

# PRAYAS4IAS

AN INITIATIVE BY THE PRAYAS INDIA

APRIL WEEK 2

## RBI Monetary Policy

### Key Highlights



## April (Week 2)

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# Prelims

## NATIONAL

### Asian desert dust & Indian summer monsoon

(Source: [The Hindu](#) )

**Context:** A new study details how dust coming from the deserts in the West, Central and East Asia plays an important role in the Indian Summer Monsoon.

#### Reverse effect

- The researchers also explain how the Indian Summer Monsoon has a reverse effect and can increase the winds in West Asia to produce yet more dust.
- Dust swarms from the desert when lifted by strong winds can absorb solar radiation and become hot. This can cause heating of the atmosphere, change the air pressure, wind circulation patterns, influence moisture transport and increase precipitation and rainfall.
- A strong monsoon can also transport air to West Asia and again pick up a lot of dust..
- Lead author Qinjian Jin, lecturer and academic program associate at the University of Kansas explains a new hypothesis formulated by the team.
- Not just the dust from the Middle East [West Asia], the Iranian Plateau also influences the Indian Summer Monsoon.
- The hot air over the Iranian Plateau can heat the atmosphere over the plateau, strengthen the circulation over the deserts of the Arabian Peninsula and increase dust emission from the Middle East [West Asia].
- But why is it important to study dust? Many studies have shown that the dust emission scheme is extremely sensitive to climate change and the team writes that understanding these mechanisms and effects of dust will help understand our monsoon systems in the face of global climate change.

### Pre-pack under Insolvency and Bankruptcy Code

(Source: [Indian Express](#) )

**Context:** The central government has promulgated an ordinance allowing the use of pre-packs as an insolvency resolution mechanism for Micro, Small and Medium Enterprises (MSMEs) with defaults up to Rs 1 crore, under the Insolvency and Bankruptcy Code.

#### What are pre-packs?

- A pre-pack is the resolution of the debt of a distressed company through an agreement between secured creditors and investors instead of a public bidding process.
- This system of insolvency proceedings has become an increasingly popular mechanism for insolvency resolution in the UK and Europe over the past decade. Under the pre-pack system, financial creditors will agree to terms with a potential investor and seek approval of the resolution plan from the National Company Law Tribunal (NCLT).



- The approval of a minimum of 66 per cent of financial creditors that are unrelated to the corporate debtor would be required before a resolution plan is submitted to the NCLT.
- Further NCLTs are also required to either accept or reject any application for a pre-pack insolvency proceeding before considering a petition for a CIRP.

### **What are the benefits of pre-packs over the Corporate Insolvency Resolution Process (CIRP)?**

- One of the key criticisms of the CIRP has been the time taken for resolution. At the end of December 2020, over 86 per cent of the 1717 ongoing insolvency resolution proceedings had crossed the 270-day threshold.
- One of the key reasons behind delays in the CIRPs are prolonged litigations by erstwhile promoters and potential bidders.
- The pre-pack in contrast is limited to a maximum of 120 days with only 90 days available to the stakeholders to bring the resolution plan to the NCLT.
- Another key difference between pre-packs and CIRP is that the existing management retains control in the case of pre-packs while a resolution professional takes control of the debtor as a representative of financial creditors in the case of CIRP. Experts note that this allows for minimal disruption of operations relative to a CIRP.
- The pre-pack is expected to be rolled out to all corporations over time as legal issues around the provisions are settled through case law, according to experts.

### **Why RBI's Monetary Policy Committee kept rates unchanged**

(Source: [Indian Express](#) )

**Context:** *The Reserve Bank of India's Monetary Policy Committee, in its meeting over the last three days, has decided to keep its short term lending rate or the repo rate unchanged at 4 per cent, in line with market expectations.*

### **Growth vs inflation trade-off**

- The RBI's decision comes amid a surge in Covid-19 cases that has prompted many states to impose fresh curfew restrictions this week, triggering concerns over the economic recovery that is underway.
- The MPC voted unanimously to keep rates steady and retain the accommodative monetary policy stance, Das said adding that it would do so while keeping a leash on inflation.
- The annual Consumer Price Index-based retail inflation rate rose to a three-month high of 5.03 per cent in February. "The MPC judged that monetary policy should remain accommodative till prospects of sustained recovery are well secured," Das said.

### **Projections on growth and inflation**

- Retail inflation is projected to stay around 5 per cent next year: 5% in Q4 of FY'21; 5.2% in Q1 and Q2 FY'22; down to 4.4% in Q3 FY'22 and 5.1% in Q4 FY'22. The RBI maintained its GDP growth forecast at 10.5 per cent for 2021-22.
- The central bank has slashed the repo rate — benchmark lending rate — by a total of 115 basis points (one basis point is one-hundredth of a percentage point) since March 2020, coming on top of the 135 bps of cumulative cuts since early 2019.

### **Other measures**

- Das said the RBI will ensure orderly conduct of government borrowing programme. In this respect, the central bank announced a secondary market government securities (G-sec) acquisition plan

worth Rs 1 lakh crore for April-June. These measures are announced amid a tightening in the G-sec bond market, with yields hardening and expanding debt requirement of the central and state governments.

- Amid the government plans to support a new asset reconstruction company being set up by banks, the RBI has decided to set up a committee to review the working of ARCs to ensure how better these entities can support the financial sector.
- In the policy review, the RBI decided to extend the RTGS and NEFT payments platforms to prepaid payment instruments, white label ATMs as well.

### **Pre-pack: Insolvency resolution option for MSMEs**

(Source: [Indian Express](#) )

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### **National Policy for Rare Diseases, 2021**

(Source: [PIB](#) )

**Context:** Union Health Minister approves National Policy for Rare Diseases, 2021.

#### **About the National Policy for Rare Diseases, 2021:**





- The Rare Diseases Policy aims to lower the high cost of treatment for rare diseases with increased focus on indigenous research with the help of a National Consortium to be set up with the Department of Health Research, Ministry of Health & Family Welfare as convenor.
- Increased focus of research and development and local production of medicines will lower the cost of treatment for rare diseases.
- The policy also envisages the creation of a national hospital based registry of rare diseases so that adequate data is available for definition of rare diseases and for research and development related to rare diseases within the country.
- The Policy also focuses on early screening and prevention through primary and secondary health care infrastructure such as Health and Wellness Centres and District Early Intervention Centres (DEICs) and through counselling for the high-risk parents.
- A provision for financial support up to Rs. 20 lakhs under the Umbrella Scheme of Rashtriya Arogya Nidhi is proposed for treatment of those rare diseases that require a one-time treatment (diseases listed under Group 1 in the rare disease policy).
- Beneficiaries for such financial assistance would not be limited to BPL families, but the benefit will be extended to about 40% of the population, who are eligible under Pradhan Mantri Jan Arogya Yojana.

### **Civil defence volunteers**

(Source: [Indian Express](#) )

**Context:** *Due to their identical khaki uniform, it often becomes difficult for people to distinguish between police and civil defence personnel, leading to arguments. One such incident recently turned into a full blown fist-fight between a group of civil defence personnel and general public near IIT-Delhi.*

#### **Who are civil defence volunteers?**

- In Delhi, these are men and women who work under the command of the district magistrates.
- The overall command lies with the divisional commissioner, to which the DMs report.
- These volunteers are governed by the Civil Defence Act, 1968 which has undergone multiple amendments, with the latest being in 2010, when disaster management was added as one of their roles.
- With the Centre invoking the Disaster Management Act in the wake of the Covid-19 outbreak in 2020, the role of these volunteers came under the spotlight.

#### **What is the primary role of civil defence volunteers?**

- According to the Civil Defence Act, 1968, civil defence is defined as any measure “not amounting to actual combat, that protects persons, property and places in India from hostile attack”.
- The 2010 amendment expanded the definition by including disaster management as one of the responsibilities.
- The basic role of the volunteers is to assist the local administration. During the pandemic, the volunteers assumed the role of frontline workers by way of participating in screening hotspots and distributing food for the needy.
- In the recent months, DCD volunteers have also been deployed to ensure social distancing in markets and other crowded places and also at vaccination sites.
- Before the Covid outbreak, a large number of DCD personnel were deployed as marshals in public buses to ensure safety of women.

#### **How are civil defence volunteers recruited?**



- Recruitment drives are carried out from time to time by the Delhi government. Anyone aged above 18 years with primary level educational qualification can apply. In most cases, those who have passed Class 8 are preferred.
- But, people with higher qualifications also apply, a Delhi government officer said. The candidates found eligible are made to undergo a week-long basic training course.
- At later stages, specialised training is also imparted. A person who intends to apply must also be a citizen of India or a “subject of Sikkim or Bhutan or Nepal”, according to the Act.

### Why does it say ‘subject’ of Sikkim?

- The language, which state governments across the country continue to use in laying down recruitment rules for civil defence volunteers, is a verbatim reproduction of the Civil Defence Regulations, framed under the Civil Defence Act, 1968.
- While the Act, through a gazette notification dated September 8, 1975, was extended to cover Sikkim, which became a part of India on May 16, 1975, the regulations pertaining to the eligibility conditions remain unamended, which is why governments continue to use the same language.
- One such recruitment notice by the Delhi government had sparked a controversy in 2020. Sikkim CM Prem Singh Tamang had publicly termed it as “regrettable, objectionable and harmful”.
- The officer who had cleared the ad was suspended by LG Anil Baijal. However, he has been reinstated now.

### Film Certification Tribunal

(Source: [Indian Express](https://www.indianexpress.com) )

**Context:** *The government by an ordinance abolished the Film Certificate Appellate Tribunal (FCAT), which heard appeals by filmmakers seeking certification for their films. The Tribunals Reforms (Rationalisation And Conditions Of Service) Ordinance, 2021, which came into effect on April 4, amends the Cinematograph Act, 1952 by omitting some sections and replacing the word “Tribunal” with “High Court” in other sections.*

### The Tribunal

- FCAT was a statutory body constituted set up by the Ministry of Information & Broadcasting in 1983, under Section 5D of the Cinematograph Act, 1952. Its main job was to hear appeals filed under Section 5C of the Cinematograph Act, by applicants for certification aggrieved by the decision of the Central Board of Film Certification (CBFC).
- The tribunal was headed by a chairperson and had four other members, including a Secretary appointed by the Government of India to handle. The Tribunal was headquartered in New Delhi.

### What it did

- In India, all films must have a CBFC certificate if they are to be released theatrically, telecast on television, or displayed publicly in any way. The CBFC — which consists of a Chairperson and 23 members, all appointed by the Government of India — certifies films under four categories:
  - **U:** Unrestricted public exhibition (Suitable for all age groups)
  - **U/A:** Parental guidance for children under age 12
  - **A:** Restricted to adults (Suitable for 18 years and above)
  - **S:** Restricted to a specialised group of people, such as engineers, doctors or scientists.
- The CBFC can also deny certification a film. On several occasions when a filmmaker or producer has not been satisfied with the CBFC’s certification, or with a denial, they have appealed to the FCAT. And in many cases, the FCAT has overturned the CBFC decision.



- The abolition means filmmakers will now have to approach the High Court whenever they want to challenge a CBFC certification, or lack of it.

## **What is net-zero?**

(Source: [Indian Express](#) )

**Context:** *In its bid to reclaim the global climate leadership, the US is widely expected to commit itself to a net-zero emission target for 2050 at the summit. Several other countries, including the UK and France, have already enacted laws promising to achieve a net-zero emission scenario by the middle of the century. The European Union is working a similar Europe-wide law, while many other countries including Canada, South Korea, Japan and Germany have expressed their intention to commit themselves to a net-zero future. Even China has promised to go net-zero by 2060.*

### **The net-zero goal**

- Net-zero, which is also referred to as carbon-neutrality, does not mean that a country would bring down its emissions to zero. Rather, net-zero is a state in which a country's emissions are compensated by absorption and removal of greenhouse gases from the atmosphere.
- Absorption of the emissions can be increased by creating more carbon sinks such as forests, while removal of gases from the atmosphere requires futuristic technologies such as carbon capture and storage.
- This way, it is even possible for a country to have negative emissions, if the absorption and removal exceed the actual emissions. A good example is Bhutan which is often described as carbon-negative because it absorbs more than it emits.
- A very active campaign has been going on for the last two years to get every country to sign on to a net-zero goal for 2050. It is being argued that global carbon neutrality by 2050 is the only way to achieve the Paris Agreement target of keeping the planet's temperature from rising beyond 2°C compared to pre-industrial times. Current policies and actions being taken to reduce emissions would not even be able to prevent a 3–4°C rise by the turn of the century.
- The goal of carbon neutrality is only the latest formulation of a discussion going on for decades, on having a long-term goal. Long-term targets ensure predictability, and continuity, in policies and actions of the countries. But there has never been a consensus on what this goal should be.
- Earlier, the discussions used to be on emission-reduction targets, for 2050 or 2070, for rich and developed countries, whose unregulated emissions over several decades are mainly responsible for global warming and consequent climate change. The net-zero formulation does not assign any emission reduction targets on any country.
- Theoretically, a country can become carbon-neutral at its current level of emissions, or even by increasing its emissions, if it is able to absorb or remove more. From the perspective of the developed world, it is a big relief, because now the burden is shared by everyone, and does not fall only on them.

### **India's objections**

- India is the only one opposing this target because it is likely to be the most impacted by it. India's position is unique. Over the next two to three decades, India's emissions are likely to grow at the fastest pace in the world, as it presses for higher growth to pull hundreds of millions of people out of poverty.
- No amount of afforestation or reforestation would be able to compensate for the increased emissions. Most of the carbon removal technologies right now are either unreliable or very expensive.



- But on principle as well as practice, India's arguments are not easy to dismiss. The net-zero goal does not figure in the 2015 Paris Agreement, the new global architecture to fight climate change. The Paris Agreement only requires every signatory to take the best climate action it can.
- Countries need to set five- or ten-year climate targets for themselves, and demonstrably show they have achieved them. The other requirement is that targets for every subsequent time-frame should be more ambitious than the previous one.
- Implementation of the Paris Agreement has begun only this year. Most of the countries have submitted targets for the 2025 or 2030 period.
- India has been arguing that instead of opening up a parallel discussion on net-zero targets outside of the Paris Agreement framework, countries must focus on delivering on what they have already promised. New Delhi is hoping to lead by example. It is well on its way to achieving its three targets under the Paris Agreement, and looks likely to overachieve them.
- Several studies have shown that India is the only G-20 country whose climate actions are compliant to the Paris Agreement goal of keeping global temperatures from rising beyond 2°C. Even the actions of the EU, which is seen as the most progressive on climate change, and the US are assessed as "insufficient". In other words, India is already doing more, relatively speaking, on climate than many other countries.
- New Delhi also repeatedly points to the fact that the developed nations have never delivered on their past promises and commitments. No major country achieved the emission-cut targets assigned to them under the Kyoto Protocol, the climate regime preceding the Paris Agreement.
- Some openly walked out of the Kyoto Protocol, without any consequences. None of the countries has delivered on the promises they made for 2020. Even worse is their track record on their commitment to provide money, and technology, to developing and poor countries to help them deal with the impacts of climate change.
- India has been arguing that the 2050 carbon-neutrality promise might meet a similar fate, although some countries are now binding themselves in law. It has been insisting that the developed countries should, instead, take more ambitious climate actions now, to compensate for the unfulfilled earlier promises.
- At the same time, it has been saying that it does not rule out the possibility of achieving carbon-neutrality by 2050 or 2060. Just that, it does not want to make an international commitment so much in advance.

### **Lab on Wheels programme**

(Source: [Indian Express](#) )

**Context:** Delhi Education Minister Manish Sisodia inaugurated Delhi Technological University's 'Lab on Wheels' programme. It will have students of the university travelling in a bus across Delhi to teach government school students and underprivileged children.

#### **What is the concept?**

- The idea is to impart education in the fields of Mathematics and Science to those students who come from marginalised and poor economic backgrounds, in order to pique their interests in these subjects while pursuing higher education.
- In the end, the hope is that it becomes mutually beneficial, if some of these students decide to take admission in DTU once they finish schooling.
- The 'Lab on Wheels' will comprise 16 computers, two televisions, one 3D printer, one laptop, cameras and one printer. It will be Wi-Fi enabled, with 100 per cent power back up and fully air-conditioned.



- Since DTU is a technological university, the focus will be on Mathematics and Science. Some of the things that will be covered include basic computer training to students, regular classwork for Class 10 and 12 students, and 3D printing training.

## **Durbar Move**

(Source: [Indian Express](#) )

**Context:** *A tradition of a century and a half is set to be broken in Jammu and Kashmir, with only “sensitive records” being taken from Jammu to Srinagar this summer, unlike in previous years when the entire administration and records would be shifted during “Durbar Move”.*

### **The tradition**

- Durbar Move is a bi-annual shifting of the Civil Secretariat and other offices of the state government from Jammu to Srinagar in summer, and vice versa in winter. This is done as Jammu & Kashmir has two capitals: Kashmir during summer and Jammu during winter.
- In Jammu, offices shut on the last Friday and Saturday of April and reopen in Srinagar on the first Monday after a gap of a week. In Kashmir, offices shut on the last Friday and Saturday of October, to reopen in Jammu on the first Monday after a week's gap, in November.
- Durbar Move is a tradition started 149 years ago started by the erstwhile Dogra rulers who hailed from Jammu, but had expanded their boundaries to Kashmir including what is now Pakistan-occupied Kashmir, and Ladakh.
- Jammu, Kashmir and Ladakh are very different from one another geographically, linguistically and culturally, and in those days were poorly connected by road. It is generally understood that the Durbar Move was started to take the administration to the doorstep of the people of Kashmir which is closer to Ladakh. During summer, ruling from Kashmir also helped in ensuring adequate supplies to Ladakh, which is closer to Kashmir than Jammu, before the winter snowfall would cut off Ladakh.
- The practice also enabled greater interaction and bonding among the people of Jammu, Kashmir and Ladakh.

## **Wolf-Rayet stars**

(Source: [PIB](#) )

**Context:** *Indian astronomers have tracked a rare supernova explosion and traced it to one of the hottest kind of stars called Wolf-Rayet stars or WR stars.*

### **What are Wolf-Rayet Stars?**

- The rare Wolf-Rayet stars are highly luminous objects a thousand times that of the Sun.
- They are massive stars and strip their outer hydrogen envelope which is associated with the fusion of helium and other elements in the massive core.
- They are a heterogeneous set of stars with unusual spectra showing prominent broad emission lines of ionised helium and highly ionised nitrogen or carbon.
- The surface temperatures of known Wolf-Rayet stars range from 30,000 K to around 210,000 K, hotter than almost all other kinds of stars.
- They were previously called W-type stars.

## **Madhu Kranti Portal**

(Source: [PIB](#) )

**Context:** *Union Minister for Agriculture and Farmers' Welfare launched Madhu Kranti portal.*

### **About Madhu Kranti Portal:**

- Madhu Kranti portal is an initiative of the National Bee Board (NBB), Ministry of Agriculture and Farmers' Welfare under the National Beekeeping & Honey Mission (NBHM).
- This portal is being developed for online registration to achieve traceability source of honey and other beehive products on a digital platform.
- Necessary functionalities are being developed on the portal to create a database of all stakeholders involved in honey and other beehive products' production, sales and marketing chain.
- There is a provision for the online registration of beekeepers.
- In the second phase, all sales transactions in honey trading in the country shall be captured through a mobile app to achieve desired results in the area of honey source traceability.
- This will help in keeping a check on the adulteration of honey.

## **Anamaya**

(Source: [PIB](#) )

**Context:** *Union Minister launched tribal health cooperative 'Anamaya'.*

### **About Anamaya:**

- Anamaya is a tribal health collaborative supported by Piramal Foundation and Bill and Melinda Gates Foundation (BMGF).
- It will converge efforts of various government agencies and organisations to enhance the health and nutrition status of the tribal communities of India.
- The initiative is committed to ending preventable deaths in the tribal communities.
- Starting with 50 tribal aspirational districts, the Tribal Health Collaborative (THC) would help to accelerate TB activities and achieve India's target of TB Elimination by 2025 through the launch of a "Jan Andolan for TB" along with focus on addressing key determinants like alcohol dependence and under-nutrition in tribal areas.

## **Freedom of Navigation Operations, US's 7th Fleet and India's EEZ**

(Source: [Indian Express](#) )

**Context:** *The US Navy announced on April 7 that the USS John Paul Jones from its 7th Fleet had "asserted navigational rights and freedoms approximately 130 nautical miles west of Lakshadweep Islands, inside India's exclusive economic zone, without requesting India's prior consent, consistent with international law".*

### **Details:**





- It said “India requires prior consent for military exercises or maneuvers in its exclusive economic zone or continental shelf, a claim inconsistent with international law”, and the “freedom of navigation operation (‘FONOP’) upheld the rights, freedoms, and lawful uses of the sea recognized in international law by challenging India’s excessive maritime claims”.
- The Ministry of External Affairs responded that the government’s stated position on the UN Convention on the Law of the Sea (UNCLOS) “is that the Convention does not authorise other States to carry out in the Exclusive Economic Zone and on the continental shelf, military exercises or manoeuvres, in particular those involving the use of weapons or explosives, without the consent of the coastal state”.

#### **FONOP:**

- Simply put, the Freedom of Navigation Operations involves passages conducted by the US Navy through waters claimed by coastal nations as their exclusive territory. According to the US Department of Defense (DoD), the FON Program has existed for 40 years, and “continuously reaffirmed the United States’ policy of exercising and asserting its navigation and overflight rights and freedoms around the world”.
- The DoD says these “assertions communicate that the United States does not acquiesce to the excessive maritime claims of other nations, and thus prevents those claims from becoming accepted in international law”.
- While this is not the first time something like this has happened, this is the first time the US Navy has issued a public statement giving details of the operation. Usually, in the past, the DoD has mentioned all FONOP challenges and assertions in its annual report to Congress.

#### **7TH FLEET:**

- It is the largest of the US Navy’s forward deployed fleets.
- According to its website, “at any given time there are roughly 50-70 ships and submarines, 150 aircraft, and approximately 20,000 Sailors in Seventh Fleet”, which is commanded by a 3-star Navy officer.
- India had a close encounter with the 7th fleet during the 1971 war with Pakistan. According to military historian Srinath Raghavan, US President Richard Nixon and Henry Kissinger “believed that there was an outside chance for a ceasefire before the Pakistan army caved in on the eastern front”.
- Nixon instructed his Chief of Navy “to assemble an impressive naval task force and move it off the coast of South Vietnam, into the Malacca Straits, and onward to the Bay of Bengal”. Task Group 74 included the largest aircraft carrier in the US navy, the USS Enterprise. (1971: A Global History of the Creation of Bangladesh)

#### **EEZ:**

- According to UNCLOS, the EEZ “is an area beyond and adjacent to the territorial sea, subject to the specific legal regime” under which “the rights and jurisdiction of the coastal State and the rights and freedoms of other States are governed by the relevant provisions of this Convention”.
- As per India’s Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976, the EEZ of India “is an area beyond and adjacent to the territorial waters, and the limit of such zone is two hundred nautical miles from the baseline”.
- India’s “limit of the territorial waters is the line every point of which is at a distance of twelve nautical miles from the nearest point of the appropriate baseline”.
- Under the 1976 law, “all foreign ships (other than warships including sub-marines and other underwater vehicles) shall enjoy the right of innocent passage through the territorial waters”, innocent passage being one that is “not prejudicial to the peace, good order or security of India”.

**SARTHAQ**



(Source: [PIB](#) )

**Context:** *‘Students’ and Teachers’ Holistic Advancement through Quality Education (SARTHAQ) launched as part of the AmritMahotsav celebrations*

#### About SARTHAQ:

- SARTHAQ has been developed through wide and intensive consultative process with States and UTs, autonomous bodies and suggestions received from all stakeholders.
- The major focus of SARTHAQ is to define activities in such a manner that they clearly delineate goals, outcomes and timeframe i.e., it links recommendations of NEP with 297 Tasks along with responsible agencies, timelines and 304 outputs of these Tasks.
- SARTHAQ is a working document and is broadly indicative in nature and will be updated from time to time based on inputs/feedback from all stakeholders.
- States and UTs are given the flexibility to adopt this plan with local contextualisation and also modify it as per their needs.

#### Non-Fungible Tokens

(Source: [The Hindu Businessline](#) )

**Context:** *Connected with the cryptocurrency boom, Non-Fungible Tokens (NFTs) are the latest multi-million-dollar internet concept making the headlines in 2021.*

#### What is it?

- NFTs are transaction records captured on the blockchain — the web version of a physical ledger. Non-Fungible Tokens allow people to trade the ownership of digital entities such as memes, media, tweets, arts, articles in ‘token’ form.
- As NFTs are supported by blockchain, these transaction records are permanent, verified multiple times and cannot be erased or changed. Each non-fungible token is uniquely identifiable.
- So, no two digital entities can have the same token. A NFT is essentially a certificate of authenticity or a digital autograph that can be attached to digital property.
- All the NFT headlines screaming millions, usually paid in cryptocurrencies, are for this certificate. When you buy an NFT, you do not necessarily own the connected piece of art, meme or music.
- This is because a NFT doesn’t convey copyright or usage rights unless there is an explicit licence mentioning it. The right that an NFT confers on you is a digital bragging right.
- Multi-million-dollar NFT sales have lately been attracting social media eye-balls. For instance, an NFT for an animated Gif of a meme of a flying pop-tart cat sold for more than \$500,000.
- An NFT for a single red pixel is selling for over \$800,000. Christie’s sale of an NFT by a digital artist called Beeple set the record for digital art, as it was snapped up by two Indian-origin crypto enthusiasts for a whopping \$69 million.
- NFTs don’t offer any cash flow and are not real assets. The only way one can make money is by luring others into buying the NFT off you.
- Remember, before you sell an NFT, you need to create one. Unless you are a blockchain enthusiast, creating an NFT will require spending real money in the order of \$100 which will go into the crypto economy.

#### Why is it important?

- The Covid pandemic has further devastated the poorly-paid lives of innumerable artists, musicians and creators. The digital world offers a creative outlet, but in it, any creation can be easily duplicated. This is where NFTs come in.

- With NFTs, any creation can be tokenised to create a digital certificate of ownership, helping creators get a life-changing price for their art.
- Theoretically, artists with NFTs for their creations can access a global market, retain ownership rights over their work and claim benefits like resale royalties directly.
- But in the real world, new-fangled innovations seldom work the way it is claimed. Some even think that NFTs will fix the shattered economics of streaming music and restore the power-balance between art creators and art mediators.
- But all this is mere conjecture at this point. The NFT eco-system after all, is connected to the largely unregulated world of cryptocurrencies.



## INTERNATIONAL

### UK's Police, Crime, Sentencing and Courts Bill 2021

(Source: [Indian Express](#) )

**Context:** *In the UK, thousands of people have been protesting against a new legislation introduced in the British Parliament called the Police, Crime, Sentencing and Courts Bill 2021. The BBC reported that there have been violent protests in the city of Bristol over the Bill, which will allow the police to take a more proactive approach in managing “highly disruptive protests” causing “serious disruption to the public.”*

#### **What is the Bill?**

- The various provisions of the Bill will widen the range of conditions that the police can impose on static protests to match the existing police powers that it is able to impose on marches.
- This means that the police will be able to impose conditions such as start and finish times and maximum noise levels during static protests. The police can already impose such conditions on marches.
- Other provisions of the bill will broaden the range of circumstances in which the police can impose conditions on a protest, “including a single person protest, to include where noise causes a significant impact on those in the vicinity or serious disruption to the running of an organisation.”
- Further, as per the recommendation of the Law Commission, the Bill will introduce a statutory offence of public nuisance, which means there will be clarity about the kinds of conduct that are forbidden such as producing excessive noise or smells, or offensive or dangerous behaviour in public, such as hanging from bridges.

#### **What have critics of the Bill said?**

- People have criticised the legislation on the basis that its provisions give more rights to the police to monitor and control protests.
- Fair Trials, a global criminal justice watchdog, has said the Bill “risks undermining the public’s confidence in the criminal justice system, and undermine equality and the right to a fair trial.”
- It has also emphasised the Bill’s extension of powers to the police.
- The Labour Party has also opposed the Bill on the grounds that it criminalises making noise and that a person found guilty of causing “serious annoyance” or “serious inconvenience” could be imprisoned for a period of upto ten years.
- Some critics have also pointed out that the Home Secretary has been in a rush to pass the legislation instead of scrutinising it.

### NATO

(Source: [The Hindu](#) )

**Context:** *Ukrainian President Volodymyr Zelensky urged NATO to speed up his country’s membership in the alliance, saying it was the only way to end fighting with pro-Russia separatists.*

#### **What is the North Atlantic Treaty Organization (NATO)?**

- NATO stands for the North Atlantic Treaty Organization which is also called the North Atlantic Alliance.
- It is an intergovernmental military alliance based on the North Atlantic Treaty which was signed on 4 April 1949.



- The organization constitutes a system of collective defence whereby its member states agree to mutual defence in response to an attack by a non-member external party.
- NATO's headquarters are located at Boulevard Leopold III in the city of Brussels, Belgium, where the Supreme Allied Commander resides.

### Why was NATO formed?

- The organisation was formed as a means to ensure collective security in western Europe.
- Even though World War 2 had come to an end, the deteriorating relations between two former allies, the United States and the USSR would eventually lead to the Cold War.
- The USSR sought to expand its influence in Europe through the spread of communism, while the US saw the ideology of the USSR as a threat to its way of life. Hence it saw the need to form NATO.

### NATO Members

- NATO has 30 member countries with North Macedonia as its newest member. It became a part of NATO in 2020

NATO Member Countries		
Albania (2009)	Greece (1952)	Poland (1999)
Belgium (1949)	Hungary (1999)	Portugal (1949)
Bulgaria (2004)	Iceland (1949)	Romania (2004)
Canada (1949)	Italy (1949)	Slovakia (2004)
Croatia (2009)	Latvia (2004)	Slovenia (2004)
Czech Republic (1999)	Lithuania (2004)	Spain (1982)
Denmark (1949)	Luxembourg (1949)	Turkey (1952)
Estonia (2004)	Montenegro (2017)	The United Kingdom (1949)
France (1949)	Netherlands (1949)	The United States (1949)
Germany (1955)	Norway (1949)	North Macedonia (2020)

### E9 Initiative

(Source: [PIB](#) )

**Context:** India to join eight other countries to accelerate digital learning.

### About the E9 Initiative:

- Nine countries including India, China and Brazil will explore possibility of **co-creating and scaling up digital learning** to achieve UN sustainable goal on quality education.
- Called E9 initiative, the consultation is the “first of a three-phased process to co-create an initiative on digital learning and skills, targeting marginalised children and youth, especially girls. The initiative aims to accelerate recovery and advance the Sustainable Development Goal 4 agenda by driving rapid change in education systems.”
- The E9 countries are India, Bangladesh, Brazil, China, Egypt, Indonesia, Mexico, Nigeria and Pakistan.
- The countries together will drive change in support to teachers; investment in skills; and narrowing of the digital divide.
- This Consultation will highlight progress, share lessons and explore opportunities for collaboration and scale-up to expand digital learning and skills.
- This is being done in the wake of the COVID pandemic which saw a huge disruption in learning and as per the UNESCO, offers an opportunity to enhance interconnected and digitised economies.



- **Note:-** The E9 is a forum of nine countries, which was formed to achieve the goals of UNESCO's Education For All (EFA) initiative.
  - E-9 Initiative was launched in 1993 at the EFA Summit in New Delhi, India.
  - E-9 Initiative has become a forum for the countries to discuss their experiences related to education, exchange best practices, and monitor EFA-related progress.







# Mains

## GS II

### Reversing H-1B ban

(Source: [The Hindu](#) )

**Context:** *The 46th and current U.S. President, Democrat Joe Biden, has allowed the ban on H-1B visa issuance to expire, potentially bringing relief to a large number of Indian nationals, especially IT workers who are prospective applicants for the visa.*

#### **What was the context for the Trump administration issuing rules tightening immigration policy?**

- Immigration reforms in favour of protecting U.S. jobs for Americans and favouring legal over undocumented migration was a major policy thrust for Mr. Trump even during his days campaigning for the 2016 presidential election.
- In April 2020, the final year of Mr. Trump's term in office, the White House announced a 60-day halt on legal migration, effectively a ban on "green card" issuance.
- Then came the proclamation of June 22, which was justified by the White House on the grounds that the COVID-19 pandemic "significantly disrupted Americans' livelihoods", to the extent that the overall unemployment rate in the country nearly quadrupled between February and May 2020 to a little over 13%.
- Later, the Trump administration also announced that it would stop issuing visas for incoming students who had enrolled in programmes that were entirely online.
- Lawsuits filed by top U.S. universities challenging this policy resulted in the White House partially walking back on the new rules.

#### **Was it economics or politics that prompted the ban?**

- It is unlikely that any significant economic benefits of the skilled-worker visa ban, in terms of protecting U.S. jobs from foreigners, could have been realised during 2020 and early 2021 given the pressures of the COVID-19 pandemic on the U.S. economy.
  - Firstly, the ban did not apply to visa-holders already within the U.S., or those outside the country for whom a valid visa was already issued.
  - Second, given that the ban remained in force only during the pandemic and that there had been a slowdown in economic activity during this period, U.S. firms relying on skilled foreign nationals may have anyway been unable to make new hires. Given this, it is hard to see the Trump White House's policy as anything other than a political manoeuvre.
- Mr. Biden has sought to nudge the broader immigration ethos of the U.S. back towards one that is consistent with Democratic values. In allowing the H-1B visa ban to expire, he is walking a fine line between restoring the inflow of skilled workers into the U.S., a source of productivity-increase for its labour force, and not being seen as overly aggressive in unwinding Trump-era immigration crackdowns.
- After all, around 74 million people voted for Mr. Trump in the 2020 presidential election, and they will continue to be vocal advocates for a political system that puts 'America First', even if their leader no longer occupies the Oval Office.

#### **What was the economic fallout of the visa ban?**

- Even more than Mr. Biden, it turned out that America Inc., the employers of perhaps millions of non-immigrant foreign workers, from Wall Street to Silicon Valley, was at the vanguard of the backlash against the skilled worker visa ban.

- For example, Google CEO Sundar Pichai lashed out at the policy, saying at the time of its announcement, “Immigration has contributed immensely to America’s economic success, making it a global leader in tech, and also Google the company it is today.
- Disappointed by today’s proclamation — we’ll continue to stand with immigrants and work to expand opportunity for all.” SpaceX founder and Tesla CEO Elon Musk and Apple CEO Tim Cook posted similar messages on social media.
- Until now, the U.S. issued 85,000 H-1B visas annually, of which 20,000 went to graduate students and 65,000 to private sector applicants, and Indian nationals would garner approximately 70% of these.
- Analysts predicted that around 2,19,000 workers around the world might have been prevented from taking up work in the U.S. as a result of Mr. Trump’s visa ban.

#### **What will be the impact of the ban’s expiry on Indian corporations?**

- Given that the order banning H-1B visa issuance expired on Thursday, all H-1B applicants will now be in a position to receive a visa and travel to the U.S. to begin or resume work as full-time employees or independent contractors.
- In time, that will lead to a steady increase in the size of the talent pool available to IT companies with U.S. operations. This would also benefit Indian IT companies with U.S. operations.
- The opening up of H-1B visa availability is also premised on U.S. diplomatic missions worldwide resuming new visa issuance to appropriately qualified skilled workers.

### **The pillars of an equitable post-COVID India**

(Source: [The Hindu](#) )

**Context:** COVID-19 in the last one year has once again reminded us of the growing inequalities in India. A recent Pew Research Report shows that India’s middle class may have shrunk by a third due to the novel coronavirus pandemic while the number of poor people earning less than ₹150 per day more than doubled. The Pew report also warned that the situation may actually be worse than estimated because of worsening inequalities. International organisations like the World Bank, the International Monetary Fund and the International Labour Organization have also warned about rising inequalities in several countries including India due to the pandemic.

#### **Made worse now**

- Inequalities in India have been high even in the pre-COVID-19 period. The economic shock due to the pandemic has been much more severe for the country for two reasons.
  - First, pre-COVID-19, the economy was already slowing down, compounding existing problems of unemployment, low incomes, rural distress, malnutrition, and widespread inequality.
  - Second, India’s large informal sector is particularly vulnerable. Inequalities were increasing earlier also but the pandemic has widened them further. For example, the share of wages declined as compared to that of profits. The big companies and a large part of the corporate sector could manage the pandemic. The quarterly net profit of the BSE200 companies reached a record high of ₹1.67 trillion in the third quarter of FY21 and was up by 57% year-on-year. But the informal sector and workers have suffered a lot with loss of incomes and employment in the last one year. In other words, the recovery is more k-shaped with rising inequalities.
- The economy recovered in the third quarter of FY21 with a positive GDP growth of 0.4% as compared to minus 24.4% in the first quarter and minus 7.3% in the second quarter.
- For the year FY21, the economy would contract by 8%. GDP growth is likely to increase by 10%-11% in FY22. But the levels of GDP show that it will grow only around 1.1% in FY22 as compared to FY20 levels.



- According to the Centre For Monitoring Indian Economy, the employment rate is still 2.5 percentage points lower now as compared to the level before the lockdown last year. Women lost more jobs and many are out of the workforce. Inequalities have increased in health care and education.

### A three-step plan

- As the British economist Anthony Atkinson says, “much is written about the 1 per cent and the 99 per cent. But, if we are serious about reducing income inequality, what can be done?”
- Reduction in inequalities is important for its own sake and for improving demand which can raise private investment, consumption and exports for higher and sustainable economic growth.
- We concentrate here on a three-pronged approach for reducing inequalities. These are: focus on employment and wages; raising human development, and quasi universal basic income and other social safety nets.
  - First, creation of quality or productive employment is central to the inclusive growth approach. At the macro level, the investment rate which declined from 39% in 2011-12 to 31.7% in 2018-19 has to be improved. Investment in infrastructure including construction can create employment. In the recent Budget, the central government has rightly focused on capital expenditure for infrastructure.
    - There are seven challenges in employment: creating productive jobs for seven to eight million per year; correcting the mismatch between demand and supply of labour (only 2.3% of India’s workforce has formal skill training as compared to 96% in South Korea, 80% in Japan, and 52% in the United States; Structural change challenge (manufacturing should be the engine of growth.
    - Here, labour-intensive exports are important and manufacturing and services are complementary); focusing on micro, small & medium enterprises and informal sectors including rights of migrants; Getting ready for automation and technology revolution; Social security and decent working conditions for all; raising real wages of rural and urban workers and guaranteeing minimum wages.
  - The second approach is in creating equality of opportunity by improving human development. Increasing public expenditure on health and education is another form of redistributive measure. COVID-19 has supplied us several lessons on the health sector. Public expenditure on health is only 1.5% of GDP.
    - Apart from spending on vaccines and other related measures, we need to move towards universal health care and spend 2%-3% of GDP on health. Education and health achievements are essential for reducing inequality of opportunities.
    - Much dichotomy exists in both these sectors. In education, there are islands of excellence that can compete internationally even as a vast majority of masses of children are churned out with poor learning achievement. We also have the experience of a digital gap in education during the pandemic. One has to fix this dichotomy in health and education.
  - The third approach is in providing a quasi-universal basic income and other safety nets. For example, C. Rangarajan and I had suggested three proposals on minimum income for the poor and the vulnerable in the post-pandemic period.
    - These are: cash transfers to all women above the age of 20 years; expanding the number of days provided under the Mahatma Gandhi National Rural Employment Guarantee Act and a national employment guarantee scheme for urban areas. In all these proposals, there is no problem of identification. A combination of cash transfers and an expanded guarantee scheme would provide income support to the needy.
- Apart from the ideas above, increasing farmers’ income especially for small and marginal farmers is needed to reduce inequalities and create demand. Farmer producer organisations should be strengthened.
- States have to be given a bigger role in agri-marketing reforms. The terms of trade for agriculture have to be improved.

### Tax base, budgets



- Enhancing tax and non-tax revenues of the government is needed to spend on the above priorities. The tax/GDP ratio has to be raised, with a wider tax base. Richer sections have to pay more taxes.
- Similarly, the inequalities between the Centre and States in finances should be reduced. State budgets must be strengthened to improve capital expenditures on physical infrastructure and spending on health, education and social safety nets.
- Apart from economic factors, non-economic factors such as deepening democracy and decentralisation can help in reducing inequalities. Unequal distribution of development is rooted in the inequalities of political, social and economic power.
- We have to find opportunities and spaces where the power can be challenged and redistributed. In the post-COVID-19 world, addressing inequality is important for higher and sustainable economic growth and the well-being of the population.

### **National migrant policy**

(Source: [Down to Earth](#) )

**Context:** *For someone who has been working on circular migration in India for decades, the news of the new draft National Migrant Policy being framed by NITI Aayog is an extremely welcome development. The need to do this has evidently been precipitated by the enormous suffering endured by the country's circular migrants (those who migrate short term primarily to earn and remit money back home) during the novel coronavirus disease (COVID-19) lockdown in 2020.*

#### **Details:**

- As a draft copy of the policy, prepared in January 2021, acknowledges, circular migrants are the backbone of our economy and contribute at least 10 per cent of India's gross domestic product (GDP).
- Yet, tens of millions are employed in precarious jobs in the informal sector without contracts or documents to prove their identity, and claim state support in the event of a crisis.
- This reality was driven home through horrific scenes of migrants left without earnings or any source of social protection as the employers and contractors that they depended on for their survival, were hurt by the lockdown themselves and unable to fulfil promises of patronage.
- The draft policy is clear in highlighting the vulnerability of migrants to such crises and describes the experience of migrants during the lockdown as a "humanitarian and economic crisis".
- Clearly there is strong political will and intent to never let this kind of tragedy happen again. The draft contains several radical recommendations that build on those made in 2017 by the working group on migration appointed by the then Ministry of Housing and Urban Poverty Alleviation, as well as recent research and policy analyses by leading thinkers in the field.
- It seeks to take a rights-based approach and discusses the importance of collective action and unions to help migrants bargain for better conditions and remuneration.

#### **Involvement of line agencies**

- The draft policy makes efforts to bring together different sectoral concerns related to migration, including social protection, housing, health and education. In doing so, it will lay the foundations for the ministries and line departments overseeing these sectors to work together in a more harmonious fashion, speaking the same language and operating on the same underlying assumptions.
- The draft mentions the need for convergence across different line departments and proposes the establishment of a special unit at the Ministry of Labour and Employment which will work closely with other ministries.
- It proposes new management bodies for interstate migration and stresses the need to improve the data on migration, especially data on seasonal and circular migration.





- All of these steps promise to create a policy environment that can better support migration and one that is based on sound data. The remit of the policy is broad, seeking to bring even the most marginalised groups under its umbrella. However, a more explicit mention of important categories of less-visible occupations is needed.
- The International Labour Organization has drawn attention to the need to reach invisible workers such as domestic workers who number between 2.5 and 90 million in India.
- Although, in theory, the broad categories of interstate migrant and internal migrant would include domestic workers, it is too easy for them to fall through the gaps as they are not covered by protective law since India has not ratified the International Labour Organization's Domestic Workers Convention, 2011.
- The draft policy also conveys a willingness within government to recognise that the numerous laws and legislation that are in existence have not succeeded in protecting migrants as intended and recommends better implementation. This goal has been expressed in numerous policy analyses before.
- There is a need to recognise that implementation has been very problematic and, carry out serious assessments to understand the microprocesses that lead to mistargeting, lack of uptake and various irregularities in the implementation of schemes, and, understand the political economy of migrant labour recruitment, placement and employment in key industries and why there is a strong vested interest in keeping migrants away from the purview of the law.
- Employers use recruiters to find and manage workers and thereby absolve themselves from any responsibility for protecting their rights and providing decent working conditions.
- It is not enough to say that laws should be implemented better. The same can be said of improving access to the Aadhaar card and other schemes.

### **Tribal migrants sans agency?**

- There are some aspects of the draft policy that show it has not quite made up its mind about the ability of labour migrants to think for themselves and decide how they access the opportunities offered by migration.
- Early in the draft we see a commitment to recognising migrant agency and language that portrays migration as an opportunity. But later in the document, this is less clear, especially in the section where tribal migration policies are discussed.
- Tribal migration is constructed as a process whereby profiteering, “unfair” and immoral brokers or intermediaries are “luring”, or worse still, trafficking, unsuspecting tribals away from their villages. There is a conceptually problematic fudging of trafficking and economic migration and also a lack of clarity on how the migrants themselves perceive these processes.
- Domestic work, which is named as one of the occupations into which tribals are trafficked, has now become an important source of income for tens of thousands of women and adolescents from impoverished backgrounds in eastern Indian states working in the metropolises.
- There is no doubt that there are instances of abuse and other crimes against these women. However, such incidents do not represent the majority experience and they cannot be cited as the reason for controlling the entirety of such migration. There is an urgent need to distinguish cases of extreme exploitation from the rest, and better understand how migrants themselves weigh up the costs and risks against potential benefits of working in the city.
- The draft policy lists a number of government programmes and laments their failure in checking migration from tribal areas. The underlying assumption appears to be that migration is an expression of agency among other sections of society but not among tribals on account of their extreme poverty and dependency. The fact that they may be trying to escape that situation through migration is overlooked.
- While there are occupations such as brick kiln work where extreme exploitation and cycles of dependency are clear, not all tribal migrants can be viewed in an undifferentiated way as ignorant, gullible people who are incapable of making choices to further their own aspirations and strategies for advancement. Suggesting that we need to curtail their migration goes against the stated objectives of the draft policy to recognise migrant agency.





### **Brokers: profiteers or facilitators?**

- While migrants and their families recognise that brokers exploit them and earn relatively large amounts from their migration, they also recognise that without them, they would be unable to access employment outside the village.
- Recruiters, whether from their own community or from outside, are key in helping migrants to negotiate the huge cultural and economic divide between their own worlds and the world of modern urban employment.
- They may do so by paying them advances which bond them to the job for several months—in the worst cases this results in perpetuating dependency and indebtedness, whereas in others it can release them from more humiliating borrowing from traditional patrons.
- It is, therefore, a complex process that cannot be simplified and while it clearly needs to be regulated to avoid extreme exploitation, any effort to do so must be based on a thorough understanding of migrants' perspective on the process.
- The draft policy goes on to highlight other areas where migrants could be better supported including financial services, skills development, political inclusion and education, among others.
- All these suggestions are well received but they are not new, and there is a need to understand past failures and suggest a way of doing things differently. For example, efforts by banks to reach migrants for remittance services have had mixed results.
- One imagines that a mixture of irregular earnings, reluctance to engage with formal institutions, discrimination faced and the lack of identity documents are the barriers to such inclusion.
- Informal service providers do not ask for papers or proof of identity. Overall, the draft policy is in the right direction but there are areas where a more innovative and workable way needs to be found. Otherwise migrants will be stuck in the same rut—having to carry the risks of migration in a hostile policy environment all by themselves.

### **Abortion is a woman's right to decide**

(Source: [The Hindu](#) )

**Context:** *Given the phenomenal expansion in feminist jurisprudence over the last decade, particularly on the issue of a woman's right to choose to have an abortion, it now appears quite plain that the central government's amendment to the abortion laws not only retains the traditional notion that the state must intervene and decide for women as to when and in what circumstances abortions may be carried out, but even the pathetic measures set out in the Medical Termination of Pregnancy (Amendment) Act 2021 are too little and have come too late.*

### **After much stonewalling**

- This government seems to be incompetent in understanding a woman's right over her own body. The government's conduct is particularly appalling since it comes after over a decade of procrastination and obstruction where indigent women in difficult circumstances tried to have abortions done and were stonewalled by government officials and prosecutors.
- The passing of this Act marks a new phase of the struggle to assert the absolute right of a woman over her body.
- The Medical Termination of Pregnancy Act, 1971 (MTP) may have been considered progressive at that time considering that provisions in the Indian Penal Code regarding termination of pregnancy were enacted over a century ago in keeping with the British law on the subject.
- Abortions were made a crime and the woman concerned and her doctor would invariably land up in jail. Section 3 put an outer limit of 20 weeks on the length of the pregnancy and required two doctors to certify that the continuation of the pregnancy would involve a risk to the life of the woman or grave



injury to her physical or mental health or that there was a substantial risk that the child born would suffer from such physical or mental abnormalities as to be seriously handicapped.

- Explanation 1 dealt with rape cases where it was to be presumed that the anguish caused would constitute a grave injury to the mental health of the woman.
- Explanation 2 laid down that any pregnancy occurring as a result of failure of contraception would likewise be presumed to constitute a grave injury. Account needed to be taken of the pregnant woman's actual or reasonably foreseeable environment. Section 5 created an exception to the 20 week limit whenever such an abortion was immediately necessary to save the life of the pregnant woman.
- The 1971 Act was based on "The Report of the Shantilal H. Shah Committee to Study the Question of Legislation of Abortion" 1967, which set out the limitations of technology which made it hazardous for women to have abortions done after the 20th week.
- This limitation disappeared with the phenomenal improvement in technology and processes rendering it possible to carry out abortions safely right up to full term. Thus the excuse of "safety of the woman" was no longer tenable to be used for restricting women's rights.

### The after-effect

- The central government has been criminally negligent in allowing the law to stand as it has for five decades. It has pushed women seeking abortions underground where terminations are carried out in unhygienic and dangerous places, and in horrific situations.
- Even today about 800,000 illegal and unsafe abortions are performed every year in India, many of them resulting in morbidities and death. The government has not cared. Political parties of all hues had one thing in common; women dying do not matter.
- The decision of the Bombay High Court in Nikita Mehta vs State of Maharashtra, saying that it was not open for the courts to double guess the statutory restrictions, sparked the debate around the right to abortion in India.
- From 2008 onwards, over 300 petitions were filed in the Supreme Court and the High Courts. Given the gruesome context from which these petitions sprung the Supreme Court generally responded well by ignoring the statutory provisions as it was patent that not allowing abortions to take place would have caused grave injustice to the woman.
- The Court then routinely allowed abortions way past the 20 week limit. In Murugan Nayakkar vs Union of India & Ors, the abortion was permitted at 31 weeks, very close to full term.
- **The Medical Termination of Pregnancy (Amendment) Act 2021 fails miserably on the main count while introducing few collateral progressive measures.**
  - **First**, the Act fails to recognise the absolute right of a woman over her body in taking decisions regarding abortions and reproductive health. It still reserves to the state the right to dictate to the woman that she cannot have an abortion at will.
  - **Second**, even though the limit has been pushed back from 20 to 24 weeks, this comes with the same state conditionalities as before.
  - **Third**, 24 weeks is not rational given today's technology where abortions can be done safely up to full term.

### Medical boards are obstacles

- By far the biggest failure of the government lies in enacting section 3(2B) which requires the pregnant woman to approach a medical board in cases of substantial foetal abnormalities and where she has crossed the 24 week limit.
- These boards impose insurmountable obstacles to the woman seeking late abortions.
  - First, what used to be an exchange between the pregnant woman and her gynaecologist who would take a decision as to safety, has now been replaced by a board of a minimum of three doctors. This is totally unnecessary and breaches privacy.
  - Second, and this is indicative of complete non-application of mind, the Act provides in section 3(2C) for a single board for a State. Given the millions of abortions taking place in India past the deadline, it is impossible for one board to handle all cases.



- Third, assuming multiple boards will be established, the records show that no State has the finances or the human resources to maintain the operation and functioning of these boards.
- Fourth, the right to seek termination is restricted to “such category of women as may be prescribed by rules”. One wonders what categories of women would be permitted termination of pregnancies!
- The main objection remains; that boards are totally unnecessary and an invasion of privacy, and pregnant women, like they used to do, should be left alone to consult their gynaecologist in late term pregnancies and carry out their abortion under the certificate of their own gynaecologist that the abortion can be performed safely.
- This is the trend worldwide and in the courts. The Indian government needs to wake up and educate itself on women’s emancipation worldwide.

### Lok Adalats

(Source: [The Hindu](#) )

**Context:** *Justice delayed is justice denied. Access to justice for the poor is a constitutional mandate to ensure fair treatment under our legal system. Hence, Lok Adalats (literally, ‘People’s Court’) were established to make justice accessible and affordable to all. It was a forum to address the problems of crowded case dockets outside the formal adjudicatory system. The first National Lok Adalat (NLA) of 2021 will be held on April 10.*

#### **Background**

- As of now, Lok Adalats have been functioning for 38 years, but have they performed efficiently? Do they empower the poor or coerce them to accept unjust compromises? Do they trade justice off for high settlement numbers and speed, ignoring the old dictum that justice hurried is justice buried? Have we tailored a dual system of justice dispensation, where the formal legal system, i.e., the court, is meant only for the rich and powerful, as was recently stated by former Chief Justice of India Ranjan Gogoi? These questions are worth consideration.
- Lok Adalats had existed even before the concept received statutory recognition. In 1949, Harivallabh Parikh, a disciple of Mahatma Gandhi, popularised them in Rangpur, Gujarat.
- The Constitution (42nd Amendment) Act, 1976, inserted Article 39A to ensure “equal justice and free legal aid”.
- To this end, the Legal Services Authorities Act, 1987, was enacted by Parliament and it came into force in 1995 “to provide free and competent legal services to weaker sections of the society” and to “organise Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity”.

#### **A dispute resolution avenue**

- As an alternative dispute resolution tool, Lok Adalats are regularly organised to help parties reach a compromise. Motor-accident claims, disputes related to public-utility services, cases related to dishonour of cheques, and land, labour and matrimonial disputes (except divorce) are usually taken up by Lok Adalats.
- The State Legal Services Authorities (SLSAs) have been organising Lok Adalats on a daily, fortnightly and monthly basis. Data from the National Legal Services Authority (NALSA) show that Lok Adalats organised across the country from 2016 to 2020 disposed of 52,46,415 cases.



- Similarly, National Lok Adalats (NLAs) organised under the aegis of NALSA settle a huge number of cases across the country in a single day. For instance, NLAs conducted on February 8, 2020, disposed of 11,99,575 cases. From 2016 to 2020, NLAs have disposed of a total of 2,93,19,675 cases.
- The Indian judicial system is often lambasted, perhaps justifiably, for its endemic delays and excessive backlogs.
- As per the National Judicial Data Grid, 16.9% of all cases in district and taluka courts are three to five years old; for High Courts, 20.4% of all cases are five to 10 years old, and over 17% are 10-20 years old. Furthermore, over 66,000 cases are pending before the Supreme Court, over 57 lakh cases before various HCs, and over 3 crore cases are pending before various district and subordinate courts.
- Justice V.V.S. Rao, former judge of the Andhra Pradesh High Court, calculated a few years ago that it will take around 320 years to clear the existing backlog of cases.
- As a result, litigants are forced to approach Lok Adalats mainly because it is a party-driven process, allowing them to reach an amicable settlement.
- When compared to litigation, and even other dispute resolution devices, such as arbitration and mediation, Lok Adalats offer parties speed of settlement, as cases are disposed of in a single day; procedural flexibility, as there is no strict application of procedural laws such as the Code of Civil Procedure, 1908, and the Indian Evidence Act, 1872; economic affordability, as there are no court fees for placing matters before the Lok Adalat; finality of awards, as no further appeal is allowed. This prevents delays in settlement of disputes.
- More importantly, the award issued by a Lok Adalat, after the filing of a joint compromise petition, has the status of a civil court decree.
- As per data from NALSA, subject matter-specific NLAs were organised in 2015 and 2016 on a monthly basis.
- Therefore, each NLA dealt with a specific type of dispute on a single day, each month. However, from 2017, this practice was discontinued. Thereafter, each NLA has been handling all types of cases on a single day.
- This was done to reduce the costs of organising the NLAs, and more importantly, to allow parties more negotiation time. But this, in turn, led to a significant drop in the number of cases settled.
- In 2015 and 2016, ten NLAs were held each year that disposed of 1,83,09,401 and 1,04,98,453 cases respectively. In 2017 and 2018, the number of NLAs dropped to five, with 54,05,867 and 58,79,691 cases settled respectively. In 2019, four NLAs were organised, and they disposed of 52,93,273 cases.
- In 2015, the average number of cases settled per NLA was 18,30,940, which came down to 10,81,174 in 2017, but rose to 11,75,939 in 2018, and 13,23,319 cases in 2019. This throws up questions about the efficiency of NLAs.
- The data show that the average number of cases disposed of per NLA since 2017 has gone up even when the number of NLAs organised each year has reduced. This proves that on average, the system is certainly efficient.
- To overcome the challenges posed by the COVID-19 pandemic, e-Lok Adalats were organised at both national and State level.
- However, the first national e-Lok Adalat was conducted both physically and virtually using videoconferencing tools, and it disposed of 10,42,816 cases. But this was less than the average of settled cases in 2017, 2018, and 2019. This suggests that the performance of the NeLA was less efficient than physical National Lok Adalats organised in 2017, 2018, and 2019.
- Justice D.Y. Chandrachud, who chairs the SC's e-Committee, recently published the draft of phase three of the e-Courts project. Once implemented, it may prove to be a game-changer in improving the efficiency of the adjudicatory process.

### Conciliatory role

- However, besides efficiency and speed, Lok Adalats both online and offline should focus on the quality of justice delivered. The Supreme Court, in *State of Punjab vs Jalour Singh* (2008), held that a Lok Adalat is purely conciliatory and it has no adjudicatory or judicial function.





- As compromise is its central idea, there is a concern, and perhaps a valid one, that in the endeavour for speedy disposal of cases, it undermines the idea of justice. In a majority of cases, litigants are pitted against entities with deep pockets, such as insurance companies, banks, electricity boards, among others.
- In many cases, compromises are imposed on the poor who often have no choice but to accept them. In most cases, such litigants have to accept discounted future values of their claims instead of their just entitlements, or small compensations, just to bring a long-pending legal process to an end.
- Similarly, poor women under the so-called ‘harmony ideology’ of the state are virtually dictated by family courts to compromise matrimonial disputes under a romanticised view of marriage. Even a disaster like the Bhopal gas tragedy was coercively settled for a paltry sum, with real justice still eluding thousands of victims.
- A just outcome of a legal process is far more important than expeditious disposal. With Justice N.V. Ramana’s elevation as the new Chief Justice of India, it is hoped that he would take some concrete and innovative steps in improving the quality of justice rendered by National Lok Adalats.

### **India’s Refugee Problem**

(Source: [The Hindu](http://www.thehindu.com) )

**Context:** *The current plight of the Myanmarese has been preceded by that of another group of Myanmarese, the Rohingya. And not too long ago, the debate was dominated by the Citizenship (Amendment) Act, 2019 and its impact on those seeking refuge in India, even though new refugees would not be benefited by the law since the cut-off year of the CAA is 2014. In any case, refugee flows to India are unlikely to end any time soon given the geopolitical, economic, ethnic and religious contexts of the region. There is, therefore, an urgent need today to clinically address the issue of refugee protection in India and put in place appropriate legal and institutional measures.*

#### **Refugees versus immigrants**

- India has emphatically argued over time, particularly in the recent past, that illegal immigration from the neighbouring countries to India must come to an end.
- There is little doubt that illegal immigration is a threat to the socio-political fabric of any country, including India, with potential security implications.
- And yet, in this growing debate about the sources and implications of illegal immigration into the country, the issue of refugees tends to get subsumed under it or at best relegated to the backburner, neither of which do justice to the helpless people fleeing from persecution at home.
- While the reality is that much of the debate in the country is about the illegal immigrants, not refugees, the two categories tend to get bunched together.
- And because we have jumbled up the two issues over time, our policies and remedies to deal with these issues suffer from a lack of clarity as well as policy utility.

#### **Ambiguity in the framework**

- The main reason why our policies towards illegal immigrants and refugees is confused is because as per Indian law, both categories of people are viewed as one and the same and are covered under the Foreigners Act, 1946 which offers a simple definition of a foreigner — “foreigner” means “a person who is not a citizen of India”.
- Needless to say that there are fundamental differences between illegal immigrants and refugees, but India is legally ill-equipped to deal with them separately due to a lack of legal provisions. Recall that India is not a party to the 1951 Refugee Convention (<https://bit.ly/2Qej4hF>) and its 1967 Protocol, the key legal documents pertaining to refugee protection.





- The absence of such a legal framework also leads to policy ambiguity whereby India's refugee policy is guided primarily by ad hocism which, of course, often has its own 'political utility'.
- Ad hoc measures enable the government in office to pick and choose 'what kind' of refugees it wants to admit for whatever political or geopolitical reasons, and what kind of refugees it wants to avoid giving shelter, for similar reasons.
- At the same time, the absence of a legal framework increases the possibility of the domestic politicisation of refugee protection and complicates its geopolitical faultlines.
- The absence of a clearly laid down refugee protection law also opens the door for geopolitical considerations while deciding to admit refugees or not. Consider the most recent case of Myanmarese refugees fleeing to India for protection from the junta at home.
- New Delhi's concern is that if it takes a decision that irks the Generals in Naypyitaw, Beijing would get closer to the junta and use the opportunity to hurt India's interests in Myanmar. This fear, at least partly, is what has prompted India's decision not to admit the refugees.
- However, hypothetically speaking, if New Delhi had a domestic legislation regarding refugees, despite not being a signatory to the relevant international conventions, it could have tempered the expectations of the junta to return the fleeing Myanmarese.

### **Legal, moral complexities**

- India, for the most part, has had a stellar record on the issue of refugee protection, a moral tradition that has come under great stress of late. New Delhi has been one of the largest recipients of refugees in the world in spite of not being a party to the 1951 Refugee Convention and its 1967 Protocol.
- Whether or not India should be a party to these international legal instruments has been a matter of some debate in the country.
- A proper interpretation of the text of the 1951 Convention and the less-than-perfect western practice of refugee protection could lead one to conclude that a country like India, given its track record of refugee protection as well as a vulnerable geopolitical and socio-economic situation, need not unreservedly accede to the convention and the protocol in the way they currently stand.
- For one, as is often discussed in India, the definition of refugees in the 1951 convention only pertains to the violation of civil and political rights, but not economic rights, of individuals, for instance. Put differently, a person, under the definition of the convention, could be considered if he/she is deprived of political rights, but not if he/she is deprived of economic rights.
  - If the violation of economic rights were to be included in the definition of a refugee, it would clearly pose a major burden on the developed world.
  - On the other hand, however, this argument, if used in the South Asian context, could be a problematic proposition for India too. And yet, this lop-sidedness is something New Delhi has traditionally highlighted, and justifiably so, as a reason for its non-accession to the treaty. The West's lopsided obsession with civil and political rights at the cost of economic rights is a convenient excuse with little moral backing.
- Second, as scholar B.S. Chimni has argued, "India should not accede to the 1951 convention at a time when the North is violating it in both letter and spirit... India should argue that their accession is conditional on the Western States rolling back the non-entrée (no entry) regime they have established over the past two decades."
  - The non-entrée regime is constituted by a range of legal and administrative measures that include visa restrictions, carrier sanctions, interdictions, third safe-country rule, restrictive interpretations of the definition of 'refugee', withdrawal of social welfare benefits to asylum seekers, and widespread practices of detention."
  - In other words, India must use its exemplary, though less than perfect, history of refugee protection to begin a global conversation on the issue.
- Let us return to the Indian context. So if we have a refugee problem, as we do, and the accession to the refugee convention, in the manner it exists today, is neither desirable nor pragmatic, what other options do we have to respond to the refugee situation we are faced with and which is increasingly getting mixed up with the raging political debate on illegal immigration into the country?

### **New domestic law needed**

- The answer perhaps lies in a new domestic law aimed at refugees. The CAA, however, is not the answer to this problem primarily because of its deeply discriminatory nature: it is morally untenable to have a discriminatory law to address the concerns of refugees who are fleeing their home country due to such discrimination in the first place. More fundamentally, perhaps, the CAA is an act in refugee avoidance, not refugee protection.
- What is perhaps equally important is that such a domestic refugee law should allow for temporary shelter and work permit for refugees.
- This is crucial because in the absence of proper legal measures, refugee documentation, and work permit, refugees may end up becoming illegal immigrants using illicit means. Put differently, the absence of a refugee law incentivises illegal immigration into the country.
- New Delhi must also make a distinction between temporary migrant workers, illegal immigrants and refugees and deal with each of them differently through proper legal and institutional mechanisms.
- Our traditional practice of managing these issues with ambiguity and political expediency has become deeply counterproductive: It neither protects the refugees nor helps stop illegal immigration into the country.

## **GS III**

### **Maintaining the inflation target at 4%**

(Source: [The Hindu](https://www.thehindu.com) )

**Context:** *On the last day of the financial year 2020-21, the Finance Ministry announced that the inflation target for the five years between April 2021 and March 2026 will remain unchanged at 4%, with an upper tolerance level of 6% and a lower tolerance level of 2%. This is the retail inflation target that will drive the country's monetary policy framework and influence its decision to raise, hold or lower interest rates.*

### **Why is this important?**

- India had switched to an inflation target-based monetary policy framework in 2015, with the 4% target kicking in from 2016-17.
- Many developed countries had adopted an inflation-rate focus as an anchor for policy formulation for interest rates rather than past fixations with metrics like the currency exchange rate or controlling money supply growth. Emerging economies have also been gradually adopting this approach.
- In adopting a target for a period of five years, the central bank has the visibility and the time to smoothly alter and adjust its policies in order to attain the targeted inflation levels over the medium term, rather than seek to achieve it every month.

### **What is the rate of consumer price inflation?**

- Terming India's inflation trends "worrisome", Moody's Analytics recently pointed out that volatile food prices and rising oil prices had already driven India's consumer price index (CPI)-based inflation past the 6% tolerance threshold several times in 2020 and that core inflation trends were rising again.
- Retail inflation has remained below 6% since December 2020. However, it accelerated from 4.1% in January 2021 to 5% in February. D.K. Srivastava, chief policy adviser at Ernst and Young India, reckoned that core CPI inflation also increased to a 78-month high of 6.1% in February 2021.
- While inflation headwinds remain, especially with oil prices staying high, there was some speculation that the Central government, whose topmost priority now is to revive growth in the COVID-19

pandemic-battered economy, may ease up on the inflation target by a percentage point or two. This would have given the Reserve Bank of India (RBI) more room to cut interest rates even if inflation was a tad higher.

- That the government has desisted from doing this and left the inflation target untouched has been welcomed by economists who believe that the new framework has worked reasonably well in keeping inflation in check over the last five years.
- They attribute the few recent instances when the upper target was breached to the exceptional nature of the COVID-19 shock.

### **What is the RBI's position on this?**

- The RBI had, in recent months, sought a continuance of the 4% target with the flexible tolerance limits of 2%.
- The 6% upper limit, it argued, is consistent with global experience in countries that have a large share of food items in their consumer price inflation indices.
- Accepting inflation levels beyond 6% would hurt the country's growth prospects, the central bank had asserted.

### **Why should this concern consumers?**

- Suppose the inflation target were to be raised to 5% with a 2% tolerance band above and below it, for consumers, that would have meant that the central bank's monetary policy and the government's fiscal stance may not have necessarily reacted to arrest inflation pressures even if retail price rise trends would shoot past 6%.
- For instance, the central bank has been perhaps the only major national institution to have made a pitch for both the Centre and the States to cut the high taxes they levy on fuels that have led to pump prices for petrol crossing ₹100 a litre in some districts.
- As high oil prices spur retail inflation higher, the central bank is unhappy as its own credibility comes under a cloud if the target is breached.
- If the upper threshold for the inflation target were raised to 7%, the central bank may not have felt the need to seek tax cuts (yet). Thus, the inflation target makes the central bank a perennial champion for consumers vis-à-vis fiscal policies that, directly or indirectly, drive retail prices up.

## **The big push for digital currency in China**

(Source: [The Hindu](#) )

**Context:** China in February launched the latest round of pilot trials of its new digital currency, with reported plans of a major roll-out by the end of the year and ahead of the Winter Olympics in Beijing in February 2022. While several countries have been experimenting with digital currencies, China's recent trials in several cities have placed it ahead of the curve and offered a look into how a central bank-issued digital tender may impact the world of digital payments.

### **How does China's digital currency work?**

- Officially titled the Digital Currency Electronic Payment (DCEP), the digital RMB (or Renminbi, China's currency) is, as its name suggests, a digital version of China's currency.
- It can be downloaded and exchanged via an application authorised by the People's Bank of China (PBOC), China's central bank.
- China is among a small group of countries that have begun pilot trials; others include Sweden, South Korea and Thailand.

### **How is it different from an e-wallet?**

- Unlike an e-wallet such as Paytm in India, or Alipay or WeChat Pay, which are the two dominant apps in China, the Digital RMB does not involve a third party. For users, the experience may broadly feel the same.
- But from a “legal perspective”, points out Santosh Pai, an Honorary Fellow at the Institute of Chinese Studies (ICS) in New Delhi and a corporate lawyer who researches Chinese regulations, the digital currency is “very, very different”.
- This is legal tender guaranteed by the central bank, not a payment guaranteed by a third-party operator. There is no third-party transaction, and hence, no transaction fee.
- Unlike e-wallets, the digital currency does not require Internet connectivity. The payment is made through Near-field Communication (NFC) technology.
- Also, unlike non-bank payment platforms that require users to link bank accounts, this can be opened with a personal identification number, Dong Ximiao, a think-tank researcher with the Asian Financial Cooperation Association, told Chinese media, which means “China’s unbanked population could potentially benefit”.

### **How widely is it being used in China?**

- Following trials launched last year shortly after the COVID-19 pandemic struck, 4 million transactions worth \$300 million had used the Digital RMB, the PBOC said in November.
- In the latest round of trials in February to coincide with the Chinese New Year holiday, Beijing distributed around \$1.5 million of the currency to residents via a lottery, with “virtual red envelopes” worth 200 RMB each (around \$30) sent to each resident.
- Shenzhen and Suzhou were other cities that distributed currency as part of pilot trials, which the Ministry of Commerce said will be expanded in coming months, with a wider roll-out expected before the Winter Olympics.

### **What are the reasons behind the push?**

- The trials coincided with moves by Chinese regulators to tame some of its Internet giants, including Alibaba, which is behind Alipay, and Tencent, which owns WeChat Pay.
- “While digital payment platforms have helped to facilitate commerce in China, they have placed much of the country’s money into the hands of a few technology companies,” said a recent report from the Center for Strategic and International Studies (CSIS). “In the fourth quarter of 2019, Alibaba controlled 55.1% of the market for mobile payments in China. Tencent controlled another 38.9%.”
- A “key objective of China’s sovereign digital currency” was “to maintain financial stability should ‘something happen’ to Alipay and WeChat Pay,” Mu Changchun, the director-general of the PBOC’s digital currency institute, was quoted as saying by the South China Morning Post. Chinese regulators have also warily viewed the rise of cryptocurrencies.
- The central bank-issued digital RMB will turn the logic of decentralised cryptocurrencies on its head, without the privacy and anonymity they offer, by giving regulators complete control over transactions.
- There are global motivations as well. “Beyond China’s borders, DCEP could help facilitate the internationalisation of the renminbi,” the CSIS report said.

### **Reworking net-zero for climate justice**

(Source: [The Hindu](https://www.thehindu.com/news/international/article38442211.ece) )

**Context:** In 2015, at the UN General Assembly when the Sustainable Development Agenda 2030 was adopted and at the Paris Conference, Prime Minister Narendra Modi stressed a reframing of climate change to climate justice, arguing that just when countries such as India were becoming major industrial





*and middle class nations, they should not pay the price for the pollution caused by the West. The Paris Agreement, explicitly recognises that peaking will take longer for such countries and is to be achieved in the context of “sustainable development and efforts to eradicate poverty”. This balance is now being upset for a common target and timetable, with non-governmental organisations (mostly foreign funded) in support and negotiators (mostly public servants) opposing the pressure. India will meet its Paris Agreement target for 2030, its per-capita emissions are a third of the global average, and it will in future remain within its share of ecological space. The pressure arises from the way the agenda has been set.*

### **Treaty's inequity**

- First, inequity is built into the Climate Treaty. Annual emissions make India the fourth largest emitter, even though climate is impacted by cumulative emissions, with India contributing a mere 3% compared with 26% for the United States and 13% for China.
  - According to the United Nations, while the richest 1% of the global population emits more than two times the emissions of the bottom 50%, India has just half its population in the middle class and per capita emissions are an eighth of those in the U.S. and less than a third of those of China.
- **Second, the diplomatic history of climate negotiations shows that longer term goals without the strategy to achieve them, as in the case of finance and technology transfer, solve a political problem and not the problem itself.**
  - The focus on physical quantities, emissions of carbon dioxide and increase in global temperature, measures impacts on nature whereas solutions require an analysis of drivers, trends and patterns of resource use. The current framework considers symptoms, emissions of carbon dioxide, and was forced onto developing countries to keep the discussion away from the causes of the problem, the earlier excessive use of energy for high levels of well-being.
- Third, models on which global policy recommendations for developing countries are based consider achieving ‘reasonable’ not ‘comparable’ levels of well-being to show that early capping of energy use will not affect their growth ignoring costs on the poor. The different means to achieve the goals are not on the agenda because the rising prosperity of the world’s poor does not endanger the planet and the challenge is to change wasteful behaviour in the West.

### **Role of infrastructure**

- The vaguely worded ‘net zero’ emissions, balancing emissions and removals, could be disastrous for development latecomers like India because the current frame fails to recognise that more than half the global cumulative emissions arose from infrastructure, essential for urban well-being.
  - First, infrastructure has a defining role in human well-being both because of the services it provides outside the market and the way it shapes demand distinct from manufacturing (production) and lifestyles (consumption), which alone are captured in model projections.
  - Second, the global trend is that in an urbanised world, two thirds of emissions arise from the demand of the middle class for infrastructure, mobility, buildings and diet. There is no substitute to cement, steel and construction material, and worldwide they will need half the available carbon space before comparable levels are reached around 2050, while developed countries use most of the rest. For developed countries, peaking of emissions came some 20 years after infrastructure saturation levels were reached and net-zero emissions are being considered some two decades even later to take advantage of aging populations and technology.
  - Third, because of its young population and late development, much of the future emissions in India will come from infrastructure, buildings and industry, and we cannot shift the trajectory much to reach comparable levels of well-being with major economies. For example, China’s emissions increased three times in the period 2000-2015, driven largely by infrastructure.

### **New framework**

- A global goal-shaping national strategy requires a new understanding. India must highlight unique national circumstances with respect to the food, energy and transportation systems that have to change.





- For example, consumption of meat contributes to a third of global emissions. Indians eat just 4 kg a year compared with around 68 kg per person for the European Union and twice that in the U.S. where a third of the food is wasted by households.
- Transport emissions account for a quarter of global emissions, are the fastest growing emissions worldwide and have surpassed emissions from generation of electricity in the U.S., but are not on the global agenda.

### Coal use

- Coal accounts for a quarter of global energy use, powered colonialism, and rising Asia uses three-quarters of it as coal drives industry and supports the renewable energy push into cities.
- India with abundant reserves and per-capita electricity use that is a tenth that of the U.S. is under pressure to stop using coal, even though the U.S. currently uses more coal. India wants to eliminate the use of oil instead with renewable energy and hydrogen as a fuel for electrification, whose acceleration requires international cooperation around technology development and transfer.
- In the Paris Agreement, 'climate justice' was relegated to the preamble as a political, not policy, statement. It needs to be fleshed out with a set of 'big ideas'.
  - The first is a reframing of the global concern in terms of sustainable development for countries with per capita emissions below the global average, in line with the Paris Agreement.
  - Second, the verifiable measure should be well-being within ecological limits.
  - Third, international cooperation should centre on sharing technology of electric vehicles and hydrogen as a fuel, as they are the most effective response to climate change.

### Redefining combatants

(Source: [The Hindu](#) )

**Context:** *A report in The New York Times on the October 2020 breakdown of the Mumbai power distribution system points a finger at Chinese cyber hackers. While the truth may remain hidden, the discussion points to a macro issue. When, and under what conditions, would a non-kinetic strike, say a cyberattack, be considered an attack on the state? And under international rules of self-defence, what response would be considered legal? Would only a cyber counter-attack be justifiable or a kinetic response also be acceptable? Would a pre-emptive strike be kosher? These and other questions are knocking at our door, even as the definition of combat and combatants undergoes fast mutation.*

### Changing definitions

- The universally accepted Lieber Code of 1863 defines a combatant. It says, "So soon as a man is armed by a sovereign and takes the soldier's oath of fidelity, he is a belligerent..."; all others are non-combatants.
- An organised group of "belligerents" constitutes a regular armed force of a state. The 1899 Hague Convention brings in further clarity of what constitutes a regular force.
  - First, the force should be commanded by a person responsible for his subordinates.
  - Second, it must have a distinctive emblem recognisable at a distance.
  - Third, it must carry arms openly.
  - And last, it must conduct operations in accordance with laws and customs of war.
- Those who conducted the (yet unproven) Mumbai 'cyberattack' or the 2007 attack on Estonia's banking system did not meet any of the four conditions of being called combatants, but still wreaked havoc.
- A combatant, thus, needs to be redefined due to three reasons.



- First, a cyber ‘army’ need not be uniformed and may consist of civilians. After the cyberattack on Estonia, the government set up a voluntary Cyber Defence Unit whose members devote their free time towards rehearsing actions in case of a cyberattack. A rogue nation could well turn these non-uniformed people into cyber ‘warriors’.
- Second, cyber ‘warriors’ do not carry arms openly. Their arms are malicious software which is invisible.
- And finally, the source of the attack could be a lone software nerd who does not have a leader and is up to dirty tricks for money, blackmail or simply some fun. None of these meet the requirements of The Hague Convention but the actions of these non-combatants fall squarely in the realm of national security.
- This raises two very basic inquiries that need deliberation.
  - First, would the nation employing civilians in computer network attacks not be in violation of the laws of war?
  - And second, if these people are considered as combatants, would the target country have the right to respond in self-defence? A response would be reactive, after the attacker has conducted his operation; hence, as a right of self-defence, would an act of pre-emption (through kinetic means and/or through cyber) be in order?
- This argument may appear far-fetched now but needs to be examined as India seems to have a new view on the concept of the right to self-defence.

#### **View of the right to self-defence**

- In a February 24, 2021 UN Arria Formula meeting on ‘Upholding the collective security system of the UN Charter’, the Indian statement says, “...a State would be compelled to undertake a pre-emptive strike when it is confronted by an imminent armed attack from a non-state actor operating in a third state.”
- It adds that “this state of affairs exonerates the affected state from the duty to respect, vis-a-vis the aggressor, the general obligation to refrain from the use of force.”
- In a perceptive analysis of the statement, in *Opinio Juris*, Srinivas Burra, an Assistant Professor, opines that in a clear departure from established practices, “India... expressly contextualises its position on the question of the right of self-defence against the acts of non-state actors in international law.”
- Though used with reference to an “armed attack”, the implications of the statement, when viewed vis-à-vis cyberattacks done by faceless persons who are non-combatants as per international law, open up an avenue that requires careful examination; cyberattacks may not kill directly but the downstream effects can cause great destruction.
- International actions against hackers have been generally limited to sanctioning of foreign nationals by target nations. In 2014, for the first time, a nation (the U.S.) initiated criminal actions against foreign nationals (five Chinese operatives of Unit 61398 of the People’s Liberation Army) for computer hacking and economic espionage.
- The question is, how long before this escalates to covert and/or overt kinetic retaliation. India seems to have made its intentions clear at the UN meet, but this is a game that two can play; if not regulated globally, it could lead to a wild-west situation, which the international community should best avoid by resolute action.

## Current Affairs Quiz

1. Consider the following statements with respect to the International Criminal Court:

1. It is governed by the Roman Statute
2. The ICC is the world's first permanent international criminal court.
3. India is a party to the Rome Statute and hence ICC's decisions are binding on it.

Which of the statements given above is/are correct?

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1, 2 and 3

Ans. a)

**India is not a party to Rome Statute along with US and China.**

2. Taklamakan desert is located in -

- a) China
- b) South Africa
- c) Sudan
- d) Saudi Arabia

Ans. a)

3. Consider the following statements with respect to Diphtheria:

1. There is no vaccine for Diphtheria
2. It is caused by a virus.

Which of the statement(s) given above is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : d

It is a vaccine preventable disease.

It is caused by a bacterium called *Corynebacterium diphtheria*.

4. Consider the following statements with respect to inflation:

1. Demand pull inflation is caused due to an increase in aggregate demand in the economy.
2. When there is a decrease in the aggregate supply of goods and services stemming from an increase in the cost of production, we have cost push inflation.

Which of the statements given above is/are incorrect?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Answer : d

Both statements are correct

5. Renminbi is the currency of

- a) Japan
- b) South Korea
- c) North Korea
- d) China

Answer : d

6. Consider the following statements:

- 1. Exercise Varuna is an Indo-French naval exercise.
- 2. All the QUAD members will also participate in Varuna exercise.
- 3. Varuna exercise will be conducted in the Indian Ocean Region.

Which of the statements given above is/are not correct?

- a) 1 only
- b) 2 only
- c) 3 only
- d) None of the above

Ans. b)

7. Consider the following statements:

- 1. International Maritime Organization (IMO) is a specialized agency of the United Nations.
- 2. India is a member of IMO.

Which of the statements given above is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Ans. c

Both statements are correct

8. Food Corporation of India comes under which Ministry?

- a) Ministry of Agriculture
- b) Ministry of Commerce and Industry
- c) Ministry of Consumer Affairs, Food and Public Distribution
- d) None of the above

Ans. c)

9. Chenab bridge, the world's highest railway bridge was in news recently. It is located in which state?

- a) Uttarakhand
- b) Chattisgarh
- c) Sikkim
- d) Jammu and Kashmir

Ans. d)

10. Consider the following statements with respect to INS Viraat:

- 1. INS Viraat was originally commissioned by the British Royal Navy as HMS Hermes in 1959
- 2. It is in the process of being decommissioned.

Which of the above statements is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Ans. c)

11. Consider the following statements with respect to Indian Farmers:

- 1. The share of small and marginal farmers in India have decreased from the year 1980-81 to 2015-16.
- 2. The Centre has encouraged farmer producer organisations (FPOs) under the Small Farmers' Agri-Business Consortium (SFAC), NABARD, state governments and NGOs.

Which of the above statements is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Ans. b)

The share of small and marginal farmers increased from 70 per cent in 1980-81 to 86 per cent in 2015-16.

12. Which of the following countries are members of E9 countries?

- 1. India
- 2. Egypt
- 3. China
- 4. Pakistan



5. Bangladesh

Select the correct answer code:

- a) 1, 3, 4 and 5 only
- b) 1, 2, 3 and 4 only
- c) 2, 3, 4, and 5 only
- d) 1, 2, 3, 4 and 5

Ans. d)

All of the above are members of E9 countries. The initiative aims to accelerate recovery and advance the Sustainable Development Goal 4 agenda by driving rapid change in education systems.

13. Consider the following statements with respect to Exercise La Perouse:

- 1. It is a multi-lateral maritime exercise led by the French Navy in the Eastern Indian Ocean Region.
- 2. The Indian Navy is participating in the exercise for the first time.

Which of the statement/s given above is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Ans. c)

Both statements are correct

14. Which of the following statements is/are correct with respect to National Security Act (NSA)?

- 1. Under this act a person can be detained for up to 12 months without a charge and no FIR is registered on the detained person.
- 2. A person can be held any number of days without being told the charges against them, but will be allowed a lawyer during the trial.

Select the correct answer code:

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Ans. a)

A person can be held for 10 days without being told the charges against them.

15. Consider the following statements with respect to Non-Fungible Token (NFT):

1. It is a unit of data on a digital ledger called a block chain, where each NFT can represent a unique digital item, and thus they are not interchangeable.
2. They can be used to commodify digital creations, such as digital art, video game items, and music files.

Which of the statements given above is/are incorrect?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Ans. d)

Both statements are incorrect.

16. Chenab Arch Bridge is constructed between which of the following railway line?

- a) Udhampur to Katra
- b) Banihal to Qazigund
- c) Qazigund to Baramulla
- d) Katra-Banihal

Ans. d)

17. Consider the following statements :

1. In India, the copyright regime is governed by the Copyright Act, 1957 and the Copyright Rules, 2013.
2. Under the amended rules, Copyright societies will be required to draw up and make public a Transparency Report for every five years.
3. The Copyright (Amendment) Rules, 2021 merged the Copyright Board with the Appellate Board.

Which of the statements given above are correct?

- a. 1 and 2 only
- b. 1 and 3 only
- c. 2 and 3 only
- d. 1, 2 and 3

Answer : b

- To reinforce transparency in working of copyright societies a new rule has been introduced, whereby the copyright societies will be required to draw up and make public an Annual Transparency Report for each financial year.

18. Consider the following statements with respect to Muons:

1. They are subatomic particles similar to electron but heavier than it.
2. It is one of the member of lepton group and are more unstable.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only



- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : c

19. Which of the following statements is/are correct with respect to Disqualification of MLAs under Representation of People Act (1951)?

- 1. An MLA can be disqualified when he holds any office of profit under union or state government.
- 2. Under the Parliament disqualifications rules, the detention of a person under a preventive detention law is not a disqualification.
- 3. He/she will be disqualified for failing to lodge an account of his election expenses within the time.

Select the correct answer code:

- a. 1 and 2 only
- b. 2 and 3 only
- c. 1 and 3 only
- d. All of the above

Answer : b

Under the Constitution, a person shall be disqualified for being chosen as and for being a member of the legislative assembly or legislative council of a state If he holds any office of profit under the Union or state government (except that of a minister or any other office exempted by state legislature),

20. Which of the statements given below is/are correct with respect to Central Vigilance Commission (CVC) ?

- 1. It is a constitutional body which submits its report annually to the parliament.
- 2. Recent CVC Guidelines mandates tenure of vigilance personnel who have completed 3 years in one destination can be extended for another 3 years in same destination.

Select the correct answer code:

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : d

- It is a statutory body.
- The tenure of personnel in a vigilance unit at one place including lower level functionaries, should be limited to three years only.
- The tenure may be extended to three more years, although at a different place of posting.
- The personnel, who have completed more than five years in vigilance units at the same place, should be shifted on top priority basis.