



## PRS Capsule March 2019

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  - New Delhi International Arbitration Centre Ordinance promulgated
  - Cabinet approves promulgation of amendments to regulations for civil courts in two Union Territories (Daman and Diu, and Dadra and Nagar Haveli)
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### Law and Justice

Aadhaar and Other Laws (Amendment) Ordinance promulgated

- The Aadhaar and Other Laws (Amendment) Ordinance, 2019 was promulgated.
  - In September 2018, the **Supreme Court struck down certain provisions** of the **Aadhaar Act**, including those in relation to mandatory linking of Aadhaar with bank accounts and mobile phones.
  - The ordinance amends the Aadhaar Act, 2016, the Indian Telegraph Act, 1885, and the Prevention of Money Laundering Act, 2002.
  - The Ordinance allows **for voluntary use of the Aadhaar** number for authentication or offline verification, with the consent of the Aadhaar number holder.
- Previously, a similar Bill was passed by Lok Sabha on January 4, 2019.

- For more detail please follow the PRS Capsule January-2019.

#### New Delhi International Arbitration Centre Ordinance promulgated

- The New Delhi International Arbitration Centre Ordinance, 2019 was promulgated by the President.
- It establishes an autonomous and independent institution for better management of arbitration in India.
- Previously, a similar Bill (**The New Delhi International Arbitration Centre Bill, 2018**) was passed by Lok Sabha in January, 2019.

- **For more detail please follow the PRS Capsule January 2019.**

#### Cabinet approves promulgation of amendments to regulations for civil courts in two Union Territories (Daman and Diu, and Dadra and Nagar Haveli)

- The Union Cabinet, under **Article 240** of the Constitution, approved the promulgation of:
  - the **Daman and Diu Civil Courts (Amendment) Regulation, 2019**,
  - and the **Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions) Amendment Regulation, 2019**.
- The amendments include an increase in the **pecuniary jurisdiction** of civil courts in the two Union Territories.
  - **Pecuniary Jurisdiction** refers to the ability of a Court to hear matters depending on the valuation of the case.
- It will be helpful in bringing uniformity in Judicial Service and overcome the difficulties being faced by the litigants in travelling to Mumbai for filing appeals due to existing limited pecuniary jurisdiction.

## Education

#### Ordinance to provide for reservation of teaching posts in central educational institutions promulgated

- The Central Educational Institutions (Reservation in Teachers' Cadre) Ordinance, 2019 was promulgated.
- The Ordinance provides for **reservation of teaching positions in central educational institutions** for persons belonging to the **Scheduled Castes, Scheduled Tribes** and the **socially and educationally backward classes**.
  - For the purpose of such reservation, a central educational institution will be regarded as one unit.
  - Previously, each department within a central educational institution was regarded as a unit.

## Health and Family Welfare

#### The Homoeopathy Central Council (Amendment) Ordinance promulgated

- The Homoeopathy Central Council (Amendment) Ordinance, 2019 was promulgated.
  - It amends the **Homoeopathy Central Council Act, 1973** which sets up the Central Council of Homoeopathy.
  - The Central Council regulates homoeopathic education and practice.
- The Ordinance amends the Act to increase the time period for supersession of the Central Council from one year to two years.
  - Meanwhile, **the National Commission for Homoeopathy Bill, 2019** was introduced in Rajya Sabha in January, 2019.

- The draft Bill seeks to set up the National Commission for Homoeopathy, and **replace the Central Council of Homoeopathy.**

## Information Technology

Ministry releases National Policy on Software Products 2019

- The Ministry of Electronics and Information Technology (MeitY) released the **National Policy on Software Products 2019.**
  - The Union Cabinet had earlier approved the policy.
  - The policy aims to develop India as a global software product hub.
- **For detail please follow the PRS Capsule February-2019.**

## Power

Hydro power projects declared as renewable energy sources

- The Union Cabinet approved certain measures to promote the hydro power sector.
- Key measures approved include:
  - **Large hydro projects:** Large hydro power projects (capacity **above 25 MW**) will be considered as renewable energy sources.
    - Earlier only small hydro projects (capacity less than 25 MW) were considered as renewable energy sources.
    - However, the large projects will not be automatically eligible for any differential treatment for statutory clearances such as forest and environmental clearances, or impact assessment studies, which are available for smaller hydro projects.
  - **Hydro Purchase Obligation (HPO):** HPO will be **a separate category** within the existing renewable purchase obligation (RPO, obligation on certain entities to purchase a fixed minimum percentage of power from renewable sources).
    - It will cover all large hydro projects commissioned post this approval.

Cabinet approves various thermal and hydro power projects

- The Cabinet Committee on Economic Affairs (CCEA) approved several thermal and hydro power projects.
- Details of the projects are as follows:
  - **Thermal projects:**
    - A 2x660 MW Thermal Power Project has been approved in **Buxar**, Bihar. The plant will be set up by Satluj Jal Vidyut Nigam (SJVN) Thermal Private Ltd., a wholly owned subsidiary of SJVN Ltd., a mini ratna CPSU under the Ministry of Power.
    - A 2x660 MW Thermal Power Project has been approved in **Khurja**, Uttar Pradesh. The project will be set up by THDC India Limited (formerly Tehri Hydro Development Corporation Limited), a mini ratna CPSU under the Ministry of Power.
  - **Hydro projects:**
    - CCEA approved the construction of Kiru Hydro Electric (HE) Project, with a capacity of 624 MW. The project will be located on **River Chenab** in **Kishtwar**, Jammu and Kashmir.
    - CCEA also approved the investment sanction for acquisition of M/s Lanco Teesta Hydro Power Limited and execution of balance work of **the Teesta Stage-VI HE Project** by NHPC Ltd in **Sikkim**.

## Social Justice

Centre for Disability Sports to be set up in Gwalior.

- The Union Ministry of Social Justice & Empowerment approved the proposal for the establishment of a Centre for Disability Sports in **Gwalior**, Madhya Pradesh.
- The Centre will be registered under the **Societies Registration Act, 1860**.
- The Centre will include an outdoor athletic stadium, an indoor sports complex, a sports science centre, and hostel facilities for athletes.
  - Some of the **sports identified for training** include badminton, basketball, **boccia** and para powerlifting.

## Environment

National Cooling Plan launched

- The Ministry of Environment, Forest, and Climate Change launched the **India Cooling Action Plan (ICAP)**.
- The ICAP provides recommendations to address cooling requirements across sectors, and ways to provide **access to sustainable cooling** for all over a 20-year period.
- The main goals as outlined in the ICAP include:
  - Supporting development of technological solutions in cooling and related areas;
  - Reducing cooling demand across sectors by 20%-25% by 2037-38;
  - Reducing refrigerant demand by 25%-30% by 2037-38;
  - Training and certifying one lakh servicing sector technicians by 2022-23.

Hazardous and Other Wastes Rules amended

- The Ministry of Environment, Forest and Climate Change (MoEF) amended the **Hazardous Waste (Management and Transboundary Movement) Rules, 2016**.
- Key amendments include:
  - **Solid plastic waste** has been prohibited from import into India.
  - **Exporters of silk waste** have been given exemption from requiring permission from the MoEF.
  - **Electrical and electronic assemblies** and components manufactured in and exported from India can now be imported back into the country if found defective, within a year of export, without obtaining permission from the MoEF.
  - Under the Rules, every industry engaged in dealing with hazardous waste is required to first obtain an authorization from the State Pollution Control Board.
    - The request is required to be accompanied with a prior authorization (i.e. a consent to establish) under the **Water (Prevention and Control of Pollution) Act 1974** and the **Air (Prevention and Control of Pollution) Act 1981**.
  - As per the amendments, industries which are exempted from requiring consent under the Water Act and Air Act, are exempted from requiring authorization from the State Pollution Control Board under the rules if the hazardous and other wastes generated by such industries are handed over to the authorized actual users, waste collectors or disposal facilities.

## Home Affairs

The Jammu and Kashmir Reservation (Amendment) Ordinance promulgated

- The Jammu and Kashmir Reservation (Amendment) Ordinance, 2019 was promulgated.
- The Ordinance amends the **Jammu and Kashmir Reservation Act, 2004**.



- The Act provides for reservation in appointment and admission in professional institutions for persons belonging to Scheduled Castes, Scheduled Tribes, and **socially and educationally backward classes** (SEBC).
  - **SEBC:** the Act classifies persons living in areas adjoining the Line of Control as SEBCs for the appointment to state government posts.
  - The Act requires SEBCs (appointed to state government posts) to serve in such areas for at least seven years; and exempts them from the creamy layer test.
- The Ordinance extends the provisions of SEBCs to those living near the international border.

#### Constitution (Application to Jammu and Kashmir) Amendment Order issued

- The Constitution (Application to Jammu and Kashmir) Amendment Order, 2019 was made by the President.
- It amends the Constitution (Application to Jammu and Kashmir) Order, 1954.
  - The 1954 Order makes various provisions of the Constitution of India applicable to Jammu and Kashmir.
- The 103<sup>rd</sup> Constitutional Amendment Act provides for ten percent reservation for economically weaker sections in educational institutions and public employment.
  - The Amendment Order seeks to extend this reservation to Jammu and Kashmir.
- Under this amendment order, the benefits in promotions to Scheduled Castes and Scheduled Tribes under the Constitution will also be made applicable to the state of Jammu and Kashmir.

## Transport

#### White Paper on National Green Aviation Policy released

- The Ministry of Civil Aviation released a White Paper (an official report which describes the policy of the Government on a particular subject) on National Green Aviation Policy.
- The policy seeks to enable, promote and strengthen all inclusive, green and sustainable growth of air transportation in India.
- Key feature of the policy include:
  - **Green Infrastructure Program:** All aviation stakeholders should adopt **green infrastructure guidelines** while designing, constructing, operating, maintaining, renovating and during
  - demolition of infrastructures. Such guidelines are specified by:
    - the Indian Green Building Council,
    - the U.S. Green Building Council,
    - Green Rating for Integrated Habitat Assessment,
    - or any equivalent standards.

## Water Resources

#### Cabinet approves the Flood Management and Border Areas Programme (FMBAP)

- The Union Cabinet approved the **Flood Management and Border Areas Programme (FMBAP)** with an aim of effective flood management and erosion control.
- FMBAP has been framed by merging two previously continuing schemes, namely:
  - **Flood Management Program.**
  - **River Management Activities and Works related to Border Areas.**
- Salient features of the scheme include:
  - assisting state governments in providing protection against floods through structural and

- non-structural measures,
- completing on-going projects previously approved under the Flood Management Program,
- conducting hydro-meteorological observations and flood forecasting with neighbouring countries,
- and surveying and investigating water resource projects on common rivers with neighbouring countries.

## Information and Broadcasting

Ministry releases revised guidelines for the Journalists Welfare Scheme.

- The Ministry of Information and Broadcasting (MIB) released revised guidelines for the **Journalist Welfare Scheme**.
  - The scheme aims to provide **one-time financial support** to **journalists** and their **families** in extreme hardship.
- The key features include:
  - **Committee:** A Committee will be constituted, with the Secretary of MIB as the chairperson, to administer the scheme. The Committee will meet at least once a quarter, to take decisions on cases received during the period.
  - **Eligibility: Journalists will be eligible** for the scheme provided they are:
    - citizens of India,
    - ordinarily resident in India,
    - accredited to the Press Information Bureau (PIB),
    - those journalists who are not accredited with the PIB will also be eligible for the scheme, if they have been journalists for a minimum period of five continuous years.
    - Journalists covered under the scheme include newspaper and television journalists, but does not include individuals in a managerial, administrative, or supervisory capacity.
  - **Financial assistance:**
    - Up to Rs 5 lakh may be provided to the family in case of death of journalist,
    - up to Rs 5 lakh may be provided to the journalist in case of permanent disability which makes them incapable of earning a livelihood,
    - up to Rs 3 lakh may be provided for cost of treatment of major diseases such as cancer or heart ailments, subject to certain conditions,
    - and up to Rs 2 lakh may be provided in case of accidents causing serious injury requiring hospitalization.
    - Benefits under the scheme will be transferred only to Aadhaar seeded bank accounts of beneficiaries.