
- An independent prosecuting agency under a director of prosecution appointed in the same manner as a judge of the high court

for the states and a judge of the Supreme Court for the Central investigating agency. The UK model of a crime prosecution service is the best safeguard, since India follows an accusatorial system and with the delay in finalisation of cases, the power that vests with the investigating agencies needs to be balanced by ensuring independent scrutiny of evidence by a competent legal mind.

- There should be a clear provision not to allow arrest. The officer can face trial because arrest is too coercive a power and the damage done cannot be undone if the prosecution’s case ends in a fiasco after a decade
- Special courts to try such cases expeditiously
- No adverse consequences in terms of career progression unless the person so charged is convicted.

Main storming - GS - II

SO THAT MOTHERS CAN WORK

A recently announced policy seeks to increase paid maternity leave from the existing 12 weeks to 26 weeks. Why it is more relevant today?

- To reap our demographic dividend we must ensure gender parity in labour workforce which is currently hovering around 30%.
- Such measures are even more crucial as we move away from the extended family system.
- The secured paid leave is also important for child’s health and wellbeing; it allows the requisite time for early breast feeding and parental bonding with the child.

The unintended consequences

- If the provision of increased mandatory maternity leave is financed entirely by the employers, it is likely that they would factor in such costs and that, in turn, may lead them to reduce hiring young women.
 - One way of countering this negative consequence of the new policy is to have gender-neutral leave rules for parents. Paid leave for early child rearing should not bias the incentive structure against hiring women.

- One can think of a shared cost structure between the government and the employees for financing the paid leave. The cost of guaranteed paid leave can be funded by employees' payroll deductions or through health insurance programmes, where the cost would be shared between the employee and the government. Its benefits.
- The parental leave mandate would allow both parents to care for the child which can go a long way in improving human capital outcomes
- The dynamics of gender neutral leave policy, unlike that of exclusive maternity leave, would not discourage employers from hiring and promoting women
- As we know from studies across countries, as labour market opportunities improve for women, the average fertility level declines in the society. An improvement in opportunities for women, including safe maternity benefits, could actually improve our population dynamics

Main storming - GS - II

VIOLATION IN THE NAME OF PROTECTION

Transgender Protection

- Principle 1 of the Yogyakarta Principles on Gender Identity and Sexual Orientation, 2006, which the United Nations has endorsed, states that "all human beings are born free and equal in dignity and rights. Human beings of all sexual orientations and gender identities are entitled to the full enjoyment of all human rights."
- The Supreme Court of India, in the NALSA case, upheld the transgender persons' right to self-identification and directed the government to take steps for their welfare and treat them as a third gender for the purposes of safeguarding their fundamental rights
- The latest Transgender Persons (Protection of Rights) Bill, 2016 does seek to provide for protection of rights of transgender persons and their welfare

Definition of a transgender person:

The Bill defines a transgender person as one who is

- (i) neither wholly female or male;
- (ii) a combination of female and male;
- (iii) Neither female nor male. Such a person's gender does not match the gender assigned at birth, and includes trans-men and trans-women, persons with intersex variations and gender-queers

Prohibition against discrimination:

The Bill prohibits the discrimination against a transgender person, including denial of service or unfair treatment in relation to:

- Education;
- Employment;
- Healthcare;
- Access to, or enjoyment of goods, facilities, opportunities available to the public;
- Right to movement;
- Right to reside, rent, own or otherwise occupy property;
- Opportunity to hold public or private office; and
- Access to a government or private establishment in whose care or custody a transgender person is.

Certificate of identity for a transgender person:

- A transgender person may make an application to the District Magistrate for a certificate of identity, indicating the gender as 'transgender'.
- The District Magistrate will issue such certificate based on the recommendations of a District Screening Committee.
- The Committee will comprise: (i) the Chief Medical Officer; (ii) District Social Welfare Officer; (iii) a psychologist or psychiatrist; (iv) a representative of the transgender community; and (v) an officer of the relevant government.

National Council for Transgender persons (NCT)

The NCT will consist of:

- (i) Union Minister for Social Justice (Chairperson);
 - (ii) Minister of State for Social Justice (Vice-Chairperson);
 - (iii) Secretary of the Ministry of Social Justice;
 - (iv) one representative from ministries including Health, Home Affairs, Minority Affairs, Housing, Human Resources Development, etc.
- Other members include representatives of the NITI Aayog, National Human Rights Commission, and National Commission for Women. State governments will also be represented. The Council will also consist of five members from the transgender community and five experts from non-governmental organisations.

The criticisms against the bill

- The new bill reinforces the stigma attached to transgender individuals by defining the term ‘transgender’ in extremely narrow biological terms-goes against the NALSA decision in which Supreme Court had observed that “gender identity is one of the most fundamental aspects of life which refers to a person’s intrinsic sense of being male, female or transgender or transsexual person.
- Gender identity refers to each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body which may involve a freely chosen, modification of bodily appearance or functions by medical, surgical or other means and other expressions of gender, including dress, speech and mannerisms
- It empowers the District Screening committee to decide whether a person may be categorised as transgender or not.

- the new bill does not provide transgender persons with Sexual Reassignment Surgery free of cost which also goes against the court verdict which had laid emphasis on medical services
- It is a common phenomenon for transgender persons to experience physical and verbal abuse and humiliation at their parental home. The bill turns a blind eye to the reality and does not permit separation of transgender persons from their parents and families
- Separation is possible only under exceptional circumstances when a transgender person is able to get a judicial order under which such a person may be placed in a rehabilitation centre. This makes matters worse on three counts:
 - The provision fails to respect individual autonomy of transgender persons and treats them as incapable of making right choices.
 - In effect it makes the traditional haveli system prevalent in cities like Hyderabad illegal. The haveli system is a customary arrangement for transgender persons wherein the members eat, live and pray together in peace and harmony just like a traditional family. Over a period of 300 years, the haveli lifestyle has become a deeply entrenched part of transgender existence in cities like Hyderabad.
 - State-run rehabilitation centres for transgender persons, as has been reported, are characterised with deplorable living conditions, instances of sexual violence and unnatural deaths.
 - Often policemen are reported as perpetrators Transgenders are often booked for false charges particularly IPC 377. These provisions must be revisited.

Way ahead and conclusion

- The Transgender’s bill is in right direction, though it needs to be more inclusive in particular with recognising a transgender.
- As stated in Nalsa case, it categorisation as a transgender should be a function of mental state rather than biological incidence at birth.

- Stringent provision should be made for offences against transgenders.

Main storming - GS - II

REPUBLIC OF UNREASON

Commercial Surrogacy in India

- Conventionally, commercial surrogacy involves an agreement in which a woman, in exchange for money, agrees to carry a child for another person to whom she will surrender the child when it is born
- The woman can either be the child's genetic mother — which is the more traditional form of surrogacy — or, alternatively, if implanted with an embryo, she could merely be a gestational carrier
- Since 2002, when the Indian Council for Medical Research issued a set of non-binding regulations that envisaged transactional surrogacy, these forms of arrangements have flourished in India- exploitation of surrogate mothers has been common
- The Union Cabinet, last week, approved the draft of the Surrogacy (Regulation) Bill, 2016. The proposed legislation, in short, seeks to ban commercial surrogacy altogether, while limiting the availability of what the Bill terms as “altruistic surrogacy” to childless, heterosexual Indian couples married for at least five years

The Counter-arguments against the bill

- Both foreigners and Indians, have a fundamental right to procreate, and to choose whichever method they desire to achieve this objective
- The commissioning mothers bearing child would be left in limbo.
- Surrogacy is believed to be a \$2 billion industry in India. An outright ban would only push it underground, taking away the very objective of government of protecting the surrogate mothers.
- Many fertility clinics have popped up in India. Persons associated in the chain would be affected

- Commissioning mother see renting a womb as a way to ensure livelihood and consider it ethical as it does not involve sexual intercourse.
- Discrimination towards homosexuals, single parent, LGBT etc. violates the constitutional pledge of equal treatment

Way ahead and conclusion

- Instead of dismissing this industry as inherently oppressive and the women involved as mere subjects of this oppressive structure, it makes sense to recognise that while some are coerced into surrogacy by their families and brokers, others weigh out their options and negotiate with their families in order to participate in this industry
- Many countries like Thailand, the UK that have experimented with altruistic surrogacy have realised that this only tends to push the whole transaction underground
- Surrogacy industry in India is fully grown today, banning at this stage will only create chaos and push the business underground Thus, before such ban is invoked, the government has to take into consideration the needs and aspirations of various people involved in this business

Main storming - GS - II

RETAINING MGNREGA'S CORE

Delay in wage payments have become the new norm in MNREGA.

- Stretching to about 6 months in some cases
- States are starved of funds- grossing around 12k crore at end of FY 2015-16

Encore- and problems associated

- A platform on WhatsApp called ENCORE (or Enabling Communication on Rural Empowerment) run by the Joint Secretary of the Rural Development Ministry has been formed with around 300 officers from States, charged with the responsibility of MGNREGA

- This is an instant method of communication which may be useful to send important information maybe of an urgent nature to the States

Issues with encore

- It is a procedure which bypasses the more transparent one of issuing official instructions through Ministry orders which are on record, on file, making the issuing authority accountable
- Such communications are not accessible to the public though their content might have a direct impact on people
- They can easily be deleted by the administrator of the group. The Right to Information has proved to be a very effective instrument to glean information from governments on the functioning of MGNREGA. But there are no set procedures that WhatsApp messages from a Central government official to the State government can be accessed under the Right to Information Act

SC views viz. delayed wage payments

- Considered delayed wage payments “a constitutional breach”
- Found it to be denying social justice
- The government was forced to release funds in June, bringing huge relief to the workers whose dues were cleared

The fund squeeze

- MNREGA has seen a cut down as a percentage of GDP from 0.36 in 2012-13 to 0.26 in 2016-17
- This has not only caused delayed payments, but also led to decrease in creation of person-workdays

Way ahead and conclusion

- The core of the scheme as reiterated by the SC is-An Act to provide for the enhancement of livelihood security of the rural households by providing at least 100 days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do manual work

- The government should try not to cap the fund of MNREGA as it has shown multi-faceted benefits:

- More female participated
- Increased income, especially in villages

- Convergence of this scheme with other schemes like SBM, PMKSY, PMGSY etc. to create community assets should be the way.

Main storming - GS - II

WHAT ISN'T SEDITION?

- Supreme Court has clarified that mere criticism of the government does not constitute sedition and that, in fact, it should not even attract a defamation charge.
- The principle invoked was articulated in the landmark case of Kedar Nath Singh vs State of Bihar, in which the apex court had upheld the constitutional validity of Section 124A, but had disabused the government of the politically convenient notion that the draconian law could be applied to words, deeds or actions “intended to or... likely to incite public disorder” or violence.
- The court had pointed out two essential conditions required to establish the crime of sedition:
 - The acts must be intended to have the “effect of subverting the government” by violent means.
 - The acts must be intended to create disorder or disturbance of public peace and order by resort to violence and must incite violence.
- In a public interest litigation filed by Common Cause, The NGO had argued that ignorance of the law is causing the police to arbitrarily arrest critics of government, and had pleaded for guidelines requiring the clearance of a senior police official before Section 124A could be imposed. The court has declined to intervene in sedition cases past and future, and only required officers of the law to follow the principle of the ruling set down in 1962

Main storming - GS - II

NO HARM IN PRE-CONSULTATION

The need for public consultation before bringing in any new legal requirement keeps coming up every now and then.

- A pre-consultative process is only a consultation. It does not give a veto to the public
- The Union Cabinet had already directed in February 2014 that every government agency and department to follow a pre-consultative process when making law, keeping Presidential ordinances out of its ambit

What are the need and its benefit?

- Asking those who are to be governed by the law for their views on the proposed law enables a society to know the intent and purpose underlying the law.
- The consultation process helps clear out unintended consequences and unforeseen difficulties that could be posed by the proposed law.
- Could enable addressing loopholes that the proposed law would leave, and removing unnecessary and onerous requirements that do not meet the objectives.
- In the field of business and industry, this process would contribute immensely to the ease of doing business in India.

The problems

- There can be abuse of the consultative process, but the abusive feedback has to be stated to be rejected. For example, regulators have found numerous similarly worded responses from different members of the public, making it evident that one vested interest supported one point of view, outnumbering the contrary view.
- Sighting the above and other reasons, bureaucracy either hurries up the process or is reluctant to do so.

Way ahead and conclusion

- The subjects governed by the law are best placed to give feedback on its provisions.
- Pre-consultation clears the air, and can address issues of unintended consequences.
- Indeed, the government's directive and the SC ruling have paved the way for getting a statutory backing for pre-consultation. This will further deepen democracy.

Main storming - GS - II

A RATING SYSTEM TO TRANSFORM GOVERNANCE

Policy failures in India are mostly accounted to implementation failures and mostly the field officers are to be blamed. However the design of the policy itself may have inherent defects leading to such situation. An example to illustrate this-

- Let us consider two variants of a policy. The first says VAT on mangoes would be payable at five per cent of the value sold. The second prescribes VAT at the rate of eight per cent in general, but five per cent on tropical fruits used for making squash, by a unit located in backward regions and not blacklisted under any Act
- In the second case a person selling mangoes will need to submit many documents and follow a tortuous path to justify paying VAT at five per cent and not eight per cent. We can see that the second variant is more likely to fail, as it is difficult to implement

To tackle the above situation an "implementation success rating" (ISR) for public policies is being proposed

- ISR would be a number signifying how best a policy can be implemented. The higher the number, the better will be the implementation.
- The ISR system can be used to rate all public policies and schemes on a scale of zero to 10.
- A policy that can be implemented through an automated system with the least human

interface will get an ISR of 10, while a policy where implementation is a nightmare will be rated at zero

Benefits of ISR

- Policies with high ISR scores will radically improve the government-citizen interface, making it quick, transparent and corruption-free.
- External auditors can help government agencies in rating existing policies and then help departments to move towards higher ISR scores
- Under ISR , computer-interpretable rules are to be promoted.

This will remove scope for multiple interpretation, delay and discretion.

Main storming - GS - II

GOVERNANCE CHALLENGES FOR CIVIL SERVANTS

In the past 5 decades the Indian bureaucracy has seen numerous changes:

Political change and challenge

- Civil servants are increasingly facing a conflict between their accountability to the government of the day and their accountability to society at large.
- This is a very basic dilemma that civil servants face. Striking the right balance has become progressively difficult. Increasingly, officers have chosen the softer option of being merely accountable to the government of the day.
- Politicians of today have become more aggressive, there is more muscle and money power in politics, while the spirit of public service is less and ethical standards have deteriorated. Politicians have mastered the art of using the tool of transfers and postings or even contrived inquiries to subjugate the bureaucracy and further their interests.

Use of IT in governance

- For the new civil servants, IT as a powerful tool is more easily available for improving governance. But maximising societal

benefits of IT and spreading e-governance in all facets of administration is still a work in progress

- This aspect is important because one of the major criticisms of IAS officers is their failure to simplify rules and procedures. They have left too much in the hands of lower echelons of bureaucracy and have made a comfortable nest for themselves.
- One big regret many of our vintage have is of not having done enough to reduce the enormous power that clerks, assistants and inspectors wield in the system and who have become the real permanent civil service.

Increasing risk aversion in bureaucracy

- Major factors for this include
 - Support from superiors, both bureaucratic and political, has enormously diminished.
 - Civil servants find themselves increasingly on their own, with no room for even honest mistakes.
 - Knowledge deficit is another cause of risk aversion.
 - The task of governance has become much more complex and it is no longer possible for civil servants to remain the jack of all trades and master of none.
 - But without sufficient knowledge of sectors, policy making remains sub-optimal. Bridging knowledge deficit should be a continuous challenge for officers

Judicial activism

- Bureaucrats are happy to let the judiciary take the difficult and unpopular decisions, as it insulates them from any adverse fallout. The justification that since executive is not doing its assigned job therefore judiciary has to step in is both dangerous and flawed.

Conclusion

- In India, only an incremental approach, rather than a big bang approach, to reforms has been successful. Same should be considered to address the present concerns in bureaucratic system.

- Though the major push for reforms has to come from political leadership, the silent bureaucracy can take significant incremental steps.
- Every civil servant should continuously look for ways to reduce inefficiencies in the system and find ways to reduce impediments to growth

Main storming - GS - II

OUR DIASPORA HAS A LOT TO OFFER

Indian Diaspora- Some facts

- As per a UN report- largest 'diaspora' in the world, with more than 16 million persons of Indian origin living abroad.
- India was the largest remittance-receiving country in the world, with an estimated \$69 billion in 2015 - a whopping 3.4 per cent of India's GDP.

Benefits of Indian diaspora

- NRIs are more prone to donating to domestic charities because of the strong cultural and emotional feelings that they nurse.
- They bring technical and domain expertise to domestic start-ups and often act as angel investors.
- Diaspora Indian faculty abroad volunteer time and resources to help faculty on Indian campuses improve the quality of education — as in the case of member institutions of the Indo Universal Collaboration of Engineering Education.

Indian approach towards NRI

- The Indian government spends a lot of money educating migrants before they leave for greener shores, but there are ways to recover this investment.
 - For example, as part of a new NRI policy, the government must immediately work with rich countries to ask that they kick back a portion of the income tax revenues they collect from the Indian diaspora.

- If negotiations fail, India should approach the WTO to argue that developing countries must be officially compensated for the human capital they export.

- India should show that it is serious about managing its relationship with the NRIs by opening a separate Minister-of-State level department for NRI administration - similar to the Veterans' Administration in the US. This department would act as the NRI voice across various Indian government agencies and promote engagement with NRIs to help India's larger cause.

Way ahead and conclusion

- India should aggressively court NRIs to invest in India — especially for projects which focus on rural development — by offering attractive interest rates on deposits.
- This would not only bring loads of much needed investment, but also stabilise rupee.
- Social media tools have made it easy and inexpensive for diaspora Indians to stay in touch with family and friends back home, and their link to India has never been stronger. It is time that the Indian government leveraged this strong bond for the greater good of the nation.

Main storming - GS - II

LETTING NEPAL BE

The attention of India seems focused entirely on 'correcting' Nepal's new Constitution through amendments, mainly relating to the configuration of federal units.

However there is much more to Nepal

- The open border creates such an interconnected sociocultural web that a stable and prosperous Nepal will be a catalyst for the dispossessed northern regions of Bihar and Uttar Pradesh.
- There is much to do bilaterally on the environmental, cultural, economic fronts, and the dangers of keeping Nepal constantly insecure and on the boil open up the

possibility of societal instability leaching to adjacent Indian States.

Recent developments in Indo-Nepal relations

- Bitter clashes over the Madhesis issue
- The government of K.P. Oli had aroused displeasure in New Delhi corridors for standing up to the economic blockade and signing trade and transit agreements with Beijing
- Present coalition government of the Maoists and Nepali Congress would be helpful in resolving the pending issues
- MEA-India's focus seems exclusively geo-strategic, to do with 'controlling' Nepal and its natural resources and countenancing China across the Himalayan range

What should be on priority instead?

- Acknowledging that the two countries are not just geopolitical entities, but one geophysical ecosystem and hence share same concerns like-
 - Environmental dangers of rock excavation in the Shivaliks.
 - Siltation in major rivers.
 - Receding glaciers.
- Need to plan cross-border linkages and projects related to natural resources.
- Promoting tourism without borders.
- Ministry of External Affairs (MEA) will hopefully deepen its own study of Nepal. An understanding of the geography, demography, economy, the democratic urge of the citizenry, as well as the history of the oldest and non-colonised nation-state of South Asia makes Nepal (comparatively) a different kind of country within South Asia.
- There has to be a rebuilding of empathy and trust between the two governments, which must start by rolling back the hyper-activism of the bureaucracy and rebuilding of relationships between the politicians of two sides.

Main storming - GS - II

A DEEPER FRIENDSHIP

India-Afghanistan : Shared past, Shared future

- Indo-Afghan relations are among the few bilateral ties that include elements of civilizational, emotional and strategic imperatives and bonds.
- Kabul and Delhi are also the main victims of Rawalpindi's use of terrorism to pursue its regional ambition and inherent insecurity.
- India's need to access Afghanistan and Central Asia's natural resources and markets complements its vast market for Afghanistan's growing economy.
- For Afghanistan's nascent democracy, development and its state-building process, India is an inspiration and a model.

However, Delhi and Kabul have failed to translate their enormous mutual trust and political, economic and security imperatives into an effective, functioning and more importantly predictable partnership.

The reasons are:-

- India's residual doubt and fear about its engagement in Afghanistan- clearly visible in Delhi's reluctance to fully and confidently implement its strategic partnership agreement with Afghanistan, signed in 2011.
- India is transitioning from a largely inward-looking developing nation into a serious political and economic power- issues of Competing priorities, bureaucratic lethargy, resource constraints, domestic and electoral politics impede this transformation.
- The other factor is Pakistan's skill and stamina in high-risk and great-game politics and manipulation of competing players.

Way ahead and conclusion

- Recent developments like TAPI pipeline project, Chabahar port agreement, Salma Dam(India- Afghan friendship dam) are definitely strengthening ties between the two nations.
- A stable Afghanistan is desirable by both Pakistan and India, hence tripartite developments should be encouraged.

India as a victim of terrorism and a shining example of “ Khurasani Islam”, should play a leading role in articulating a global consensus and building a regional mechanism on terrorism as well as promoting mutual respect and understanding among and between different faiths and communities.

Main storming - GS - II

IN TRADE, THREE IS NOT A CROWD

Afghanistan–Pakistan Transit Trade Agreement (APTTA)

- It is a bilateral trade agreement between Pakistan and Afghanistan has been renegotiated several times. The treaty, signed in 1950, gave Afghanistan the right to import duty-free goods through Karachi.
- The treaty allows Afghanistan access to the dry port of Lahore, and also access to a land route up to the Wagah border with India. It does not allow Afghan goods to cross the actual border, as the intention of the treaty was to provide Afghanistan with access to the Port of Karachi.
- It was not intended to allow Afghans to use Pakistan as a corridor to India. It does not allow India to use the land route to export goods to Afghanistan either.
- In return for being allowed to drive Afghan trucks with fruit and dry fruit up to Wagah, Pakistan would be given transit to Central Asian countries bordering Afghanistan, where Pakistani textiles, and agricultural and surgical goods have a good market

The problems with APPTA

- Far from being a unifier, the APTTA itself has become a point of deep discord
- Bitter India-Pakistan relations mean Afghan trucks carrying perishable fruit face long delays on both sides of the border where they must be loaded and unloaded
- Afghanistan has threatened that it would cut off access for Pakistani trucks to Central Asia. Pakistan in turn has rejected any changes to the APTTA that would benefit India

Separate routes

- India, Pakistan and Afghanistan are moving at a furious pace to cut one another out of the trade equation.
- India is working on a corridor via Iran’s Chabahar port, where goods will go up the land route and connect to the Zaranj-Delaram Highway without touching Pakistan.
- Pakistan will connect directly to China through the small strip through PoK and Gilgit-Baltistan once the China-Pakistan Economic Corridor is ready, avoiding both India and Afghanistan.
- Afghanistan too is assiduously cultivating its options to the north, and its position in China’s One Belt, One Road plans. Earlier this month, an 84-carriage train carrying millions of dollars of goods from the eastern city of Yiwu reached the Afghan-Uzbek border bound for Mazar-i-Sharif.

Way ahead and conclusion

- If anything, all three countries have proven that they can live without improving trade with one another. But what they also need to realise is that they will do so at a cost to their people, amongst the world’s poorest.
- India’s insistence on “no talks without the end of terror”, with no such outcome in sight, may come at the cost of Indian traders and manufacturers.
- Similarly, Pakistan avers it is protecting its markets from being flooded with Indian goods, when the greater threat in this regard is from China.

- SAARC co-operation must be leveraged to build greater trade ties.
- TAPI pipeline project might act as an icebreaker. Such ties and linkages can pave way for future co-operation and collective development

Main storming - GS - II

INDO-UK ECONOMIC RELATIONS AFTER BREXIT

An economic picture emanating from Brexit with particular reference to Indo-UK economic relations-

- India has surpassed UK in share of world GDP in PPP terms over the last two decades post-liberalisation.
- Growth in FDI flows from UK to India vacillated since 2001. Resultantly its growth rate has also flip-flopped during this period. On India's part, Indian mutual funds have increased their investment in UK, the share increasing from just over 1 percent in 2009 to 7 percent in 2014.
- Clearly with a 15 percent post-Brexit depreciation of the Pound versus the Indian Rupee, these trends are not only likely to continue but may be expected to pick up speed. In other words, UK should benefit from further investment from India but FDI into India would be costlier for UK.

Indo-UK Trade relations

- In terms of UK's exports and imports, India occupies only 13th and 12th position respectively. On the flip side, India's total trade exports plus imports while growing significantly since late 1990s, has declined since 2014.
- The rupee depreciated steadily against the dollar, yuan and pound in recent years, providing India a cushion for exports (despite which it has had export problems). Now that advantage with respect to the UK is lost. Clearly, UK should have a greater opportunity to correct its trade imbalance with India while India has to be cautious since Indian goods and services will cost more to the British.

- On the UK side, one area in which it could increase export to India is advanced technology including defence. India, on its side, should use the opportunity to quicken its pace of technology and defence acquisition from UK. At this moment, it should be easier also to link imports with knowledge transfer and further cooperation in the wider defence field.
- UK has been ranked 6th in the Ease of doing business report of the World Bank. Thus India must be cautious as UK is poised to surge ahead.

Main storming - GS - II

INDIA AND CHINA - MANAGING MISTRUST?

India -China have had trade and cultural ties since early medieval times. However Post 1962 war, the relations between two Asian giants took a nose-dip. Though China is leading in many sectors- economy, defence etc. both nations share almost same problems and interest which could be tackled by enhanced co-operation.

China's OBOR and India

- Chinese interlocutors are at pains to stress that OBOR is an initiative and not a strategy or project- implementation depends on finding commonalities with partner countries

Its objectives include

- A quasi-landlocked China (with sea access only to its East), now creates two major and one potential routes: Karakoram-Gwadar to the Arabian Sea; Yunnan-Myanmar to the Bay of Bengal; and potentially, via Tibet-Nepal-India, to the Indian Ocean .
- This new access serves its interior provinces, fitting into regional balancing of development, also taking advantage of an already built internal connectivity infrastructure.
- The China-Pakistan Economic Corridor (CPEC) traverses POK, which legally is Indian Territory. But, having announced for

decades that we can accept the Line of Actual Control in Kashmir as the international border, silver lines its credibility.

On OBOR our interests are congruent with China in three ways-

- China is a victim of Islamist terrorism in Xinjiang. Expanding networks of Central Asian railway, road and pipeline networks are vulnerable to that same threat, for which the breeding ground is Pakistan
- Our investment in Iran’s Chabahar port is part of a connectivity axis in which China is also an investor-the axis gives extensive Central Asian connectivity to us, and to China
- Beijing wants to leverage its \$3200 billion Forex reserves and India would definitely want Chinese Infrastructure Investments.

Other areas of co-operation include-

- CBMs between the armies
- The India-China trade balance sheet has been dismal, with a persisting, even widening, unfavourable bilateral imbalance for us.
- The resumption of a foreign secretary-level dialogue, announced during Foreign Minister Wang Yi’s August 2016 visit to New Delhi, is welcome and timely.

Main storming - GS - II

LEMOA

India- US recently signed Logistics Exchange Memorandum of Agreement (LEMOA)-

- Facilitates establishing “mutual basing facilities”
- In certain circumstances, it could also help smoothen operational logistics between the navies of the two countries
- There are five situations in which both sides are obliged to provide logistics support. They are:

- Authorised port visits;
- Joint exercises;
- Joint training;
- Humanitarian assistance; and
- Disaster relief

What are the concerns?

- How likely is India to benefit from these agreements? There is minimal chance of India requiring the use of a US military base. However we might get entry to overseas bases of USA(Bahrain , Egypt, Djibouti)
- Too much closeness to USA might shift Russia away, already we are seeing more strengthening ties between Russia and China.
- When we are trying to enhance co-operations with China , too much closeness to USA might make china sceptical and derail the ongoing negotiations.
- Situations of US troops being stationed in India though temporarily , might be seen as undermining India’s strategic autonomy.

Way ahead and conclusion

- Enhanced defence cooperation — following the designation of India by the US as a ‘major defence partner’ — should not affect India’s strategic military neutrality or ability to pursue an independent foreign policy.
- If the government believes that LEMOA is indeed reciprocal — not merely in its words but in the benefits that will accrue to both countries — it should make the document public and invite a public debate.

Main storming - GS - II

LEMOA-MUCH ADO ABOUT NOTHING

The India-US Logistics Exchange Memorandum of Agreement (LEMOA) has been touted as one of three “foundational” documents that the Americans wanted India to sign to cement closer defence cooperation between the two countries.

The other two focus on communication interoperability(CISMOA) and geospatial cooperation(BECA).

The apprehensions on LEMOA-an analysis

- In India LEMOA is being construed as providing base facilities that could also be used for operations.
 - However the logistics exchange would happen in following manner-
 - If an Indian warship draws fuel from a US tanker or a shore-based agency at a port where the US has assets, the cost will go to the Indian Navy’s debit and similarly, when an American ship draws these items in a port where an Indian Navy facility exists or at sea, the transaction will be to our credit. This book-keeping can, at intervals, be matched and settlements made between governments.
- India has categorically signalled an “alliance” with the US and thereby a shift in its geopolitical philosophy of non-alignment, which had governed its strategy for the last seven decades
- It has been compared to the India-Soviet Peace and Friendship Treaty of 1971
 - This completely ignores the fact that one of the clauses of that pact required each country to treat an attack on the other as an attack on itself. This same agreement led the then Soviet Union to continuously thwart all attempts led by the US in the Security Council to enforce a ceasefire until our mission was accomplished

Conclusion

- There is nothing either strategic or sinister about the arrangement. Indeed, there is no reason why we should not have similar arrangements with some of the other countries with whom we have defence cooperation linkages, such as Japan, Singapore and Australia.
- Indeed, it is reasonably certain that India will not be signing the two other pending agreements any time soon. They have deeper content and require the kind of contractual content that the US has with its Nato allies

but which have little relevance for India, which seeks as much to maintain close defence cooperation ties with Russia as with the US.

Main storming - GS - II

THE MYTH OF MILITARY NEUTRALITY

Political anxieties about India’s growing defence ties with Washington persist despite the NDA government’s repeated clarifications that the recent logistics support agreement is not about building a military alliance with the US.

How it can affect the rapidly evolving power shift?

- It can trigger more collaboration between China-Pak amidst China’s CPEC interest and growing concerns over greater Indo-US relations.
- US-Russia relations are at nadir, since the disintegration of USSR. Recently we have seen more co-operations between China and Russia.
- Afghanistan has raised concerns over India’s reported plans to step up military assistance to Kabul.

Strategic military neutrality and non-alignment

- Issues regarding India’s strategic military neutrality after signing of LEMOA have been raised by Congress.
- However it seems more likely to be an issue of as more strategic embrace with the US, rather than Strategic military neutrality.
- Like the LEMOA now, the Indo-Soviet Treaty of 1971 was criticised by many as a departure from the principles of “non-alignment”. But what India did with Russia was a classic balancing act against the Sino-American entente and their special relations with Pakistan.
- For India’s first PM, non-alignment was not about equidistance between major powers but of taking positions based on India’s interest and building military partnerships when necessary.

Way ahead and conclusion

- Whatever the myth of “strategic military neutrality” might be, Delhi today cannot be neutral between China and Vietnam or between the Taliban and Kabul. As China’s military power radiates into the subcontinent with ever greater vigour, Delhi has begun to react.
- While how LEMOA will gain benefit for India might be a question, this is a welcome step to build a stable balance in the power system in the region.

Main storming - GS - II

A REUNION OF FRIENDS

The visit of Egyptian president Abdel Fattah al-Sisi this week is p1It was only with economic reforms and the reorientation of India’s foreign policy since the turn of the 1990s that the Middle East began to acquire a new salience in Delhi

Way ahead for India

- As a \$286-billion economy with around 89 million consumers — the second largest in Africa — the potential and scope of Egypt as a market is immense.
- India and Egypt are at the cusp of a larger transformation, which captures economy, businesses, science and technology and several other areas.
- Manufacturing, Solar energy, Infrastructure development could be the key areas of cooperation between the countries.

Main storming - GS - II

PM MODI’S VISIT TO VIETNAM

In a bid to boost India’s so-called Act East Policy, Prime Minister Narendra Modi visited Vietnam who is New Delhi’s strategic partner in Southeast Asia.

- The visit took place on his way to Hangzhou, China to attend G20 Summit which implied

India’s desire to rise up in the strategic calculus of the ASEAN countries.

- This trip was particularly critical as it came in the wake of the final award by the Permanent Court of Arbitration disqualifying China’s historic rights to the South China Sea and Beijing’s escalating militarization in this body of water, where Vietnam is also a major claimant.
- Meanwhile, China endeavored to block India’s bid to join the Nuclear Suppliers Group (NSG) earlier this year.
- Clearly the China factor along with trade and defense ties was the focal points of dialogue in Hanoi.

China factor

- Both India and Vietnam have a history of border disputes with the People’s Republic of China.
- Vietnam is one of the Southeast Asian nations that have overlapping maritime claims with China in the South China Sea.
- India has deteriorating bilateral relationship with China over an unsettled border,
- Beijing’s endorsement of Pakistan on issues relating to terrorism and Pakistan-occupied Kashmir (PoK),
- China’s move to block India’s bid to secure membership in the NSG,
- China’s rising footprint in the Indian Ocean Region, most importantly Beijing’s escalating military ties with the nations in South Asia
- Given India’s desire to gain recognition as a significant player in the Asia-Pacific and a balancing power by the Southeast Asian nations, New Delhi has resorted to multilateral diplomacy and it’s Act East Policy.
- India and Vietnam find themselves on the same page with regard to respect for international law, advocacy of freedom of navigation, and their stand against China’s escalating militarization in the land and sea domains.

Critical interest of India in SCS

- Fifty percent of India’s trade passes through this waterway and the country possesses oil exploration interests in the territorial waters claimed by Vietnam.
- It is at this crossroads of India’s Act East Policy and Hanoi’s westward-looking policy that the Indian and the Vietnamese leadership could find prospects for cooperation.

Defence Cooperation

- India and Vietnam may also endeavor to forge greater collaboration in the defense industry.
- It is expected that New Delhi will propose to export a variety of military equipment to Vietnam, including the anti-submarine torpedo Varunastra and the BrahMos supersonic cruise missile.
- India has especially upped its efforts to sell the BrahMos missile, a joint venture between India and Russia, to Vietnam, as it would mark a significant shift in the country’s approach from being the world’s largest importer of arms to an exporter of military equipment.
- India’s bid to export the BrahMos missile and Varunastra torpedo to Vietnam in particular stems from its objective of thwarting Beijing’s “string of pearls” strategy in South Asia, which sees China arming Pakistan and courting Sri Lanka.

Co-operation in forums

- India and Vietnam will use track two diplomacy, confidence building measures, and joint military exercises to foster deeper ties between the two nations.
- Modi may also urge his Vietnamese counterpart to endorse India’s bid for permanent membership in the United Nations Security Council and the Asia-Pacific Economic Cooperation forum.
- Further, as members of the East Asia Summit and the Mekong Ganga Cooperation, both India and Vietnam could seek to use these platforms to promote solidarity among

the Southeast Asian nations and India to counter the rising militarization of China in the region.

Most Favored Nation

- With respect to trade and investment, Vietnam secured “Most Favored Nation” status from India way back in 1975 and India at present ranks among the top ten trading partners of Vietnam.
- The Vietnam-India strategic partnership has greatly facilitated commercial ties between the two countries.
- Bilateral trade has sharply increased from \$500 million in 2008 to \$5.18 billion in 2015.
- Moreover, with Vietnam’s membership in the ASEAN Economic Community and the country being a signatory of various free trade agreements such as the Trans-Pacific Partnership, Vietnam has evolved to be an even more attractive investment destination for Indian companies.
- Vietnam may increase exports of goods such as machinery, mobile phones, electronic hardware, chemicals, and rubber, India may amplify trade in fishery products, steel, pharmaceuticals, machinery, and cotton.

S&T

- Vietnam and India concluded agreements bolstering oceanographic research, biotechnology, information and communication technology, and medical research.

Further, the two countries would strive to enhance their cooperation in upping regional security by countering non-state threats such as drug trafficking, terrorism, and transnational crime.

Finally and most importantly, given their shared membership status in various multilateral forums such as the United Nations, Mekong Ganga Cooperation, World Trade Organization, East Asia Summit and Asia, Europe Meeting, both nations initiated discussions about China’s rising assertiveness

in the region in the above mentioned platforms.

Mekong-Ganga Cooperation

The Mekong-Ganga Cooperation (MGC) was established on November 10, 2000 comprises six member countries, namely India, Thailand, Myanmar, Cambodia, Laos and Vietnam.

They emphasised four areas of cooperation, which are tourism, culture, education, and transportation linkage in order to be solid foundation for future trade and investment cooperation in the region. The organization takes its name from the Ganga and the Mekong, two large rivers in the region.

Trans-Pacific Partnership

➤ The Trans-Pacific Partnership (or the TPP as it is generally known) is a free-trade agreement being negotiated between 11 countries of the Pacific rim including Australia, Brunei Darussalam, Canada, Chile, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States of America and Vietnam.

China, Russia and India are not members of TPP

- Japan is the 12th country that has entered into the negotiations to join the TPP.
- The US administration under President Barack Obama seems to have prioritised the TPP as the economic component of its “rebalancing” to Asia strategy.
- Some have suggested that the TPP would compete with existing and proposed free trade arrangements in Asia and pose a challenge to the economic unity between the ASEAN states since some of them are members of the TPP and, moreover, the ASEAN itself is involved in negotiating a large trade agreement – the Regional Comprehensive Economic Partnership or the RCEP.
- The RCEP involves negotiations between 16 countries - the 10 members of the ASEAN and six regional partners (India, Japan, China, South Korea, Australia and New Zealand).

- There is clearly an overlap in the membership of these two trade agreements. However, this does not necessarily imply that the goals of the two agreements are antagonistic.
- The TPP seeks to vastly reduce tariff levels among member countries and standardise policies on various issues including safeguarding intellectual property rights. The ambit of the RCEP is not quite as vast.
- The two can therefore be seen as different rungs on a free-trade agreement ladder.
- Although some American officials have stated that the US would welcome India’s participation in the TPP, India has not made any official statement on the issue suggesting such a move.
- It may be reasonable to expect that it will take some time before India would be amenable to joining a trade agreement such as the TPP, whose scope extends well beyond other trade agreements India has partnered in.

Main storming - GS - II

ON TO THE PARIS DEAL AT INDIA’S PACE

India is committed to implementing the Paris Agreement on climate change.

This is not only a global collective effort to tackle the problem of climate change but also an effort for closer co-ordination among nations. India in particular is working closely with the USA.

India’s due process of ratifying an international treaty is straightforward: Cabinet approval.

But climate plans or nationally determined contributions, the accord’s core, are economy wide actions; so, laws, policies and institutions must be reoriented to deliver on the promise.

Impediments faced by India viz. INDC’s

- Ambitious target of generating 175 GW of renewable energy(100 GW from solar) by 2022.

- Grid connectivity is an issue. Germany is world leader, and greater co-operation is needed between the two nation in this regards.
- Solar – Infrastructure needed for capacity installation needs huge investments.
- India would be hugely dependent on coal and petroleum for its energy needs. So in this scenario there seems to be a trade-off between development and reduction in carbon remissions.
- As per Annual state of forest reports, forest cover has marginally increased, and very dense and moderately-dense forests are facing deforestation threats.

Way ahead and conclusion

- Developed nations should make it clear that how the proposed \$100 billion fund is to be generated by 2020. As it would be the most essential for technology transfer in developing nations and LDC's
- Stringent reporting and transparency mechanisms need to be in place- to check the progress in achieving targets

Main storming - GS - II

SYRIAN WAR

Syrian conflict

- Five years since the conflict began, more than 250,000 Syrians have been killed in the fighting, and almost 11 million Syrians - half the country's prewar population - have been displaced from their homes.
- In 2011, what became known as the "Arab Spring" revolts toppled Tunisian President Zine El Abidine Ben Ali and Egyptian President Hosni Mubarak. On March 2012, peaceful protests against government erupted in Syria demanding more democratic rights.
- The Syrian government, led by President Bashar al-Assad, responded to the protests by killing hundreds of demonstrators and imprisoning many more. In July 2011, defectors from the military announced the

formation of the Free Syrian Army, a rebel group aiming to overthrow the government, and Syria began to slide into civil war.

The Cause

- Initially, lack of freedoms and economic woes fuelled resentment of the Syrian government, and public anger was inflamed by the harsh crackdown on protesters. Successful uprisings in Tunisia and Egypt energised and gave hope to Syrian pro-democracy activists. Many Islamist movements were also strongly opposed to the Assads' rule.
- Minority religious groups tend to support the Assad government, while the overwhelming majority of opposition fighters are Sunni Muslims. Although most Syrians are Sunni Muslims, Syria's security establishment has long been dominated by members of the Alawitesect(Shia sub-sect), of which Assad is a member.

Supporters

- The sectarian split is reflected among regional actors' stances as well.
 - The governments of majority-Shia Iran and Iraq, Lebanon-based Hezbollah - support Assad;
 - Sunni-majority states including Turkey, Qatar, Saudi Arabia and others - staunchly support the rebels.

Foreign involvement

- Foreign backing and open intervention have played a large role in Syria's civil war.
- An international coalition led by the United States has bombed targets of the Islamic State of Iraq and the Levant (ISIL, also known as ISIS) group since 2014.
- In September 2015, Russia launched a bombing campaign against what it referred to as "terrorist groups" in Syria, which included ISIL as well as rebel groups backed by Western states. Russian completely supports Al-Assad to retain power in Syria.
- Although the US has stated its opposition to the Assad government, it has hesitated to involve itself deeply in the conflict, even

after the Assad government allegedly used chemical weapons in 2013, which US President Barack Obama had previously referred to as a “red line” that would prompt intervention.

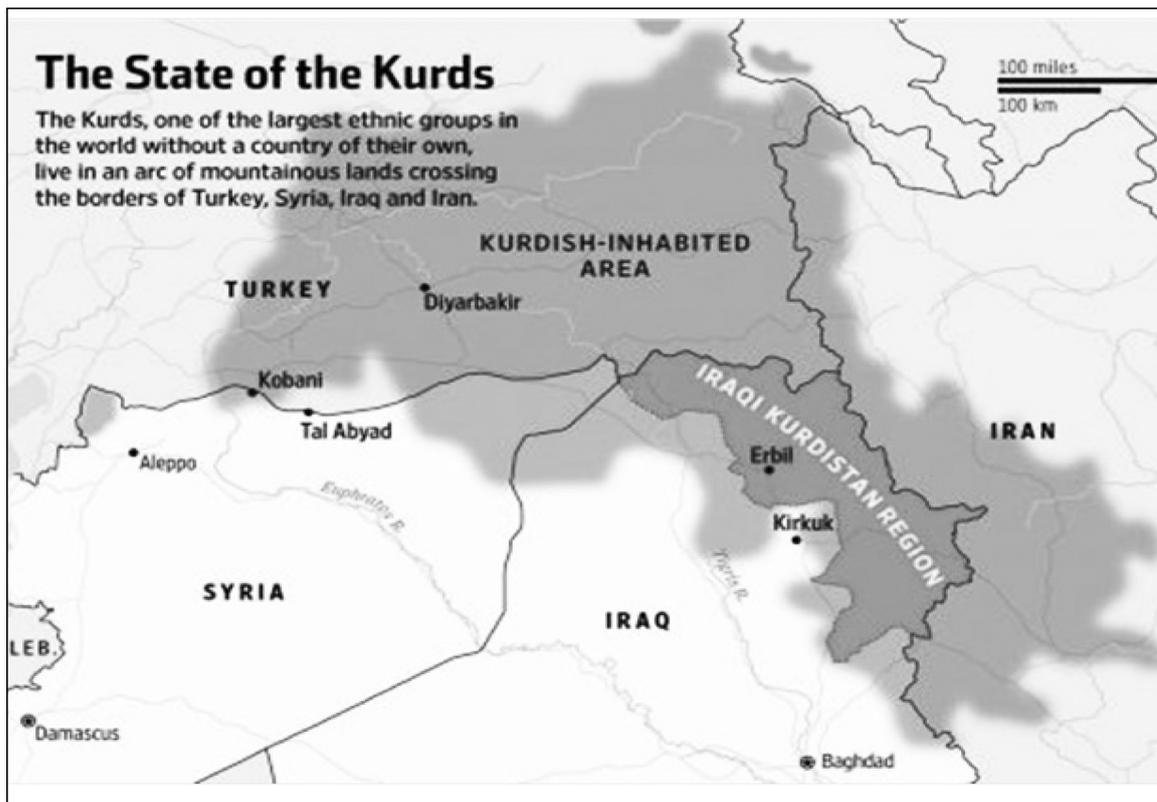
- In October 2015, the US scrapped its controversial programme to train Syrian rebels, after it was revealed that it had spent \$500m but only trained 60 fighters.

The situation today

- The Assad government currently controls the capital, Damascus, parts of southern Syria, portions of Aleppo and DeirAzZor, much of the area near the Syrian-Lebanese border, and the northwestern coastal region.

- Rebel groups, ISIL, and Kurdish forces control the rest of the country.
- Rebel groups continue to jockey against one another for power, and frequently fight each other. The Free Syrian Army has weakened as the war has progressed, while explicitly Islamist groups, such as the al-Nusra Front, which has pledged allegiance to al-Qaeda, and the Saudi-backed Islamic Front have gained in strength.
- In 2013, ISIL emerged in northern and eastern Syria after overrunning large portions of Iraq. The group quickly gained international notoriety for its brutal executions, its ultra-strict interpretation of Islamic law, and its energetic use of social media.

KURDISH CONFLICT



- Meanwhile, Kurdish groups in northern Syria are seeking self-rule in areas under their control. This has alarmed Turkey’s government, which fears its large native Kurdish population may grow more restive and demand greater autonomy as a result.
- In response to attacks within Turkey, the Turkish government has bombed Kurdish targets in Syria. Kurdish groups have also clashed with al-Nusra Front and ISIL.

Spill over

- The Syrian war is creating profound effects far beyond the country’s borders. Lebanon,

Turkey, and Jordan are hosting large and growing numbers of Syrian refugees, many of whom have attempted to journey onwards to Europe in search of better conditions.

- Fighting has occasionally spilled over from Syria into Lebanon, contributing to the country's political polarisation.

Failed Peace talks

- Several rounds of peace talks have failed to stop the fighting. Although a ceasefire announced in February 2016 has limited fighting in some parts of Syria, recent government air strikes in Aleppo have prompted uncertainty about the ceasefire's future.
- But with much of the country in ruins, millions of Syrians having fled abroad, and a population deeply traumatised by war, one thing is certain: Rebuilding Syria after the war ends will be a lengthy, extremely difficult process.

In News

US-Russia joint effort

- The United States and Russia came to a massively important agreement agreeing to a joint plan for ending the war in Syria. The basic idea is for the US and Russia to get the Syrian rebels and the Syrian government, respectively, to stop fighting each other temporarily.
- The US and Russia will start to jointly attacking both ISIS and an al-Qaeda-linked group in Syria more effectively. The ultimate goal is to use the ceasefire and the anti-extremist campaign as a foundation for a permanent, negotiated peace agreement.

The ceasefire and the response

- The deal was struck in Geneva after months of talks between Russia and the US. It also requires both sides to allow unhindered access for humanitarian aid to besieged areas.
- If the truce holds for seven days, the US and Russia will carry out co-ordinated air strikes on militant groups.

- A cessation of hostilities has come into effect in Syria, although it is unclear how widely it will be observed. US Secretary of State John Kerry, who helped broker the deal, warned it could be the last chance for peace in a united Syria.
- The Syrian army says it is implementing the truce, but rebel groups have been more guarded. Humanitarian groups are hoping to make aid deliveries to the worst-hit areas, especially the war-torn city of Aleppo. Just after the ceasefire came into effect, the Syrian army announced a seven-day "freeze" on military operations.
- The opposition Free Syrian Army group has said that while it will "co-operate positively" with the ceasefire, it was concerned it would benefit the government.
- Another major rebel group, the hardline Islamist Ahrar al-Sham, initially rejected the deal but later appeared to have softened its stance.
- President Bashar al-Assad welcomed the deal but said the Syrian state was still "determined to recover every area from the terrorists, and to rebuild".
- The cessation of violence is due to be renewed every 48 hours.

Analysis

- The ceasefire is a big test of what appears to be a less sour, more workable relationship between the foreign ministers of the US and Russia.
- Diplomacy failed in the first, critical years of the war. A major reason for that was diplomatic deadlock between President Bashar al-Assad's ally, Russia, and the US, which demanded his immediate departure from office.
- Since then Russia has become the most influential outside power in Syria. The US and its Western allies have struggled to keep up.
- Perhaps Moscow is now ready to build on a ceasefire, if it lasts, to push President Assad towards a political transition that might end the war.

- Or perhaps, as enemies of President Assad and the Russians believe, the ceasefire will be a chance to regroup and rearm.
- Russia and the US will establish a joint centre to combat jihadist groups, including so-called Islamic State and JabhatFateh al-Sham (known until recently as the Nusra Front).
- The conflict in Syria, which began with an uprising against Mr Assad, has raged for five years and claimed the lives of more than a quarter of a million people.
- More than 4.8 million have fled abroad, and an estimated 6.5 million others have been displaced within the country, the UN says.

If the truce holds...

1. Jihadist groups like so-called Islamic State and JabhatFateh al-Sham face the joint might of the Russian and US air forces.
2. Moderate rebels and civilians in the areas they hold will no longer face the threat of indiscriminate air strikes such as barrel-bombing although the Syrian air force will not be grounded completely; aid deliveries will be allowed to areas currently under siege.
3. President Assad will be in a stronger position as the US and Russia engage two of his most effective military opponents while moderate rebels observe the truce with his forces.

Time line of Syria’s history of deals

- **February 2012:** Syrian government “categorically rejects” an Arab League plan calling for a joint Arab-UN peacekeeping mission
- June 2012/January 2014/January 2016: Three failed UN-sponsored peace conferences in Geneva
- **September 2013:** Kerry and Lavrov negotiate a deal to strip the Syrian government of its chemical weapons in return for the US backing away from air strikes. Since then,

the government has again and repeatedly been accused of using toxic chemicals against rebel-held areas

- **January 2014:** The first round of peace talks around the 2012 Geneva communiqué finally take place after a number of delays. The discussions last for one week, with future talks planned for a few weeks’ time.
- **February 2014:** A second round of talks is held. Discussion grinds to a halt when the Syrian regime refuses to discuss opposition demands for an interim government to be formed, says UN mediator LakhdarBrahimi giving apology.
- **February 2016:** Indirect peace talks between the Syrian government and opposition in Geneva collapse after a few days.
- **February 2016:** World powers agree in Munich on a nationwide “cessation of hostilities” in Syria excluding jihadist groups. There is no agreement on any joint US-Russian operations. The “pause” quickly unravels as Assad promises to regain control of the whole country.
- **March 2016:** President Vladimir Putin declares “mission accomplished” in Syria and orders removal of “main part” of Russia’s air army in Syria. Russian air strikes have continued ever since.

Main storming - GS - III

FAT TAX, SLIM EVIDENCE

India is known to assimilate the best from every culture, be it religion, philosophy or art. Taxation seems to be the latest beneficiary of this trend.

The fat tax proposed in the Kerala budget is an interesting import in line with this assimilative trend.

- The fat tax is being levied under the Kerala Value Added Tax, 2005, at the rate of 14.5 per cent and is applicable to “burgers, pizza,

tacos, doughnuts, sandwiches, burger-patties, pasta, bread-filling and other cooked food items sold by restaurants having a brand name or trade mark registered under the Trade Marks Act, 1999.”

- For an item to qualify as “cooked food”, “it should be a food, taken during the meal hours; and it should be prepared by heating, boiling etc.
- The Kerala government intends to use this tax as a disincentive against junk food. But the ambiguity in the definition might extend it to other healthy item being served at different food outlets.

The Denmark case:

- Introduced the fat tax in 2011, and subsequently withdrew it in less than a year, had attempted levying it on butter, milk, cheese, pizza, meat, oil and processed food if the item contained more than 2.3 per cent saturated fat.
- It failed since it failed to induce people to take up healthier eating habits

Conclusion

- It is to be principally presumed that the fat tax is reasonable and in public interest, and hence, hopefully, a calculated and well-studied measure. However, similar to Delhi government’s odd-even drives, the measure of its effectiveness is something that can only be determined in the longer run
- How will it be accommodated in GST is also a question

Main storming - GS - III

DIGITAL INDIA NEEDS THESE POLICY CHANGES

For realising India’s potential in delivering effective governance; primary, secondary, and tertiary education; improved infrastructure; and sustainable approaches that minimise negative environmental impact, Digital India needs to take off.

- The following policy changes would be crucial:

- enabling 60 GHz Wi-Fi
- There are unused frequencies in the 60 GHz band for which inexpensive equipment is available abroad with a capacity of several gigabits.
- Apart from additional Wi-Fi capacity, service providers could use it for backhaul from small cells. Revenues are likely to rise, and the government would collect increased taxes.

➤ Better terms for satellite communications

- This is priced too high in India. Satcom tariffs are apparently nearly 300 times higher than in the US.
- private sector applications for manufacturing satellites are languishing.
- considerable potential for manufacturing associated equipment, such as VSATs, end-user terminals.

➤ enabling broadband on the 500-600 MHz bands

- unused or underutilised government spectrum
- common access to shared spectrum and infrastructure for paid use by service providers should be allowed.

➤ Spectrum and network sharing

- Rules restricting usage of other frequencies could also be amended through a coordinated process.
- Using a shared access for payment approach with secondary sharing, primary holders of spectrum can retain usage rights, while government revenues accrue from swathes of spectrum that now remain unused, and holders of spectrum earn from common access.

Conclusion

- Digital India Programme envisages broader net-connectivity across India. Laying fibre optics across large terrains (as envisioned in BBNL-NOFN) might prove a costly affair. Hence wireless connectivity should be prioritised.

- The approach should be to maximise our potential by optimising use of available infrastructure, expansion should be deferred.

Main storming - GS - III

IMPLEMENTING KELKAR COMMITTEE REPORT

Latest macroeconomic data clearly shows that the practical decision by the National Democratic Alliance (NDA) government to stimulate investments through public expenditure has been insufficient to counter the decline in private investments.

Implementing Kelkar Committee report on Revisiting and Revitalising the PPP Model of Infrastructure Development might hold the key

3P India:

- This idea for a world-class institution has an allocation of Rs 500 crore to “provide support to mainstream PPP projects
- Can take care of many issues afflicting PPPs—address obsolescing bargain, risk allocation, bespoke concession agreements, capacity-building and knowledge management

Modifying prevention of the Corruption Act:

- It is well known that relevant and justified commercial decisions are not taken by even seasoned bureaucrats as they are afraid of investigative agencies questioning their decisions and the impact it might have on their careers.
- Thus, it is imperative to amend the Prevention of Corruption Act, 1988, so that genuine commercial errors of judgement, or points of view argued logically, are not subjected to investigative harassment and penal actions.
- Attempts to bring PPPs under the oversight of government audits, Right to Information etc. should also be discouraged.

Dispute resolution:

- The Public Contracts (Resolution of Disputes) Bill, 2015, is expected to expedite PPP and construction-related disputes.

- According to the draft Bill, a tribunal is to be set up to settle disputes that plague government contracts, including vital infrastructure projects.

Asset recycling:

- There is “investment-hunger” from long-term foreign institutional investors for infrastructure projects in India. But they are largely confined to brownfield projects.
- The government must speed up its asset recycling strategy and identify public utilities and infra projects for sale. In this context, states and public sector undertakings could also be incentivised through tax and fiscal measures to get enthusiastic about this strategy.

State support agreement:

- Every PPP project requires a welter of issues handled at the state level, notable among them being land acquisition, environmental clearances, utilities removal, power purchase agreements, toll revenues collection assurance et al.
- It has been seen that stress in assets is caused by states failing to fulfil their obligations to provide the right operating ambience for PPPs.
- A new legal format that firmly binds the states to their committed support is needed.

Regulation:

- Since the early 2000s, the private sector has been asking for a level playing field for PPPs. The only way to achieve this is by having a robust system of independent regulators
- Independent regulation is a necessary precursor to reviving PPP

A private-public joint task force:

- The Department of Economic Affairs of the finance ministry, which houses the PPP cell, should create a joint task force comprising both government and private representatives to prioritise and supervise the implementation of the Kelkar Committee and allied recommendations.

- It is a justified request by private stakeholders to be invited to the head table to participate alongside the government in making PPP revival work - and bring private sector insights into shaping the implementation road map, and its execution and monitoring.

Main storming - GS - III

PIPELINES OVER POLITICS

Gas, does not seem to be increasing its share in our domestic energy basket.

This, despite the fact that our PM has called for a transition to a gas-based economy and the landed price of LNG today, at less than \$ 5 per MMbtu, is less than half what it was when Shell's Hazira terminal commenced operations more than a decade back

Reasons:

- We have not built the gas pipeline infrastructure. This is on account of three reasons:
 - The Centre and states have different — and often clashing — views on the modus operandi and financials of a gas pipeline. For e.g. The Kochi LNG Re-gasification terminal was commissioned years back but is currently running at only five to seven per cent capacity because Tamil Nadu wants the pipeline to be laid along the highways while GAIL argues that such a routing would be unnecessarily costly and it is the state government's task to secure consent from landowners
 - The bidding process for construction of pipelines has been compounded by inconsistent gas flows, largely due to-
 - The current formula of gas pricing
 - Dire financial situation of the power distribution companies who cannot afford to pay
 - The monopoly GAIL has over the industry
- Lack of innovative and creative thought in matters pertaining to financing of gas pipelines. The economics of investment in this business is not fundamentally attractive.

It is capital-intensive; its utilisation rests on factors beyond the operators' control and it generates utility rates of return

The solutions

- Creation of a national gas pipeline grid is of national importance and strategic significance.
- Centre should get all the state governments to read from the same script on issues like land acquisition, right of ways, environmental approvals, tariff structures and taxation rates.
- Centre should create a national gas pipeline company in the public sector. The mandate of this company should be to link all the regions through a national gas pipeline grid. GAIL should be asked to transfer all of its pipeline portfolio to this company.
- Re-examine the gas price model
 - Gas prices are currently linked to the prices in Russia, the US and Canada.
 - This makes no sense as the gas markets in those countries are totally dissimilar to those in India.
 - Gas pricing should be linked to the Asia Pacific market.

Main storming - GS - III

REALISING ENERGY SECTOR TARGETS

Prime Minister Narendra Modi's style is to set ambitious targets with impossible-looking deadlines.

- Set up 175 giga-watt (GW) of renewable capacity by 2022
- Increase domestic coal production to 1,500 million tonnes (MT) by 2020 from 612.4 MT in 2014-15,
- In this way the government can accomplish much more.

Coal production target-1500 MT

- The domestic coal production target of 1,500 MT is to be realised in this manner:

- 1,000 MT by Coal India Limited,
- 100 MT by Singareni Collieries Company Limited
- 400 MT by captive and private producers
- 175 GW of renewable capacity will reduce coal demand by 210 MT of coal (same amount of coal imported in 2014-15)
- Renewable capacity- how to achieve the 175 GW target
- We have used three measures to encourage renewable power:
 - Feed-in tariff (FIT)
 - A fixed tariff is guaranteed to the power producer for a certain number of years.
 - It ensures assured income that eliminates market risk-easing raising of finances
 - It was ensured that FIT does not compromise the incentive to cut down costs and that competition prevails by requiring reverse bidding for the FIT-leading to prices as low as Rs.4.34/Kwh @ Bhadla Solar Park in Rajasthan
- Renewable portfolio obligation (RPO)
 - Under the RPO, an electricity distribution company (DISCOM) is required to purchase a certain percentage of its total distributed electricity from renewable sources
 - Market determined price mechanism
 - Another advantage of RPO is that it can be neutral to technology. There is no need to prescribe separate levels of RPO for wind, solar, small hydro, and so on.
- Accelerated depreciation allowance
 - helped boost wind power in the country, provides incentive to set up the plant but not to maintain it or generate electricity

New RPO Guidelines and some concerns

- The need for RPO- RPO obligations ensures that the target for renewable power generation and capacity will be realised
- The Ministry of New and Renewable Energy (MNRE) has recently announced consultation guidelines for long-term RPO trajectory

- stipulate separate RPO for solar and non-solar electricity.
- States which do not have renewable potential feel that they would have to bear a higher burden for the renewable target.
- For e.g. If West Bengal has to import renewable electricity from Tamil Nadu or Rajasthan, it will have to bear a higher burden or transmission charges.
- The Centre has said that no transmission charge would be levied on renewable power. While this would allay the concerns of States, it will create a distortion in the location of renewable plants just as freight equalisation of coal and steel created distortion in the past in the location of industries.

Way Ahead and conclusion

- The success of the RPO scheme will depend on the specification of a floor price and effective enforcement by States.
- The Centre could provide money from the coal cess revenue to States depending on the extent to which they meet the RPO targets-an incentive for states.

Main storming - GS - III

REIMAGINING INDIAN ENERGY PLANNING

Energy planning in India has largely been built around a narrative of chronic and on-going energy scarcity. The focus on how energy is consumed has been minimal.

In the mid-1980s in the work of Amulya Reddy- the idea of “energy services” was mooted.

- The objective of the energy system — and its supply and utilisation activities — is to provide energy services such as lighting, comfortable indoor temperatures, refrigeration, transportation, etc to achieve development outcomes.
- Various government initiatives are now refocusing on energy demand through end-use energy efficiency programmes as seen in EESL scheme, implemented under DELP

Reasons for India's energy narrative to consider not only how energy is supplied, but also explicitly consider how it is used and distributed

- Demographically, India is expected to add on the order of 10 million people to the job market each year for the next two decades, with consequences for energy use, especially from manufacturing. Urbanisation will lead to about 200 million more people moving into urban spaces and demanding more resources for improved lifestyles.
- Incorporating the demand side as central to energy planning not only makes managing energy supply easier, it also has a substantial impact in reducing the amount of supplies needed and, subsequently, the carbon emissions released.
- The traditional supply-dominated orientation has simply not been enough to fix the pathologies of Indian energy. Understanding demand is necessary for sensible supply-side planning. Inaccurate demand estimates could thereby risk energy security, or result in a series of stranded assets — both issues of concern

Way ahead and conclusion

- Lack of energy access remains an overarching characteristic: more than 400 million people have no access to electricity (according to the 2011 Census) and there are serious challenges of fuel quality even when there is supply.
- There is a strong case for India to challenge its current imagination of energy planning, which is mainly driven by the incomplete narrative of scarcity and its associated solution of more supply.
- An alternate conceptualisation would instead emphasise understanding

consumption trajectories as an input to supply requirements. It would, ideally, also account for the larger ultimate objectives of an energy strategy such as energy security and socio-environmental benefits.

Main storming - GS - III

INDIA FREE FROM AVIAN INFLUENZA (H5N1)

The Department of Animal Husbandry, Dairying and Fisheries in the Ministry of Agriculture and Farmers welfare has declared India free from Avian Influenza (H5N1) from 5th September, 2016.

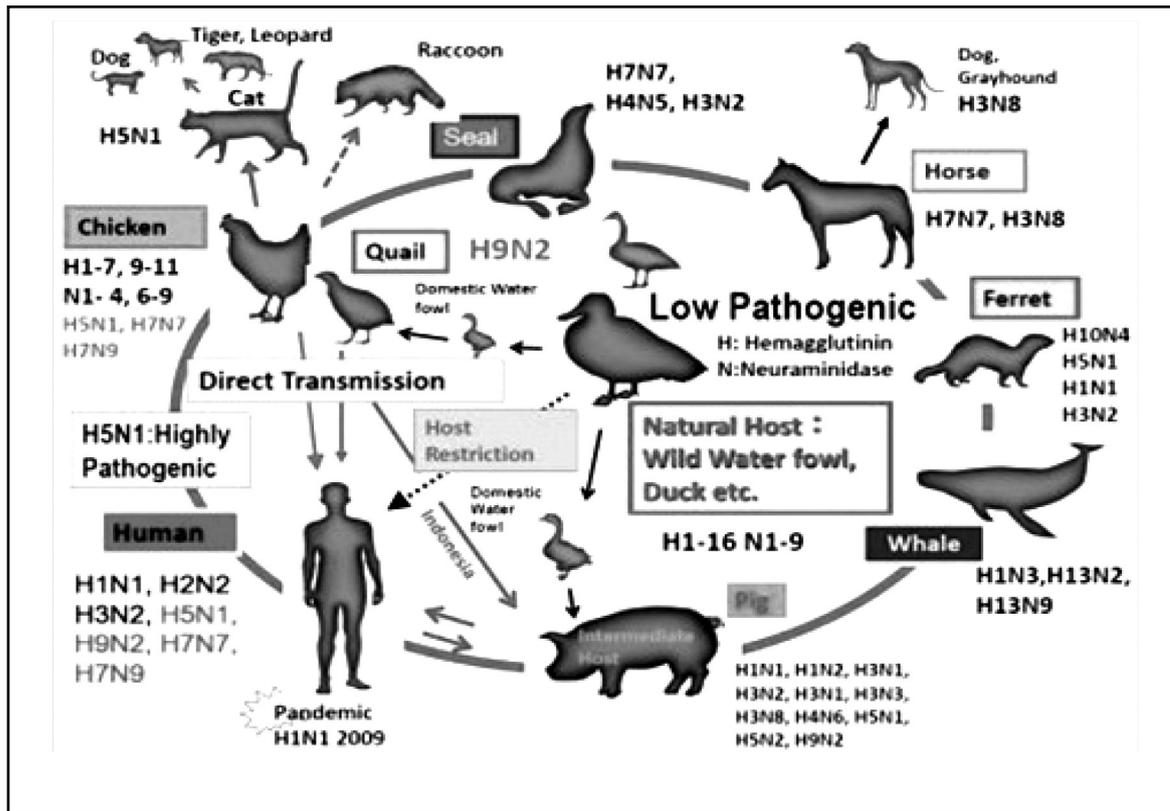
India had notified outbreak of Avian Influenza (H5N1) on May 2016 at Humnabad, Bidar district, Karnataka. There has been no further outbreak reported in the country thereafter.

The control measures adopted in the radius of one Km around outbreak location included following:

1. Stamping out of entire poultry population including destruction of eggs, feed, litter and other infected materials, restriction on movement of poultry and poultry products to and from the area of outbreak, disinfection and cleaning up of infected premises and the Post Operation Surveillance Plan (POSP) from 6th June, 2016.
2. Surveillance was carried out throughout the country. Surveillance around the areas of the outbreaks since completion of the operation (including culling, disinfection and clean -up)

Government has also emphasized the need for continued surveillance especially in the vulnerable areas bordering infected countries and in areas visited by migratory birds.

INFLUENZA VIRUS



- Influenza viruses belong to the family Orthomyxoviridae. The influenza viruses are classified into types A, B and C on the basis of their core proteins. Only types A and B cause human disease of any concern.
- The sub-types of influenza A viruses are determined by envelope glycoproteins possessing either haemagglutinin (HA) or neuraminidase (NA) activity. High mutation rates and frequent genetic re-assortments of these viruses contribute to great variability of the HA and NA antigens.
- All of the currently identified 16 HA and 9 NA sub-types of influenza A viruses are maintained in wild, aquatic bird populations. Humans are generally infected by viruses of the sub-types H1, H2 or H3, and N1 or N2.
- Minor point mutations causing small changes (“antigenic drift”) occur relatively often. Antigenic drift enables the virus to evade immune recognition, resulting in repeated influenza outbreaks during inter-pandemic years.
- Major changes in the HA antigen (“antigenic shift”) are caused by re assortment of genetic material from different A sub types. Antigenic shifts resulting in new pandemic strains are rare events, occurring through re assortment between animal and human sub types, for example in co-infected pigs. Influenza A (H1N1) virus emerged in 2009. It is a new re assortment that has never before circulated among humans. This virus is not closely related to previous or current human seasonal influenza viruses.

What is H5N1?

- H5N1 is a type of influenza virus that causes a highly infectious, severe respiratory disease in birds called avian influenza (or “bird flu”). Human cases of H5N1 avian influenza occur occasionally, but it is difficult to transmit the infection from person to person. When people do become infected, the mortality rate is about 60%.

Bird flu and danger to humans

Bird flu, or avian flu, has a high mortality rate in humans, but as of yet, can ~~not~~ be transmitted from person to person. . . .

Infection with type A virus H5N1

- 1** Most virulent bird flu virus; mutates rapidly, altering its genetic material
- 2** Humans infected by close contact with live infected poultry
- 3** Birds carry virus and excrete it in feces, which dries, becomes pulverized and then can be inhaled or taken in by touch
- 4** Humans have no immunity against this virus

Reason for concern

Humans infected with bird flu could serve as a host for a new genetic subtype that can be transmitted from person to person

Symptoms

Similar to common influenza

When untreated
Rapid deterioration; viral pneumonia leading to respiratory distress, kidney failure, multi-organ failure, death

Humans infected with bird flu could serve as a host for a new genetic subtype that can be transmitted from person to person

Might start influenza pandemic

Source: World Health Organization Graphic: Julia Scheibe, Morten Lyhne © 2004 KRT

How does H5N1 influenza spread to people?

- Almost all cases of H5N1 infection in people have been associated with close contact with infected live or dead birds, or H5N1-contaminated environments. The virus does not infect humans easily, and spread from person to person appears to be unusual. There is no evidence that the disease can be spread to people through properly prepared and thoroughly cooked food.

Why is there so much concern about H5N1 influenza?

- H5N1 infection in humans can cause severe disease and has a high mortality rate. If the H5N1 virus were to change and become easily transmissible from person to person while retaining its capacity to cause severe disease, the consequences for public health could be very serious.

Why might the H5N1 influenza virus change?

- Influenza viruses constantly undergo genetic changes. It would be a cause for concern, should the H5N1 virus become more easily transmissible among humans.

- What are the symptoms of H5N1 avian influenza in humans?
- The symptoms of H5N1 infection may include fever (often high fever, > 38°C) and malaise, cough, sore throat, and muscle aches.
- Other early symptoms may include abdominal pain, chest pain and diarrhoea.
- The infection may progress quickly to severe respiratory illness (for example, difficulty breathing or shortness of breath, pneumonia, Acute Respiratory Distress Syndrome) and neurologic changes (altered mental status or seizures).

Is it safe to eat chicken, poultry products and other wild game birds?

- Yes, it is safe to eat properly prepared and cooked poultry and game birds. The virus is sensitive to heat.
- Normal temperatures used for cooking (so that food reaches 70°C in all parts) will kill the virus.

- As a standard precaution, WHO recommends that poultry, poultry products and wild game birds should always be prepared following good hygienic practices, and that poultry meat should be properly cooked.
- To date, a large number of human infections with the H5N1 virus have been linked to the home slaughter and subsequent handling of diseased or dead birds prior to cooking.
- These practices represent the highest risk of human infection and are the most important to avoid.
- Frequent hand-washing, especially after direct contact with ill persons or their environment, may reduce the risk of acquiring illness.
- Ill persons should be encouraged to practise cough etiquette (maintain distance, cover coughs and sneezes with disposable tissues or clothing, wash hands).

Main storming - GS - III

MEETING NUTRITIONAL NEEDS OF THE INDIANS

How is H5N1 avian influenza in humans treated?

- In most cases, avian influenza in humans develops into a serious disease that should be treated promptly in the hospital and may require intensive care, where available.
- The antiviral medicine oseltamivir can reduce the severity of illness and prevent death, and should be used in all cases.
- Candidate vaccines to prevent H5N1 infection have been developed, but they are not ready for widespread use.
- Seasonal influenza vaccination does not appear to protect against H5N1 infection.

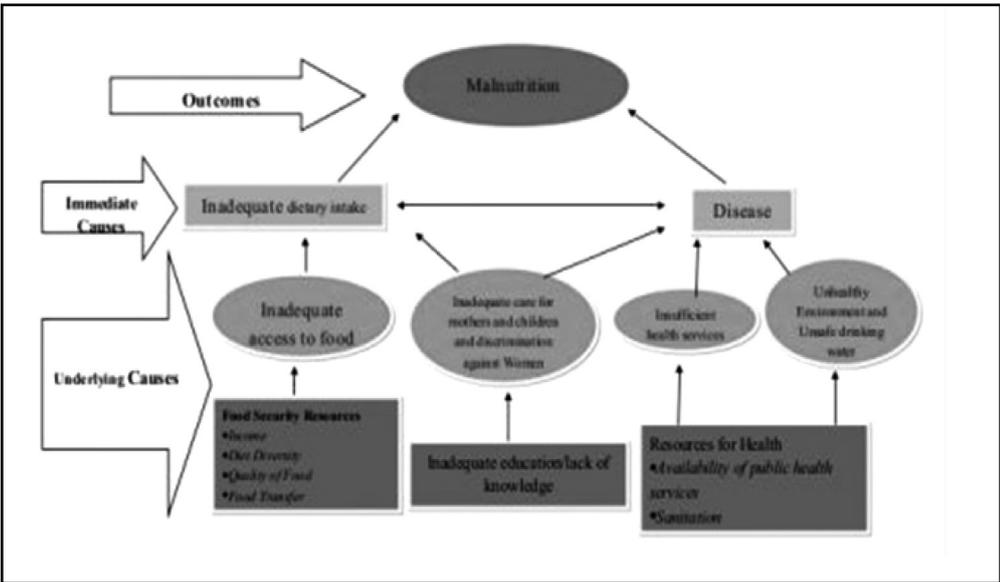
What are the precautionary measures to be taken to avoid Influenza?

- Whenever possible, avoid crowded enclosed spaces and close contact with people suffering from acute respiratory infections.

Article-[47] of the Constitution documents that it is “duty of the state to raise the level of nutrition and the standard of living and to improve public health”.

Nutrition constitutes the very foundation of human development by imparting immunity and, thus, reducing morbidity, mortality and disability. In addition, it promotes lifelong learning capacities and enhanced productivity. Malnutrition, on the other hand, tends to lower IQ and impairs cognitive ability of the children, thus, affecting their school performance and productivity in later life. Low-birth weight babies not only have impaired immune function but are at a greater risk of non-communicable diseases during their adulthood.

DETERMINANTS OF MALNUTRITION



Facts

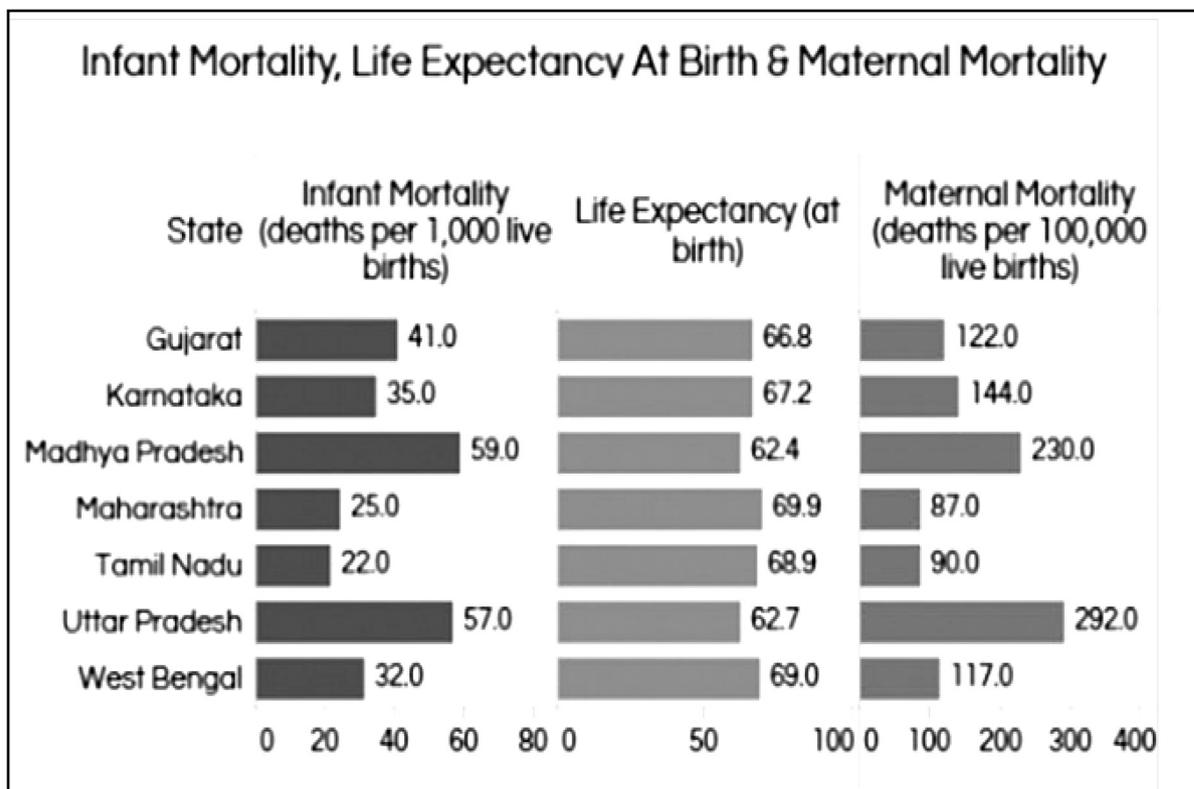
- Global Nutrition Report-2016 clearly indicates how India still lags behind in tackling malnutrition effectively.
- Malnutrition manifests in the form of stunting, wasting, micro nutrient deficiencies and overweight/obesity.
- In terms of stunting, India ranks 114th out of 132 nations (incidence: 38.7%) while for wasting, it is 120th among 130 countries (incidence: 15.1%).
- Regarding anemia prevalence among women of reproductive ages, India ranks 170th out of 185 countries (incidence: 48.1%) – and this is a matter of grave concern.

Fighting Malnutrition

- Over the years, the Government has accorded the highest priority to combat malnutrition among its people.
- The Integrated Child Development Services (ICDS) scheme was launched in 1975.
- ICDS is one of the world’s largest and most unique outreach programme for early

childhood care and development and covers all the districts and blocks in the country.

- Similarly, the Mid- Day Meal Scheme was universalized in 1995.
- However, there is a lack of multisectoral coordination which is most essential to address the inter-generational and multifaceted nature of malnutrition.
- Globally it is well acknowledged that focusing on the first 1000 days (conception to 2 years post-partum) is a critical window of opportunity to address child malnutrition; in India, focus of the nutrition programmes has chiefly been post -birth.
- Researches indicate that 50% of the growth failure accrued by the age of 2 years occurs in the womb itself, mainly owing to poor maternal nutrition –during and prior to pregnancy.
- Therefore, maintaining an adequate nutritional status (pre-conception and first trimester when majority of the women may not even be aware of their pregnancy) is rather crucial for appropriate fetal development.



Undernourished girls

- Undernourished girls have greater chances of becoming undernourished mothers as they inevitably bear low birth weight babies, and thus, perpetuate an inter generational cycle of malnutrition.
- This gets further compounded in adolescent mothers, who simultaneously carry the burden of two physiological stages (adolescence and pregnancy).
- This also holds true for closely spaced high parity pregnancies – often exacerbating nutrition deficits, which are passed on to their offspring/s.

Overhauling of ICDS

- For inclusive growth, under the eleventh 5 –year plan, universalization of ICDS coupled with setting up of mini--Anganwadi centers in deprived areas was undertaken;
- There is a need to further strengthen ICDS in poor-performing states based on the lessons learnt from various successful models.
- Overhauling of ICDS by the Ministry of WCD (May 2016) is expected to improve nutrition scenario of the country.

Food Security

- In 2013, government passed the food security bill entitling 5 kg food grain/ person/month at highly subsidised rates.
- It is commendable that food and nutrition security is being promoted through several national level programmes like TPDS, MGNREGA, ICDS and MDMS.
- Further, programmes like Swachh Bharat, 'Beti Bachao, Beti Pado' address critical nutrition-sensitive issues.
- Fortification of food items especially those being distributed through the PDS is also being taken up to address the issue of malnutrition in the country.

Other initiatives

- The Government is now working on close Monitoring of the Nutrition programmes by digitisation of the Anganwadis.
- This is expected to turnaround the entire system since it will help in real time monitoring of nutrition status of each child and take up immediate interventions wherever required.
- Similarly, diarrhoea has a direct impact on nutrition status of a child.
- Constructing toilets and providing clean drinking water are being taken up by the Government on a war footing to provide clean living conditions and good health to one and all.

A high level responsiveness is mandated to effectively manage the emergency situations like droughts, floods, and infection. It is important that nutrition related data are collected more frequently (currently gathered once in 5-7 years) to reflect the changing nutritional needs as well as impact of the nutrition interventions. It is important that a national nutrition strategy is designed to ensure that under-nutrition gets utmost priority. India's nutrition challenges call for urgent action for ensuring faster, gender-sensitive, inclusive and sustainable growth.

Main storming - GS - III

MEDICAL VALUE TOURISM-THE NEXT JEWEL IN INDIA'S CROWN

At present, the value of medical tourism has been estimated at \$3 billion. It is expected to touch \$8 billion in the coming four years. Currently, India is the third most sought after country for medical tourists and by 2020, it can become the leading destination for the same.

- The three main reasons compelling foreign nationals to seek medical treatment in India are
 - The country's qualified pool of doctors
 - The state-of-the-art facilities
 - Competitive cost of treatment

**TIMELY AND ADEQUATE MONSOONS
CANNOT END THE WOES OF FARMERS**

- The ability of medical practitioners to perform complex surgeries along with price arbitrage — which has improved with the devaluation of the rupee vis-à-vis the dollar — also makes India a compelling destination.

Besides these advantages, some hospitals display validated clinical outcomes on their websites that are open to public scrutiny; using the highest international norms and standards set by ICHOM (International Consortium for Health Outcomes Measurements). This reinforces the accountability and transparency towards patients and enables them to make an informed choice.

Steps taken by government to boost medical tourism

- Setting up of the National Medical & Wellness Tourism Promotion Board to help the overseas medical tourists.
- Streamlining the medical visa process to easily issue e-Tourist Visas (eTV) and multiple entry medical visas for post-operative medical care, enhancing airport facilities for medical tourists, including rapid immigration clearances are helpful.

The impediments

- Shortage of doctor and support staff
- Cost of medical education is very high

Way ahead and conclusion

- Currently, India garners no more than a minuscule percentage of the world medical tourists contributing to less than 0.1% of the nation's GDP, but with more enabling measures, it will have the potential to grow substantially in the coming years.
- Shortage of doctors, support staff and infrastructure should be on top priority. Reforming the MCI is a welcome step. Creating a holistic environment with teachers in super specialty in adequate numbers might hold the key.

Groundwater –current scenario in India

- Supports livelihood for around 53 million Indians and provide drinking water to around 80% of the rural population.
- Many areas of India have experienced more than a 12 metre decline in water-tables since 1980.
- Punjab, Haryana, and parts of Gujarat are witnessing rapidly falling water-tables.

Reasons for this decline

- lack of direct pricing for water, riparian rights that allow anyone owning land to extract limitless sub-surface water.
- power subsidies have often been deemed as the main factors that are fuelling this rapid decline of the water table.
- The institutional policy of promoting agriculture export zones (AEZs)
 - An International Growth Centre research project shows that between 2001 and 2006, the water-table fell by 0.5 metres due to these AEZs, but in the overexploited areas such as Punjab and Haryana, the water-table fell by more than 1.6 metres.

Implications

- Increase in salinity of water, particularly in coastal regions
- Water quality also declines
- AEZs lead to export of agri-commodities that have high water footprint. Same has been pointed in economic survey of India- we are a net exporter of water.
- The welfare of small farmers in these overexploited regions is falling.
- Lack of access to groundwater for irrigation increases poverty and conflict over water in rural settings. This is reaffirmed in recent NCRB data- highest increase in agrarian riots.

Way Ahead and conclusion

- Using trade promotion as a lever to increase agricultural productivity can be counter-productive in the long run if commensurate institutional reforms that ascribe property rights to groundwater or a direct price to it are not concurrently designed.
- Mere supply side efforts to harvest rainwater are not adequate to address this issue. Even in good rainfall years, more groundwater is being extracted than is being replenished in over-exploited areas.

Main storming - GS - III

CREATING A UNIFIED FARM MARKET

Agricultural reforms, for one thing, have moved at a glacial pace relative to reforms in other key sectors of the economy.

The Unified Agricultural Market Programme (UAMPS) or electronic National Agricultural Market (e-NAM).

- National Agriculture Market (NAM) is a pan-India electronic trading portal which networks the existing APMC mandis to create a unified national market for agricultural commodities.
- The NAM Portal provides a single window service for all APMC related information and services. This includes commodity arrivals & prices, buy & sell trade offers, provision to respond to trade offers, among other services.
- the Union Budget for 2016-17 allocated Rs 200 crore this year for the integration of 585 mandis on a single electronic platform.
- It was welcomed as a crucial piece of reform that could potentially bring about huge gains in efficiency and transparency, and ultimately benefit farmers via competitive prices for their produce that is also discerning of quality

Objectives of NAM

- A national e-market platform for transparent sale transactions and price discovery initially in regulated markets. Willing States

to accordingly enact suitable provisions in their APMC Act for promotion of e-trading by their State Agricultural Marketing Board/ APMC.

- Liberal licensing of traders / buyers and commission agents by State authorities without any pre-condition of physical presence or possession of shop /premises in the market yard.
- One license for a trader valid across all markets in the State.
- Harmonisation of quality standards of agricultural produce and provision for assaying (quality testing) infrastructure in every market to enable informed bidding by buyers. Common tradable parameters have so far been developed for 25 commodities.
- Single point levy of market fees, i.e. on the first wholesale purchase from the farmer.
- Provision of Soil Testing Laboratories in/ or near the selected mandi to facilitate visiting farmers to access this facility in the mandi itself.

Drawbacks in e-NAM

- States are eligible for assistance under NAM only if they have already reformed their respective APMC Acts and made sufficient investments in the infrastructure required for such integration.
 - Even 13 years after the APMC Model Act of 2003 came into being, only a few states have successfully amended the APMC Act in substantive ways and that significant political or financial risks are associated with these reforms. Further, even the APMC Model Act 2003 fell short of provisions for full market integration within a state.
- The Small Farmers' Agribusiness Consortium - the implementing agency - and its strategic partner have the fairly limited mandate of customising and implementing the electronic platform, with crucial institutional reforms still left to the political whims and exigencies of state governments.
- Due to lack of formal credit in rural areas, farmers are still largely dependent on middlemen.

Way ahead and conclusion

- As a precondition for unification, a regulatory framework is required, that can settle disputes across states. Without systematic efforts at establishing this framework, market unification would be naturally restricted to a few markets in a few states - a far cry from what e-NAM ought to have as its goals .
- Traders, who make the market, should be willing to place bids in distant mandis. To enable this, the government would have to build a comprehensive set of grades and standards for a diverse set of products and invest in assaying facilities that are quick, cost-effective and credible.
- Reforms of the mandis need to focus on reinventing the role of the commission agent, who today fills in for multiple market failures, notably in providing credit to traders and loans to farmers. Mandi reform that seeks to render middlemen irrelevant is therefore bound to fail, unless the failures of formal institutional credit to achieve financial inclusion are fixed simultaneously.

Main storming - GS - III

DARK CLOUDS OVER THE PDS

India’s Public Distribution System (PDS) has improved steadily during the last 10 years. Chhattisgarh model in particular has been a great success.

Chhattisgarh model- salient features

- Broad coverage, clear entitlements
- De-privatisation of PDS shops,
- Separation of transport agencies from distribution agencies
- Computerisation, fixed distribution schedules
- Tight monitoring
- Active grievance redressal

Later on this model was emulated in various states. Based on various surveys it was found

that PDS was working reasonably well for BPL households, however leakage continued in APL category

After enactment of NFSA,

- The APL category is abolished and eligible households come under two well-defined categories:
- Priority households: entitled to 5 kg of foodgrains per person per month at nominal prices
- Antyodaya households (the poorest), entitled to 35 kg per household per month.
- The PDS is to cover at least 75 per cent of rural households at the national level, rising to 80-90 per cent in the poorest States

Aadhaar-based biometric authentication in the PDS

- This involves installing “Point of Sale” (PoS) machines at PDS shops, and verifying the identity of cardholders by matching their fingerprints against the Aadhaar database over the Internet.

Why it can prove to be counter-productive

- This system requires multiple fragile technologies to work at the same time: the PoS machine, the biometrics, the Internet connection, remote servers, and often other elements such as the local mobile network.
- It requires at least some household members to have an Aadhaar number, correctly seeded in the PDS database.
- Also it has been reported in some states like Rajasthan and Jharkhand that PDS grain goes partly through the PoS system and partly through the fallback register system (old system).

Way ahead and conclusion

- The Central government continues to push for compulsory Aadhaar-based biometric authentication in the PDS. Incidentally, this is a violation of Supreme Court orders. The court did allow the use of Aadhaar in the PDS, but not making it compulsory for PDS users.

- Though it is desirable to seal the leakages, it should not be at the price of households being deprived of food entitled to them. Imposing a technology that does not work on people who depend on it for their survival is a grave injustice.

Main storming - GS - III

A 'GREEN' RAP ON THE KNUCKLES

- For the first time since the enactment of the Biological Diversity Act, 2002, States have now been forced to look into its implementation.
- The National Green Tribunal (NGT) had recently asked for action against top State officials who had failed to respond to an application filed before the tribunal for effective implementation of the act.

The provisions in Biodiversity act viz. states

- Protection and management of biodiversity through the setting up of biodiversity management committees (BMC) for managing biodiversity.
- Managing peoples' biodiversity registers (PBR) to document biodiversity in each district.

Current scenario

- While these States have more than 61,000 panchayats or municipalities, only 14 per cent of PBRs (less than 1,400) have been set up.
- BMCs are overburdened with diverse responsibilities which include conservation, promoting sustainable use and chronicling of knowledge related to biodiversity.

Biodiversity crisis

- India is facing massive biodiversity loss: each day, 333 acres of forest are legally diverted on an average under the provisions of the Forest (Conservation) Act, 1980. This figure does not include forests which are illegally felled or encroached.

- Our hunger for acquiring forest land seems insatiable.
 - The construction plan for Amaravati, the new capital city of Andhra Pradesh, includes diverting 13,000 hectares, or 130 sq.km, of forest.
 - The Himalayas are today the world's mountain range with the most number of dams.
- India is in the midst of an unacknowledged biodiversity crisis. Therefore, it is ironic that the act is the most neglected of India's environmental laws, and one of the least implemented.
- There is very limited judicial pronouncement and interpretation, action by civil society is virtually absent, and the government's approach has been one of extreme apathy

Violations and opacity

- We have constantly seen fraudulent Environment Impact Assessments (EIA) which undermine the ecological value of areas that are proposed to be dammed, mined or diverted. For example.
 - The Monpa community in Arunachal Pradesh's Tawang district had to struggle for three years to prove before the NGT that the riverine area proposed for the construction of a dam is the one of the two wintering sites of the black-necked crane, a protected species held sacred by Buddhists.
 - Similarly, tribals in Kinnaur, Himachal Pradesh, are struggling to protect the last remaining chilgoza (pine nut) trees from being lost to a series of hydropower projects.

The loopholes

- Most projects in ecologically sensitive areas are able to circumvent the EIA process as they are below the threshold limits or are not in the listed category.
- For example, the Lakhwar-Vyasi hydroelectric project in Uttarakhand is almost the size of the Tehri hydroelectric project, which means that an EIA should be conducted. But it has been exempted because of an ingenious and questionable interpretation of the law, which

states that the project was proposed in 1987 before the EIA Act of 2006.

- The law requires that only projects above 25 MW should undergo EIA studies. Therefore, it is no surprise that most mini-hydel power projects in India are of 24.99 MW capacity. The same holds true for mining and other projects. The cumulative impact of these projects on India's biodiversity is substantial, and at times irreversible.

Way ahead and conclusion

- Check should be put on sealing the loopholes used to circumvent EIA laws.
- Empowerment of communities getting affected should be on priority.
- PBRs could be an effective tool to counter false and misleading statements given in forest diversion proposals and EIA reports. They could help a community present the facts before the decision maker in order to highlight the "real value" of the ecological entity proposed to be "sacrificed."
- In the face of an unimplemented act and general apathy, India's biodiversity is too precious to be lost. Contrary to a general viewpoint, we should not protect our biodiversity only for the present or future generations. This is an anthropocentric approach. We should protect biodiversity purely because we have no moral, legal and ethical rights to destroy something not created by us.

Main storming - GS - III

FROM PLATE TO PLOUGH-CONNECTING THE DROPS

This year most regions in India have faced situations of drought and later of flood. The key question, therefore, is:

How best can the problem of floods and droughts be addressed so that the losses are minimal and the system becomes more resilient?

- India gets "too much" water (about 75 per cent of annual precipitation) during

120 days of the monsoon season (June to September) and "too little" for the remaining 245 days

- This skewed water availability has to be managed and regulated for its consumption throughout the year. Hence, after independence India quickly embarked upon a number of large multi-purpose river valley projects such as Bhakra-Nangal, Hirakud, Nagarjuna Sagar, Rihand etc to store water.
- But, unfortunately, we lost interest in further developing such river valley projects very soon largely owing to-
 - Changed priorities towards heavy industrialisation.
 - Rampart corruption and delay in large irrigation projects.
 - Later on, the issue of resettlement of displaced people became a rallying point for many NGOs to oppose these projects, leading to drying up of funds from the World Bank.

India's per capita water storage capacity through dams

- Stands at 194 cubic metre
- Way below BRICS countries :-Brazil was at 3,370 m³, Russia at 5,587 m³, and South Africa at 569 m³, all in 2015 (FAO).
- This also lowers cropping intensity (less than 140), meaning less than 40 per cent of India's farm land is double cropped.

Way Ahead

- Flood mitigation in high risk areas like the Ganga-Brahmaputra-Barak basin.
 - As the distance between the world's highest peaks in the Himalayas and the outlet at the Bay of Bengal is short and the contributing tributaries like Kosi, Gandak, Ghaghara and others disgorge large volumes and devastate the fertile plains of eastern Uttar Pradesh, northern Bihar, West Bengal and Assam.

Buffer stocking of water

- Via Dams- Recent studies by the World Bank indicate that about 18 per cent of the peak flood volumes can be safely stored in the existing and planned dams

along the Indo-Nepal border. A holistic approach at basin level, encompassing credible resettlement policy for displaced people, and supported by pro-active hydro-diplomacy amongst riparian countries can render rich dividends.

- Underground Taming of Floods for Irrigation (UTFI)- surplus flood water is directed to aquifers through well-designed structures placed in ponds and other depression areas and evacuated through large-scale pump irrigation during the dry season.
- Use of smart geo-spatial techniques for flood forecasting and construction and strengthening of embankments at critical locations.
- Inter-linking of rivers- Already done in Pattiseema project (Krishna-Godavari linked) , can be emulated to interlink rivers in Bihar(prone to flood) to Madhya Pradesh(Water -deficit).
- Promoting flood-tolerant “scuba rice”, sugarcane, jute and high-value aquatic crops.

Main storming - GS - III

THE NEW EXTREME REALITY OF FLOODS

- The 2016 floods are huge in scale — virtually all parts of the country have been hit by devastation. This year’s floods not only have the imprint of our gross and near criminal mismanagement, but also mark the beginning of the world risked because of climate change.
- Floods claim lives, destroy property and crops. In this way, all the years of developmental efforts are lost in one stroke. It is also clear that in India, we worry about floods only when it affects the urban population.
- Floods do not, otherwise, get serious media coverage. They have become part of the cycle of boredom; they will come every year

The newness in flood

- Each year the intensity and scope of floods are increasing

- Floods are happening in the time of drought
- Floods are not because of “normal” or even “excess rainfall”, but because of extreme and horrific rain events — rain that gushes down from the sky in record time to take over land and property

Reasons for this ‘newness in flood’

- Mismanagement of floodplains
 - Wilfully allowing encroachments on riverbeds, drains and storage lakes.
 - Then we have built embankments and dams for flood protection that are making things worse. This is because by building embankments – walls to hold river water from spilling – silt accumulates and raises the riverbed.
- Rampart construction has changed the natural drainage in cities. In was particularly evident in recent Chennai floods
- Extreme rain events-There increased frequency has led to back-breaking floods even in rain -deficit areas like Assam. In Assam, even when 90 per cent of the state is under water, the rainfall received was 25 per cent below normal
 - The India Meteorological Department divides extreme rainfall events into two categories.
 - Very heavy- rainfall of 124.5-244.4 mm in 24 hours.
 - Extremely heavy- >244.4mm
- Scientists are now co-relating air pollution with nature of cloud formation. Air pollution is supposedly causing disruption in nature of cloud formation. Greater number of micro-pollutants/aerosols lead to greater number of sites of condensation for water molecules.

Conclusion

- In this climate-risked world, where we are hit by a double whammy, we need to ensure that not only do we get development right, but we also need to do this at a scale and speed we have never done before

- Climate change associated disasters are increasing in frequency and magnitude. Paris agreement should be brought into action quickly to address this issue.
- Flood mitigation plans and contingencies should be developed for high risk areas in India. Flash flood should also be taken into account.

Main storming - GS - III

SHOULD THE FARAKKA BARRAGE BE REMOVED?

The Farakka Barrage

- The barrage, located in the Indian state of West Bengal, roughly 16.5 kilometres from the border with Bangladesh, was planned to enhance the flow of the Bhagirathi-Hooghly branch to resuscitate the port at Kolkata (then Calcutta), located downstream.
- The British constructionist regime neither understood peak and lean flows, nor the sediment dynamics associated with the river. In that sense, the barrage stands as a classic example of the the reductionist engineering paradigm (promoted by the British colonial legacy) that looked at short-term economic benefits, ignored long-term sustainability concerns, and created the ‘metabolic rift’ between humans and Nature.
- The Bihar chief minister has recently called for removal of the Farakka Barrage, holding it responsible for the floods in Bihar and UP.

How far justified is the claim

- This contention seems to have been based on the backwater effect hypothesis, caused by sedimentation in the Farakka, and consequent cascading of the sediments upstream of the barrage. With the sediments acting as obstructions, the water takes a diversion towards Malda district in West Bengal causing bank erosion and flooding.
- The Farakka Barrage and the accumulating sediment in the upstream seem to have incapacitated the river’s capacity to carry and flush out the sediments to the sea.

“Sediment flushing” is an ecosystem service of the natural flow regime.

- The recent floods in Bihar may have been linked with the Farakka barrage from this point of view.

Is removal a solution?

- Definitely not. Removal of the Farakka will negatively affect the ecosystem services in West Bengal.
- The unintended benefit of the barrage is amelioration of the water problem downstream in the densely populated areas of West Bengal.
- The increasing urban water demand of the burgeoning Kolkata metropolis seems to have been met because of the Farakka, which has not only enhanced the surface water flow in the channel, but has also ensured groundwater recharge.

Way ahead and conclusion

- The basic problem is the flawed design of the barrage, which did not consider the sediment variable. But it is not the sole reason for flood situation.
- Flood management based on hydrological studies should be the way rather than removing the barrage which would only result in further loss of ecosystem services.

Main storming - GS - III

OVER THE LAST FEW DECADES, THE DIVIDING LINE BETWEEN INTERNAL AND EXTERNAL SECURITY

Over the last few decades, the dividing line between internal and external security.

- Internal security was an important topic of discussion in the 11th Interstate Council meeting held in July.
- Over the last few decades, the dividing line between internal and external security has blurred considerably, for example Pakistan sponsored terrorism is both an internal security threat as well as external security threat.

Why centre state coordination needed?

- Insurgents and terrorists do not recognise state boundaries and have exploited the lack of synergy amongst the States and between the States and the Centre. A case in point is the current version of Left Wing Extremism, which thrives in the central eastern tribal belt by exploiting the gaps along inter-state boundaries.
- In view of the above, coordination between the Centre and the States as well as amongst the States has often been acknowledged and deliberated upon.
- ‘Law and Order’, which is a subject in the State list, can no longer be exclusively left to the States.
- Evolving and deepening nexus between crime and terrorism/insurgency bears testimony to the fact that ‘law and order’ issues have wider pan-Indian ramifications with obvious connections to external security, given India’s inimical neighbourhood

So what’s stopping such coordination between Centre and the States?

- The basic challenge has been the lack of trust between the Centre and the States.
- Interference in the domain of states by centre Lack of security perspective on the part of states on the pan Indian ramifications of terror incidents.

What needs to be done?

- Interstate Council chaired by the Prime Minister which is the best constitutional forum for joint deliberations should be used.
- Finalizing the National Security Policy (NSP) and the machinery for its administration, in consultation with the States, in a non-partisan way.
- This would involve a law for dealing with identified federal offences and establishing a central agency which would have the authority to take cognisance of, and investigate, crimes that have serious inter-state and nationwide ramifications for national security.

- Central Government to consider inducting representatives of the States in the National Security Advisory Board (NSAB) and in the National Security Council (NSC), even if on a rotational basis.
- Joint mechanism on the lines of Joint Terrorism Task Force (JTTF) established by the United States after 9/11.
- The JTTF, located in various cities across the US, includes representatives from the federal, state and municipal enforcement agencies and perform several important roles including the clearing of all terrorism-related information.
- Intelligence sharing between the States.

Benefits of such coordination

- Functioning through joint institutions will enable the States to, gain a well-informed perspective about the complex and sensitive issues concerning national security defuse their perennial complaints about the Centre’s interference with the powers of the States while undertaking internal security management.
- Establish an atmosphere of mutual trust through deliberations in the Interstate Council.

Main storming - GS - III

EXTENSION OF THE DISTURBED AREAS ACT IN NAGALAND

What had happened?

- Through a Union Home Ministry Notification of June 30, 2016, the Government of India has extended the coverage of the Disturbed Areas Act (DAA) to the entire State of Nagaland by six more months until December 31 this year, thereby extending AFSPA to the entire State.

What’s the present scenario in Nagaland?

- The NSCN (Khaplang) unilaterally abrogated the ceasefire which it entered into in 2001. Naga Peace Accord concluded by the Union Government with NSCN (IM) on August 3 last year (though a comprehensive agreement is yet to be consummated)

Why the extension is being criticized?

- Nagaland continues to be designated as disturbed despite the fact that hostilities have remained suspended (at that time) for more than a decade and no security personnel killed during that period.
- In contrast, in Tripura, State Government has withdrawn AFSPA from the entire State.

Is the extension justified now?

- Though the security situation in Nagaland is normal, the political scene is uncertain. This can be seen from factors like defections (from Congress and the BJP) to the ruling Naga Peoples’ Front (NPF), Factionalism within the NPF.
- The present lone Lok Sabha member of Nagaland and former three-time Chief Minister has been expelled from the NPF.
- More importantly the State administration is facing administrative and financial constraints and is unable to reinforce the Union Government’s efforts to assimilate and unify the various insurgent groups as well as civil society organizations towards a completion of the peace process.
- All the factors result in a situation where Nagaland continues to be in a vulnerable state unless development process kicks off.

What’s the way forward?

- In the above-mentioned environment, while a complete roll-back of AFSPA and restriction in the ambit of DAA may not have been warranted, a selective application of these statutory provisions would have been more purposeful.
- Application of the provisions to, say the areas of Nagaland bordering Myanmar frontier, (since NSCN (K) is capable of striking such border areas) would have helped to shore up public confidence for an overall settlement of the Naga issue since AFSPA and DAA still create a certain unfavourable impact on the North-Easterners’ psyche.

- Also there is scope to work with a friendly government at Myanmar to goad the Myanmarese Nagas and the NSCN (K) (its leader, Khaplang, is a citizen of Myanmar) to restrict their political activities within that country since Myanmar is trying to achieve with various ethnic groups there.

Main storming - GS - III

WE NEED A ROBUST CYBER SECURITY POLICY

Cyber security and defence against cyber warfare assume greater significance due to rapidly increasing risks, vulnerabilities, threats, cybercrimes and fraud.

The new threats

- Critical infrastructure in many countries will soon be susceptible to cyber terrorism. Cross-networking of personal data devices, electronic health records, medical devices and hospital networks will create new opportunities for data theft, source code manipulation, and undetected access to target networks.
- The Internet of Things is adding a new dimension to the security landscape
 - The internet of things (IoT) is the internetworking of physical devices, vehicles, buildings and other items—embedded with electronics, software, sensors, actuators, and network connectivity that enable these objects to collect and exchange data.
- Artificial Intelligence (AI) systems, ‘Narrow AI’ systems, and ‘General AI’ systems also pose increased vulnerability to autonomous decision-making. Hackers are found using false data and unanticipated algorithm to create stock market fluctuations
- Currently, state sponsored cyber terrorism, non-state terrorist groups, corporate and individual hacktivists are engaged in different crimes, espionage, theft of patents, and other information assets.
 - Nations such as Russia, China, Iran, North Korea are reported to use cyber capabilities as an effective geostrategic tool for espionage, propaganda attacks,

- to target critical infrastructure systems, for intelligence gathering, and to support political and military objectives.
- Non-state terrorist groups deploy internet “to organise, recruit, spread propaganda, collect intelligence, raise funds, and coordinate operations”. ISIL actors are found targeting sensitive information about US military personnel to spur ‘lone-wolf’ attacks for theft, extortion, and drug trafficking.
 - There is also a concern about the e-commerce vendors aggregating sensitive digitised information about individuals and states and selling it to interested parties.
- How should this be tackled?**
- India’s existing cyber security policy of 2013 must be reviewed in the light of emerging cyber threats propagated by state sponsored international cyber terrorism, military espionage, corporate espionage and financial frauds by individual hackers and groups
 - India’s cyber security strategy must be able to protect multiple digital intrusions at all levels: military and corporate espionage, electronic attacks disrupting critical infrastructure, ICT and IoT systems and data privacy, integrity and security of its citizens
 - Dissemination of best security practices, intelligence sharing, intrusion reporting and effective coordination and partnership between private, corporate, government and international level organisations like the UN, the European Union
 - There must be effective computer incident response capability, malware information sharing, and periodical mock drills and exercises. Signing of MoUs on cyber defence with allies and international organisations may become unavoidable as cyber threats defy state borders and organisational boundaries
 - National cyber security agency and task force should be formed and assure round the clock vigilance.

