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A Secure Indian Ocean

Why in News

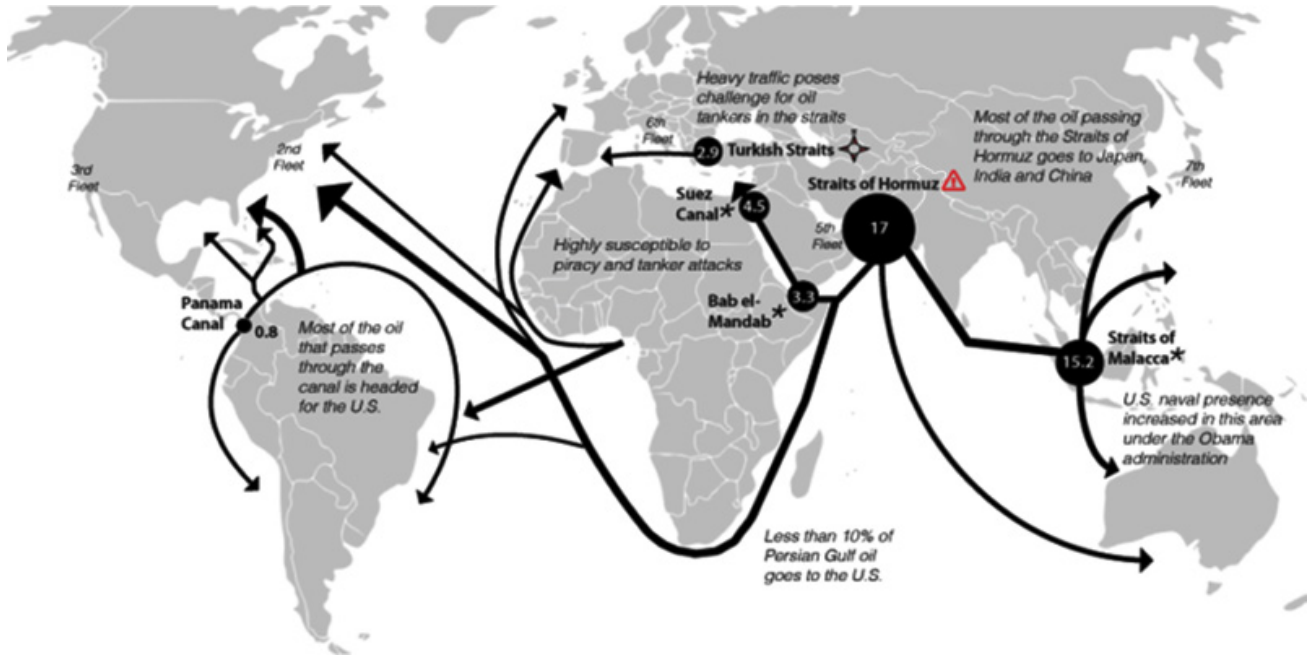
Recently, India has proposed to convene an open debate of the **UN Security Council (UNSC)** on enhancing maritime security.

- The objective of this debate is to **highlight effective international maritime cooperation** to respond holistically to natural and manmade threats to maritime security.
- It also reflects **India's international evolution as a maritime nation.**

Key Points

Importance of Indian Ocean for India:

- **Long Maritime Boundary:** With a coastline of over **7,500 km**, India has a natural interest in enhancing maritime security.
- **Securing Sea lanes of Communication:** In the Indian Ocean, **three major Sea Lanes Of Communication (SLOCS)** play a crucial role in the energy security and economic prosperity:
 - SLOC connecting the **Red Sea to the Indian Ocean through the Bab al-Mandab** (that transports the bulk of Asia's international trade with its major trading partners in Europe and America),
 - SLOC connecting the **Persian Gulf to the Indian Ocean through the Strait of Hormuz** (transporting the bulk of energy exports to major import destinations like India, **ASEAN**, and East Asia),
 - SLOC connecting the **Indian and Pacific Oceans through the Straits of Malacca** (integral to the smooth flow of trade with ASEAN, East Asia, Russia's Far East and the US).
 - The Indian Ocean region transports **75% of the world's maritime trade and 50% of daily global oil consumption.**



India's Maritime Initiatives:

- **Disaster Management:** The fallout of the 2004 tsunami, which took a heavy toll on human and natural resources, led to the creation of an Indian Ocean Tsunami Warning and Mitigation System by the UN in 2005.

Through this, an international network seeks to prevent a recurrence of such devastation.
- **Anti-Piracy Operations:** Faced with the increased threat from piracy originating off the coast of Somalia since 2007 to shipping in the western Indian Ocean, the Indian Navy participated robustly as part of a **UNSC mandated 60-country Contact Group on Piracy off the coast of Somalia**.
- **Security and Growth for All (SAGAR) Policy:** India's SAGAR policy is an integrated regional framework, unveiled by **Indian Prime Minister during a visit to Mauritius** in March 2015. The pillars of SAGAR are:
 - India's role as a **net security provider** in the Indian Ocean region (IOR).
 - India would continue to **enhance the maritime security capacities and economic resilience** of friendly countries in IOR.
 - A more integrated and cooperative focus on the future of the IOR, which would enhance the prospects for the sustainable development of all countries in the region.
 - The primary responsibility for **peace, stability and prosperity in the IOR would be on those "who live in this region"**.
- **Abiding by the International Law:** India accepted an United Nations Convention for the Law of the Sea (UNCLOS) tribunal award on the maritime boundary arbitration between India and Bangladesh.

It envisaged contributing a new impulse to effective international economic cooperation among the littoral states of the Bay of Bengal (BIMSTEC).
- **Data Sharing:** Sharing data on threats to commercial shipping is an important component of enhancing maritime security.
 - In this context, India established an International Fusion Centre (IFC) for the Indian Ocean region in Gurugram in 2018.
 - IFC is jointly administered by the Indian Navy and Indian Coast Guard.
 - IFC serves the objective of generating Maritime Domain Awareness on safety and security issues.

Way Forward

- **International Cooperation:** Sustaining international cooperation to enhance maritime security requires two supportive frameworks in the policy and operational areas.
 - **Rule-of-law Based Approach:** There is a need to review the operational effectiveness of the UNCLOS.

Especially regarding the enforcement of its provisions on freedom of navigation, the sustainable exploitation of maritime resources, and the peaceful resolution of disputes.
 - **Securing the Sea Lanes of Communication:** Securing SLOCs that traverse the oceans is of central importance to enhancing maritime security.

Thus, the global debate must focus on ensuring equal and unrestricted access to SLOCs by states while resolving differences through peaceful means.
- **Engaging Private Sector:** There is a need for an increasing role of the private sector in the maritime domain, whether it is in shipping, sustainable development through the **Blue Economy**.

Further, the use of the maritime domain can be leveraged to provide the critical submarine fibre-optic cables supporting the **Digital Economy**.
- The ability of the UNSC to respond to the debate by endorsing a multiple stakeholder approach to enhancing maritime security would be a significant outcome, setting a paradigm for upholding “**multi-dimensional**” security in the 21st century.

Source: IE

Quit India Movement

Why in News

On **8th Aug 2021**, India completed **79 years of Quit India Movement** also known as **August Kranti**.

Key Points

- **About:**

- On **8th August 1942**, **Mahatma Gandhi** gave a clarion call to end the British rule and **launched the Quit India Movement at the session of the All-India Congress Committee in Mumbai.**
- Gandhiji gave the call “**Do or Die**” in his speech delivered **at the Gowalia Tank Maidan, now popularly known as August Kranti Maidan.**
- **Aruna Asaf Ali** popularly known as the '**Grand Old Lady**' of the Independence Movement is known for **hoisting the Indian flag** at the Gowalia Tank Maidan in Mumbai during the Quit India Movement.
- The **slogan ‘Quit India’** was **coined by Yusuf Meherally**, a socialist and trade unionist who also served as Mayor of Mumbai.
Meherally had **also coined the slogan “Simon Go Back”**.

- **Causes:**

- **Failure of Cripps Mission:** The **immediate cause** for the movement was the collapse of Cripps Mission.
 - **About:** Under **Stafford Cripps**, the **mission was sent to resolve the Indian question** of a new constitution and self-government.
 - **Reasons Behind Cripps Mission:** Japanese aggression in South-East Asia, keenness of British Government to secure the full participation of India in the war, mounting pressure from China and the United States, as well as from the Labour Party in Britain, **led British Prime Minister Winston Churchill to send the Cripps Mission to India in March 1942.**
 - **Reasons for Collapse:** It failed because it **offered India not complete freedom** but the **Dominion Status to India**, along with the partition.
- **Involvement of India in World War II without prior consultation with the leaders:**
The British assumption of unconditional support from India to British in **World War II** was not taken well by the **Indian National Congress**.
- **Prevalence of anti-British Sentiment:**
The **anti-British sentiments** and **demand for full-independence** had gained popularity among indian masses.
- **Centralisation of Many Small Movements:**
 - The two decades of **mass movement** which were being **conducted on a much more radical tone** under the leadership of the various associated and affiliated bodies of the Congress, like **All India Kisan Sabha, Forward Bloc etc.** had already **prepared the ground for the movement.**
 - There were militant outbursts happening at several places in the country which got channelized with the Quit India Movement.
- **Shortage of Essential Commodities:**
The economy was also in shatters as a result of World War II.

- **Demands:**
 - The demand was **to end the British rule in India** with immediate effect to get the cooperation of Indians in World War-II against fascism.
 - There was a demand to **form a provisional government** after the withdrawal of the Britishers.
- **Phases:** The movement had three phases:
 - **First Phase, urban revolt**, marked by strikes, boycott and picketing, which were quickly suppressed.
 - There were strikes and demonstrations all over the country and workers provided the support by not working in the factories.
 - Gandhiji was soon imprisoned at Aga Khan Palace in Pune and almost all leaders were arrested.
 - In the **second phase**, the **focus shifted to the countryside**, which witnessed a major peasant rebellion, marked by destruction of communication systems, such as railway tracks and stations, telegraph wires and poles, attacks on government buildings or any other visible symbol of colonial authority.
 - The **last phase** witnessed the **formation of national governments or parallel governments** in isolated pockets (Ballia, Tamluk, Satara etc.)

Successes of the Movement

- **Rise of Future Leaders:**

Underground activities were taken by leaders that included Ram Manohar Lohia, J.P. Narayan, Aruna Asaf Ali, Biju Patnaik, Sucheta Kriplani, etc which later emerged as prominent leaders.
- **Women Participation:**

Women took active participation in the movement. Female leaders like Usha Mehta helped set up an underground radio station which led to the awakening about the movement.
- **Rise of Nationalism:**

A **greater sense of unity and brotherhood emerged** due to the Quit India Movement. Many students dropped out of schools and colleges, people gave up their jobs and withdrew money from the banks.
- **Paved the way for Independence:**
 - While the **Quit India campaign was crushed in 1944**, with the British refusing to grant immediate independence, saying it could happen only after the war had ended, they came to the important realization that India was ungovernable in the long run due to the cost of World War II.
 - It **changed the nature of political negotiations with British**, ultimately paving the way for India's independence.

Failure of the Movement

- **Brutal Repression:**
 - The **movement saw violence** at some places which was not premeditated.
 - The movement was **violently suppressed by the British** – people were shot, lathi-charged, villages burnt and enormous fines imposed.
 - Over 1,00,000 people were arrested and the government resorted to violence in order to crush the agitation.
- **Lack of Support:**
 - **Muslim League, the Communist Party of India and the Hindu Mahasabha did not support the movement.** The Indian bureaucracy also did not support the movement.
 - The League was not in favour of the British leaving India without partitioning the country first.
 - The Communist party supported the British since they were allied with the Soviet Union.
 - The Hindu Mahasabha openly opposed the call for the Quit India Movement and boycotted it officially under the apprehension that the movement would create internal disorder and would endanger internal security during the war.
 - Meanwhile, Subhas Chandra Bose, organised the **Indian National Army** and the Azad Hind government from outside the country.
 - Many **Congress members like C Rajagopalachari resigned** from the provincial legislature as they did not favour Mahatma Gandhi's idea.

Source: PIB

Delays in Corporate Insolvency

Why in News

Recently, the **Parliamentary Standing Committee on Finance** has noted the delays in corporate insolvency under the **Insolvency and Bankruptcy Code (IBC), 2016**.

- It has called out the Ministry of Corporate Affairs (MCA) on persistent vacancies in **National Company Law Tribunals (NCLTs)**.
- Earlier, the government introduced the **Insolvency and Bankruptcy Code (Amendment Bill), 2021** in the Lok Sabha which introduces an alternate insolvency resolution process for **Micro, Small and Medium Enterprises (MSMEs)** called the **Pre-packaged Insolvency Resolution Process (PIRP)**.

Insolvency and Bankruptcy Code

- It is a reform enacted in 2016. It **amalgamates various laws relating to the insolvency resolution of business firms**.

- It **lays down clear-cut and faster insolvency proceedings** to help creditors, such as banks, recover dues and prevent bad loans, a key drag on the economy.

Key Words

- **Insolvency:** It is a situation where **individuals or companies are unable to repay** their outstanding debt.
- **Bankruptcy:** It is a situation whereby a **court of competent jurisdiction has declared a person or other entity insolvent**, having passed appropriate orders to resolve it and protect the rights of the creditors. It is a legal declaration of one's inability to pay off debts.

Key Points

- **Major Concerns:**
 - **Vacancies in NCLT:**

The combined strength of the current NCLT benches around the country is currently **only 29 members against the total sanctioned strength of 63 members.**
 - **Delays in Approvals:**
 - The committee noted that **delays in the admission of insolvency cases by NCLTs** and the **approval of resolution plans** were the key reasons behind the non-adherence of timelines under the IBC.
 - Delays on the part of the NCLT in admitting cases **allowed defaulting owners the opportunity to divert funds** and transfer assets.
 - **Decisions Challenged:**

A number of high profile cases under the IBC saw multiple decisions being challenged by stakeholders. Many of these **appeals are frivolous attempts to slow down insolvency proceedings.**
 - **Delayed Plans:**

Cases in which creditors have **evaluated resolution plans submitted after the specified deadline** would disincentive bidders from bidding within prescribed timelines and that such plans also contribute to delays and value destruction.

- **Recommendations:**

- **Timely Action:**

NCLT should be required to admit a defaulting company into insolvency proceedings and hand over control to a resolution professional within 30 days.

- **Ministry should take Responsibility:**

The MCA, as the nodal ministry, should **take greater responsibility to streamline the operational processes in NCLT/National Company Law Appellate Tribunal (NCLAT)** while constantly monitoring and analysing the workflow, disposal and outcomes with regard to resolutions, recoveries, time taken, etc.

- **Amendment to IBC:**

The IBC be amended to provide MSMEs, which are operational creditors under the IBC, with **greater protection in the current economic environment.**

- The IBC currently **prioritises financial creditors over operational creditors.**
- **Financial creditors** are those whose relationship with the entity is a pure financial contract, such as a loan or a debt security.
- **Operational creditors** are those whose liability from the entity comes from a transaction on operations.

National Company Law Tribunal

- **About:**

- The Central Government constituted National Company Law Tribunal (NCLT) under **section 408 of the Companies Act, 2013 in 2016.**

- It has been set up as a **quasi-judicial body to govern the companies registered in India** and is a successor to the Company Law Board.

- It **consolidates all powers to govern the companies registered in India.**

With the establishment of the NCLT and NCLAT, the **Company Law Board under the Companies Act, 1956 has now been dissolved.**

- It is bound by the rules laid down in the **Code of Civil Procedure** and is **guided by the principles of natural justice**, subject to the other provisions of this Act and of any rules that are made by the Central Government.

- The Tribunal and the Appellate Tribunal **has the power to control its own procedure.**

- **Appeals:**

Appeal from order of Tribunal **can be raised to the NCLAT.** Appeals can be made by any person aggrieved by an order or decision of the NCLT, **within a period of 45 days** from the date on which a copy of the order or decision of the Tribunal is received by the Appellant.

National Company Law Appellate Tribunal

- **About:**
 - The NCLAT was **constituted under Section 410 of the Companies Act, 2013** to hear appeals against the orders of the National Company Law Tribunal (NCLT).
 - It is also the **appellate tribunal for orders passed by the NCLT(s) under Section 61** of the IBC, 2016, and for orders passed by the **Insolvency and Bankruptcy Board of India (IBBI)** under Sections 202 and 211 of the IBC.
- **Appeal:**

Any person aggrieved by any order of the NCLAT may file an **appeal to the Supreme Court**.

Source: IE

Saansad Adarsh Gram Yojana (SAGY)

Why in News

Recently, the Union Minister of State for Rural Development has informed in Rajya Sabha about the **various steps taken by the government for implementation of the Saansad Adarsh Gram Yojana (SAGY)**.

Key Points

SAGY:

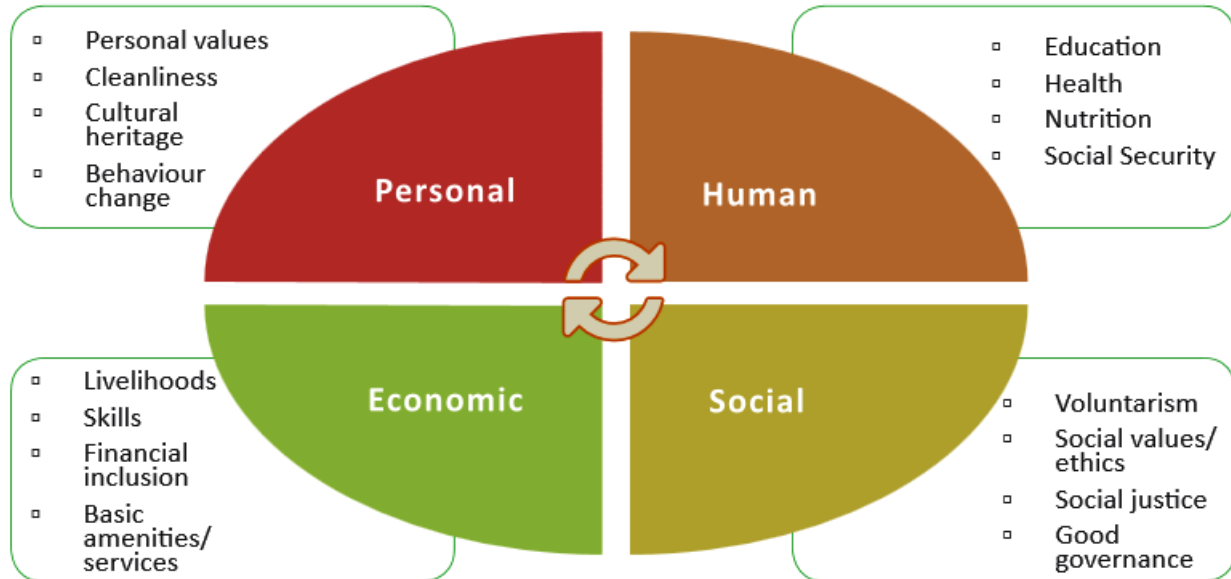
o About:

- The scheme was **launched in 2014** on the birth anniversary of **Jai Prakash Narayan**.
- Under the Yojana, **Members of Parliament (MPs)** are responsible for **developing the socio-economic and physical infrastructure** of three villages each by 2019, and a total of **eight villages each by 2024**.
 - The first Adarsh Gram (Model Village) was to be developed by 2016, and two more by 2019.
 - From 2019 to 2024, five more Adarsh Grams must be developed by each MP, one each year.
- The MPs would be **free to identify a suitable Gram Panchayat** for developing Adarsh Gram, other than his/her own village or that of his/her spouse.
- The **Ministry of Rural Development** has brought out a compilation of 127 **Central Sector and Centrally Sponsored** and 1806 State Schemes for convergence under SAGY.

o Process:

- **Gram Panchayat (GP):** The basic unit for development.
- **Lok Sabha MP:** Chooses a GP from within his/her constituency.
- **Rajya Sabha MP:** Chooses a GP from the rural area of a district of his/her choice in the State from which he/she is elected.
- **Nominated MP:** Chooses a GP from the rural area of any district in the country.
- The MPs **engage with the community, facilitate the Village Development Plan** and mobilise the necessary resources particularly from **Corporate Social Responsibility (CSR)** and philanthropies.
- MPs also **fill up critical gaps** in the plan using the **Member of Parliament Local Area Development Scheme (MPLADS) funds**.

Holistic development through SAGY



• Expected Outcomes:

- Increased livelihoods/employment opportunities.
- **Reduction in distress migration.**
- **Freedom from bonded labour, child labour and manual scavenging.**
- **100% registration** of deaths and births.
- Evolution of **alternate dispute resolution system** acceptable to all sections of the community.
- Peace and Harmony.
- Demonstration effect on other Gram Panchayats.

- **Issues:**
 - **Low Selection of Panchayats:**
 - So far, only 2,111 gram panchayats have so far been identified under this programme and of that, 1,618 have prepared their development plans.
 - A total of 79,316 activities have been planned for these villages, of which 49,756 have been completed.
 - **Lack of Interest and Funds:**
In many SAGY villages, the MPs did not give any significant funds from **MPLADS**.
 - **Lack of Political Will:**
The concept of SAGY has not percolated down to field officials due to lack of accountability and political will.
 - **Issues with Declaration:**
Even villages declared as Adarsh Grams in some districts were found yet to be **Open Defecation Free**.
 - **Limited Impact:**
In some cases, where MPs have been proactive, some infrastructure development has taken place, but the scheme has not made any perceptible impact.
 - **Low Convergence of MGNREGA with MPLAD:**
Lesser convergence of **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)** with MPLAD was observed in few villages.
 - **Rural Roads:**
Concerns have also been raised over the quality of roads constructed under schemes of state governments and maintenance of rural roads under central **Pradhan Mantri Gram Sadak Yojana (PMGSY)**.

Way Forward

- The vision behind the evolution of SAGY villages was to create model villages by ensuring convergence and dovetailing of schemes and its proper implementation on priority basis. However, the seriousness required to achieve the motto is lacking. There is a need for MPs to be more responsible towards the scheme.
- SAGY gives focus to community participation and social mobilization of the village community can trigger a chain of other development activities in the village.

Source: PIB

Dam Rehabilitation and Improvement Project: Phase II

Why in News

Recently, the **Government of India** signed a **\$250 million loan agreement with the World Bank (WB) for the Second Phase of Dam Rehabilitation and Improvement Project (DRIP Phase II)**.

Key Points

- **Phase-I:**

- The Government of India, with financial assistance from the World Bank **initiated the Dam Rehabilitation and Improvement Project (DRIP) in April 2012**.
- The objective was **to improve the safety and operational performance of selected existing dams** along with dam safety institutional strengthening with a system wide management approach.
- It was a **State Sector Scheme with a Central component**. It had **rehabilitation provision for 223 dams located in seven States** (Jharkhand, Karnataka, Kerala, Madhya Pradesh, Odisha, Tamil Nadu and Uttarakhand) with 10 Implementing Agencies on board.
- The **CWC (Central Water Commission)** had been entrusted with overall coordination and supervision.
- A web-based tool called **Dam Health and Rehabilitation Monitoring Application (DHARMA)** has been developed to capture important data for all dams and use it for appropriate monitoring and development of rehabilitation protocols.
 - This is a step to move towards application of **Artificial Intelligence (AI)** in dam safety to smartly manage existing water assets.
- The Scheme successfully **closed in March 2021**.

- **DRIP Phase-II and Phase III:**

- Based on the success of DRIP, the **Ministry of Jal Shakti** initiated another externally funded Scheme DRIP Phase II and Phase III.
 - The scheme was approved in October 2020.
- It has the **participation of 19 States and 3 Central Agencies**. The Scheme is **10 years duration and will be implemented in two Phases**, each of six years' duration, with two years' overlap.
- The budget outlay is Rs 10,211 Cr (Phase II: Rs 5107 Cr; Phase III: Rs 5104 Cr) with **rehabilitation provision of 736 dams**.

- **DRIP Phase-II:**

- **Financing Pattern:**

- The Phase II of the Scheme is being co-financed by two multilateral funding Agencies - **World Bank** and **Asian Infrastructure Investment Bank (AIIB)**, with funding of US\$ 250 million each.
- The funding pattern of Scheme is 80:20 (Special Category States), 70:30 (General Category States) and 50:50 (Central Agencies).

- **Objectives:**

- To improve the **safety and performance of selected existing dams** and associated appurtenances in a sustainable manner.
- To **strengthen the dam safety institutional setup** in participating states as well as at the central level.
- To explore the alternative incidental means at few selected dams to **generate the incidental revenue** for sustainable operation and maintenance of dams.

- **Other Features:**

- It will strengthen dam safety by **building dam safety guidelines, bring in global experience**, and introduce **innovative technologies**.
- It will **introduce a risk-based approach** to dam asset management that will help to effectively allocate financial resources towards priority dam safety needs.
- Other important measures that DRIP-2 will support include:
 - **Flood forecasting systems** and integrated reservoir operations that will contribute to **building climate resilience**;
 - Implementation of **Emergency Action Plans** to enable vulnerable downstream communities to prepare for and **enhance resilience against the possible risks of climate change**; and
 - Piloting of **supplemental revenue generation schemes** such as **floating solar panels**.

- **Implementation:**

It will be **implemented in approximately 120 dams across the states** of Chhattisgarh, Gujarat, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Odisha, Rajasthan, and Tamil Nadu, and at the national level through the Central Water Commission (CWC).

- **Significance:**
 - **Number of Dams in the Country:**
 - India **ranks third globally after China and the United States of America, with 5334 large dams** in operation. In addition, about 411 dams are under construction at present. There are also several thousand smaller dams.
 - These dams are **vital for ensuring the water security of the Country**. Indian dams and reservoirs play an important role in the economic and agricultural growth of the country by storing approximately 300 billion cubic meter of water annually.
 - **Will Help in Tackling Climate Change:**

By sustaining the livelihoods and food security of millions of Indians who depend on irrigated agriculture and enabling farmers to shift out of pumping groundwater, thereby, reducing energy consumption and greenhouse gas emissions.
 - **Flood Mitigation:**

With average annual cost of floods in India estimated at US\$7.4 billion, many dams are critical in mitigating floods. Their failure could pose serious risks to downstream communities.
 - **Ageing of Dams:**
 - According to a **United Nations (UN) report** "Ageing water infrastructure: An emerging global risk", over 1,000 large dams in India will be roughly 50 years old in 2025 and such ageing embankments across the world pose a growing threat.
 - This Scheme is especially focused on mitigating the risks of dam failure and ensuring safety of people, riverine ecology and property located downstream of the selected dams.
 - **Enhancing Culture of Dam Safety in the Country:**

It will equip the Indian dam owners to gear up their human resources to comprehensively handle many important activities **envisaged in proposed Dam Safety Legislation**.
 - **Employment Generation:**

It is likely to generate employment opportunities equivalent to approximately 10,00,000 person days for unskilled workers, and 2,50,000 person days for working professionals.

Dam Safety Legislation

- Dam safety Bill 2019 seeks to set up an institutional mechanism for surveillance, inspection, operation and maintenance of specified dams across the country.

- **Features:**

- The National Committee on Dam Safety will be constituted and will be chaired by the Chairperson, Central Water Commission.
- The Bill also envisages setting up of a National Dam Safety Authority to be headed by an officer not below the rank of an Additional Secretary, to be appointed by the central government.
- The proposed legislation also envisages constituting a State Dam Safety Organisation whose functions will be to keep perpetual surveillance, inspection, monitoring the operation and maintenance of dams, keeping a database of all dams, and recommending safety measures to owners of dams.
- The Bill provides for two types of offences - obstructing a person in the discharge of his functions, and refusing to comply with directions issued under the proposed law.

Source: PIB

Custodial Violence is Biggest Threat to Human Rights: CJI

Why in News

Recently, the **Chief Justice of India (CJI)** noted that **police stations pose the highest threat to human rights** and dignity as **custodial torture\violence** and police atrocities still prevail despite constitutional guarantees.

He was speaking at the launch of a **legal service mobile application** and the **vision and mission statement** of **National Legal Services Authority's (NALSA)** legal services.

National Legal Services Authority

- It was **constituted under the Legal Services Authorities Act, 1987** which came into force in November, **1995** to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society.
- **CJI is the Patron-in-Chief** and the second senior most Judge of the **Supreme Court** of India is the Executive Chairman of the Authority.
- **Article 39 A** of the Constitution provides for free legal aid to the poor and weaker sections of the society, to promote justice on the basis of equal opportunity.
Article 14 and Article 22 (1), obligates the State to ensure equality before law.
- It can be noted that the role played by NALSA and its networks is very much relevant to achieving the **Sustainable Development Goal-16**, which seeks to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

Key Points

- **Vision & Mission Statement:**
 - It encapsulates the vision of NALSA **to promote an inclusive legal system and to ensure fair and meaningful justice** to the marginalized and disadvantaged sector.
 - It further promotes the mission of NALSA to **legally empower the marginalized and excluded groups** of the society by providing effective legal representation, legal literacy & awareness to bridge the gap between the legally available benefits and the entitled beneficiaries.
- **Legal Services Mobile Application:**
 - It incorporates features including **seeking legal assistance, legal advice, and other grievances.**
 - Application tracking facilities, and seeking clarifications are some additional features **available to both Legal Aid beneficiaries and Legal Services Authorities.**
 - Beneficiaries can also apply for pre-institution mediation through the app. Victims can also file an application for Victim Compensation with the App.

Custodial Violence

- **Related Data:**
 - According to **National Crime Records Bureau (NCRB)** data, between 2001 and 2018, only 26 policemen were convicted of custodial violence despite **1,727 such deaths being recorded in India.**
 - Only 4.3% of the 70 deaths in 2018 were attributed to injuries during custody due to physical assault by police.
 - Except in Uttar Pradesh, Madhya Pradesh, Chhattisgarh and Odisha, no policeman was convicted for such deaths across the country.
 - Apart from custodial deaths, **more than 2,000 human rights violation cases were also recorded against the police between 2000 and 2018.** And only 344 policemen were convicted in those cases.

- **Major Reasons:**
 - **Lack of Legal Representation:**

Lack of effective legal representation at police stations is a huge detriment to arrested or detained persons. The first hours of arrest or detention often decide the fate of the case for the accused.
 - **Lengthy Judicial Processes:**

Lengthy, expensive formal processes followed by courts dissuade the poor and the vulnerable.
 - **Absence of Strong Legislation:**

India **does not have an anti-torture legislation** and is yet to criminalise custodial violence, while action against culpable officials remains illusory.
 - **Institutional Challenges:**
 - The entire **prison system is inherently opaque** giving less room to transparency.
 - India also **fails in bringing the much desired Prison Reforms** and prisons continue to be affected by poor conditions, overcrowding, acute manpower shortages and minimal safety against harm in prisons.
 - **Excessive Force:**

The **use of excessive force including torture to target marginalised communities** and control people participating in movements or propagating ideologies which the state perceives as opposed to its stature.
 - **Not Adhering to International Standard:**
 - Although India has signed the **United Nations Convention against Torture in 1997** its ratification still remains.
 - While Signing only indicates the country's intention to meet the obligations set out in the treaty, Ratification, on the other hand, entails bringing in laws and mechanisms to fulfil the commitments.
- **Constitutional and Legal Provisions:**
 - **Protection from torture is a fundamental right** enshrined under **Article 21 (Right to Life)** of the Indian constitution.
 - The **right to counsel** is also a fundamental right under **Article 22(1)** of the India constitution.
 - Section 41 of **Criminal Procedure Code (CrPC)** was amended in 2009 to include safeguards under 41A, 41B, 41C and 41D, so that arrests and detentions for interrogation have reasonable grounds and documented procedures, arrests are made transparent to family, friends and public, and there is protection through legal representation.

Way Forward

- To keep police excesses in check, **dissemination of information about the constitutional right to legal aid and availability of free legal aid services is necessary.**

The **installation of display boards and outdoor hoardings** in every police station/prison is a step in this direction.

- If India wants to remain as a society governed by the rule of law, **it is imperative for the judiciary to bridge the gap of accessibility to justice** between the highly privileged and the most vulnerable.
- Accessing justice in India is not merely an aspirational goal. **Judiciary needs to work hand in hand with various wings of the government** to make it a practical reality.

Source: TH

Indo-US Nuclear-Deal

Why in News

Recently, the former **foreign secretary of India**, Vijay Gokhale in his book claimed that the **Left parties in India were influenced by China** in their decision to **oppose the Indo-US nuclear deal.**

Although with the **Indo-US nuclear agreement**, India got a **special Nuclear Supplier Group (NSG)** waiver, the progress of **Greenfield projects is slow.**

Greenfield Projects:

- A greenfield project is one which is **not constrained by prior work.**
- It is constructed on **unused land** where there is no need to remodel or demolish an existing structure. Such projects are often covered by engineers.

Nuclear Supplier Group

- It is a **group of nuclear supplier countries that seeks to contribute to the non-proliferation of nuclear weapons** through the implementation of two sets of Guidelines for nuclear exports and nuclear-related exports.
- It was **created following the explosion in 1974** of a nuclear device by a non-nuclear-weapon State (**India**), which demonstrated that nuclear technology transferred for peaceful purposes could be misused.
- The grouping has **48 participating governments** and the NSG Guidelines are implemented by each member in accordance with its national laws and practices. The **NSG takes decisions by consensus.**

Key Points

- **Background:**

- The U.S. long considered India to be the leader of the non-aligned camp (**Non-Aligned Movement**) and held that it was **tilting toward the USSR** and, later, toward Russia.

India **purchased most of its weapons from Russia**, and it had a **pseudo-socialist economic regime**.

- The **U.S. tilted toward Pakistan** throughout the **Cold War** and in the years that followed.
- However, following the **rise of China**, the George W. Bush administration (**US**) **decided to lure India into the West's camp** and draw on it to help contain China.
- The **US** therefore **offered India civil nuclear technology and access to uranium**, the fuel it needed for nuclear power reactors.
- The Indian government agreed to sign a **123 Agreement (or the U.S.-India Civil Nuclear Agreement)**.
- The **Indo-US nuclear cooperation agreement** was signed in **2008**, that gave a fillip to the ties between the two nations, which since then have been on an upswing.

- **Indo-US nuclear deal:**

- **NSG Waiver:** A major aspect of the **Indo-US nuclear deal** was the **Nuclear Suppliers Group (NSG)** gave a special waiver to India that enabled it to sign cooperation agreements with a dozen countries.
- **Separate Programmes:** It **enabled India to separate its civilian and military programmes** and placed its civilian nuclear facilities under the **International Atomic Energy Agency (IAEA)** safeguards.
- **Transfer of Technology:** It **refrains India from transfer of enrichment and reprocessing technologies to states** that do not have them and India should also support international efforts to limit their spread.

- **Benefits of the Deal:**

- **Deals with Other Countries:**

- Post waiver, **India signed nuclear cooperation agreements** for peaceful means with the US, France, Russia, Canada, Argentina, Australia, Sri Lanka, United Kingdom, Japan, Vietnam, Bangladesh, Kazakhstan and Korea.
- Following the pacts, there have been **specific agreements for import of uranium** from France, Kazakhstan, Australia, Canada and Russia.

- **Recognition to India:**

It gave **India the recognition of being a responsible nuclear weapon state** with strong non-proliferation credentials.

- **Strengthened Indo-US Relations:**

- It gave a **fillip to the ties between the two nations**, which since then have been on an upswing.
- It also **gave fillip to military cooperation leading to expanded defence trade; increased energy cooperation**, including on renewables technology since 2014.

- **Technological Development:**

- India developed **Pressurised Heavy Water Reactors (PHWRs)**, which are **currently the backbone of the Indian nuclear power generation**.
- PHWR is a **nuclear power reactor**, commonly using unenriched natural uranium as its fuel. It uses heavy water (Deuterium oxide D₂O) as its coolant and moderator.

- **Increased Uranium Import:**

The Indo-US nuclear deal enabled India to **import Uranium from different countries**.

- **Issues:**
 - **Liability:**
 - Westinghouse went into **major cost overruns leading to a financial crisis 2008-09**.
 - Amidst this, the Westinghouse's new buyers have already **diluted the arrangement in India**.
 - They **will not construct the nuclear power project in India** and will only supply reactors and components because of which it would take nearly another 10 years to construct a reactor in India.
 - Given this, in case of a Fukushima-type nuclear accident in India, the **liability that U.S. companies would carry is highly uncertain**.
 - **India's requirements:**
 - India's own requirements from the India-U.S. civil nuclear deal have **changed considerably**.
 - Also India has also found **much more comfort in its existing agreement with Russia's Atomstroyexport**.
 - **Cost:**
 - Another issue relates to the **cost that India is prepared to pay** for nuclear energy through foreign collaborations.
 - Indo-French negotiations for six 1,650 MW European Pressurised Reactors (EPRs) in Maharashtra's Jaitapur are delayed over the **differences between the Department of Atomic Energy and French electricity utility EDF** which pertains to arriving at the **cost per unit**.
- **Present Status of Projects:**
 - The US has been discussing the **sale of nuclear reactors to India** since the 2008 pact, two **subsequent agreements were signed only in 2016 and 2019**.
 - A **project proposal** to set up **six reactors in collaboration with Westinghouse Electric Company (WEC)** has been announced, but work is yet to begin.
 - Another major project involving the **French state-owned operator Areva**, which was subsequently taken over by the **French electricity utility EDF** is also **delayed**.
 - It has submitted an offer to **Nuclear Power Corporation of India Limited** to supply engineering studies and equipment for the construction of six reactors in Jaitapur, Maharashtra .

Way Forward

- Despite the **historic nuclear deal (2008)**, **civilian nuclear cooperation** has not taken off. In international politics, there are **no permanent friends and no permanent enemies, only permanent interests**. In such a scenario India must continue to pursue its foreign policy of **strategic hedging**.

- India-US relation remains critical for the shaping of world order in the 21st century. **In order to realise the full potential of relations, the two governments must now strive to complete the unfinished agreements** and set the course for a Comprehensive Strategic Global Partnership.

Source: IE

Snakebite Envenoming

Why in News

According to a new study by the Indian Council of Medical Research (ICMR), India has **the highest number of snakebite cases** in the world, accounting for **nearly 50% of the global snakebite deaths**.

Snakebite Envenoming (SE) is classified by the World Health Organisation (WHO) as a **High-Priority Neglected Tropical Disease (NTD)**.

Key Points

- **About:**
 - SE is a **potentially life-threatening disease** that typically results from the **injection of a mixture of different toxins (venom) following the bite of a Venomous Snake** and can also be caused by having **venom sprayed into the eyes** by certain species of snakes that have the **ability to spit venom as a defence measure**.
 - It is a particularly important **public health problem in rural areas of tropical and subtropical countries** situated in Africa, the Middle-East, Asia, Oceania and Latin America.

In these regions the risk of snakebite is a daily concern, **especially for rural and peri-urban communities where hundreds of millions of people depend on agriculture** or subsistence hunting and gathering in order to survive.
- **Impact:**

Many snakebite victims, mostly in developing countries, suffer from long-term complications such as deformities, contractures, amputations, visual impairment, renal complications and psychological distress.

- **Deaths from SE:**
 - **Global:**
 - About 5.4 million snake bites occur globally each year, resulting in 1.8 to 2.7 million cases of envenoming.
 - There are between 81,410 and 1,37,880 deaths and around three times as many amputations and other permanent disabilities each year, caused by snakebites.
 - **Indian:**
 - India has seen an estimated 1.2 million snakebite deaths from 2000 to 2019, an average of 58,000 per year.
- **WHO's Roadmap for SE:**
 - WHO launched its roadmap with an aim **to halve death and disability from snakebite by 2030.**
 - In order to create a sustainable market for antivenoms there is a need for a 25% increase in the number of competent manufacturers by 2030.
 - WHO has planned a pilot project to create a global antivenom stockpile.
 - Integrating snakebite treatment and response into national health plans in affected countries, including better training of health personnel and educating communities.
- **Indian Initiatives:**
 - Much before the WHO roadmap was launched, researchers from ICMR started community awareness and health system capacity building from the year 2013. They are continuing their work through a national study funded by the National Task Force on snakebite, ICMR.
- **Concerns:**
 - **Unawareness among Communities:**
 - Lack of awareness, inadequate knowledge of prevention of snakebite and lack of first aid amongst the community, as well as peripheral healthcare workers, delay in receiving lifesaving treatment, and non-availability of trained medical officers for management of snakebite contribute to a higher number of deaths.
 - Belief in a snake god, ability of tamarind seeds or magnets to reduce the venom effect were some of the superstitions.
 - **No Information on Venomous and Non-Venomous snake:**
 - There is **no 'IEC' (Information, Education, and Communication) material** available on the identification of venomous and non-venomous snakes in government healthcare facilities.

- **Recommendations:**

- **Curriculum on Snakebite Management:**

The study has recommended the inclusion of snakebite management in the curriculum of training institutions of state public health departments in India, mandatory short-term training of medical graduates during their internship and also as a part of the induction training on joining state health services in India.

- **Multi-sectoral Approach:**

A multi-sectoral approach of community awareness, capacity building of healthcare facilities for reducing the mortality and morbidity due to snakebite envenoming in India.

Source: IE

PM-DAKSH Scheme

Why in News

Recently, **Ministry of Social Justice and Empowerment** has launched '**PM-DAKSH**' (**Pradhan Mantri Dakshta Aur Kushalta Sampann Hitgrahi**) **Portal** and '**PM-DAKSH**' **Mobile App** to make the skill development schemes accessible to the target groups - Backward Classes, Scheduled Castes and Safai Karamcharis.

Key Points

- **About**

- PM-DAKSH Yojana is **being implemented from the year 2020-21**.
- Under this, **eligible target groups are provided with the skill development training programmes** on Short Term Training Program; Up-Skilling/Reskilling; Entrepreneurship Development Programme, and Long Term Training Programme.

These **training programmes are being implemented through** the government training institutes, sector skill councils that have been constituted by **the Ministry of Skill Development and Entrepreneurship**, and other credible institutions.

- **Implementation:**

It is implemented by the three Corporations under the Ministry:

- National Scheduled Castes Finance and Development Corporation (NSFDC),
- National Backward Classes Finance & Development Corporation (NBCFDC),
- National Safai Karamcharis Finance and Development Corporation (NSKFDC).

- **Status of Skill Development Training of Target Groups:**

- Skill development training has been imparted to 2,73,152 people of the target groups in the last 5 years.
- A target, **during the year 2021-22**, has been set to provide the skill development training to **approx 50,000 people of the target groups through these three corporations.**

- **Significance of the Scheme:**

- Most of the persons of the target groups have minimal economic assets; therefore, provision of training and enhancing their competencies is essential for economic empowerment/ upliftment of these marginalized target groups.
- Many of the persons of the target groups belong to the category of rural artisans who have become marginalized owing to the coming of better technologies in the market.
- Women due to their overall domestic compulsions, cannot be involved in wage employment which normally involves long working hours and sometimes migration to other cities, there is a need to empower the women amongst the target groups.

Initiatives Related to Skill Development

- **Pradhan Mantri Kaushal Vikas Yojana 3.0**: It was launched by the Ministry of Skill Development and Entrepreneurship (MSDE) in 2021 in a bid to empower India's youth with employable skills by making over 300 skill courses available to them.
- **National Career Service Project**: Launched in 2015 to offer free online career skills training to job-seekers registered with it. It is an initiative of the **Ministry of Labour & Employment**.
- **Skills Acquisition and Knowledge Awareness for Livelihood (SANKALP)**: Its focus is on district-level skilling ecosystem through convergence and coordination. It is a Centrally Sponsored Scheme which is collaborated with the World Bank.
- **Kaushalacharya Awards**: Launched to recognize the contribution made by skill trainers and to motivate more trainers to join the Skill India Mission.
- **Scheme for Higher Education Youth in Apprenticeship and Skills (SHREYAS)**: The scheme is to provide industry apprenticeship opportunities to the general graduates exiting in April 2019 through the National Apprenticeship Promotion Scheme (NAPS). It was **launched by the Ministry of Education**.

- **Atmanirbhar Skilled Employee Employer Mapping (ASEEM)**: Launched by MSDE in 2020, it is a portal to help skilled people find sustainable livelihood opportunities.

Source: PIB

Faceless Assessment Scheme: Income Tax

Why in News

Recently, the Income Tax (I-T) Department notified three official email IDs to register grievances, under the **Faceless or e-Assessment Scheme**.

The Prime Minister in August 2020 announced three key structural tax reforms under the **'Transparent Taxation - Honouring the Honest' platform** - faceless assessment, faceless appeal and taxpayers' charter to reduce tax disputes.

Key Points

- **Faceless or e-Assessment Scheme:**
 - **About:**

Under the faceless assessment system, a taxpayer or an assessee is not required to visit an I-T department office or meet a department official for income tax-related businesses.
 - **Launch:**

The faceless assessment scheme was **launched in 2019**.
 - **Objectives:**

To promote an efficient and effective tax administration, minimizing physical interface, increasing accountability and introduction of team-based assessments.
 - **Mechanism:**

Faceless assessment is administered through separate units within the tax department each of which has a specific and important role in the process, viz assessment units, verification units, technical units and review units. All these units work closely with the **National e-assessment Centre (NeAC) and Regional e-assessment Centre (ReAC)**.
 - **Advantage:**

The scheme brings greater flexibility for taxpayers and professionals representing before tax authorities. It has resulted in substantial time savings on account of travel to the tax office, waiting time over there, etc.

- **Related Recent Initiatives:**

- **Dispute Resolution Committee:**

- In **Budget 2021**, the Minister of Finance has proposed the formation of a Dispute Resolution Committee (DRC) in order to provide quicker relief to taxpayers in tax disputes.
- The DRC will cater to small taxpayers having a taxable income of up to Rs. 50 lakh and a disputed income of up to Rs. 10 lakh.

- **Vivad Se Vishwas Scheme:**

The scheme provides for settlement of disputed tax, disputed interest, disputed penalty or disputed fees in relation to an assessment or reassessment order on payment of 100% of the disputed tax and 25% of the disputed penalty or interest or fee.

Source: IE
