



Monthly Editorial Consolidation



1st February to 27th February 2021

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Ageing Dams

This article is based on "The problem of ageing dams" which was published in The Hindu on 01/02/2021. It talks about the issue of ageing dams in India.

Tags: Indian Economy, GS Paper - 3, Irrigation, Government Policies & Interventions

Recently, a UN University report titled "Ageing water infrastructure: An emerging global risk", held that by 2050, most people on Earth would live downstream of tens of thousands of large dams built in the 20th century, many of them including India's already operating at or beyond their design life, putting lives and property at risk.

Ageing signs of dams include increasing cases of dam failures, progressively increasing costs of dam repair and maintenance, increasing reservoir sedimentation, and loss of a dam's functionality and effectiveness.

India is ranked third in the world in terms of building large dams. Of the over 5,200 large dams built so far, about 1,100 large dams have already reached 50 years of age, and some are older than 120 years.

Moreover, hundreds of thousands of medium and minor dams are even more precarious as their shelf life is even lower than large dams. India's aging dams can threaten water security, affect farmers' income, and increase flooding. Thus, there is an urgent need to tackle this crisis.

Issues Related to Ageing Dam

- **Faster Rate of Storage Loss:** As dams age, soil replaces the water in the reservoirs. Therefore, the storage capacity cannot be claimed to be the same as in the 1900s and 1950s.
 - However, the storage space in Indian reservoirs is receding at a rate faster than anticipated. Reservoirs are poised to become extinct in less than a few decades, with untold consequences already underway.
 - A 2003 report observed that India's iconic Bhakra dam's siltation rate is 139.86% higher than originally assumed.
 - At this rate, the Bhakra dam is now expected to function for merely 47 years, virtually halved from the original estimate of 88 years".
- **Impact of Climate Change:** The rising frequency and severity of flooding and other extreme environmental events can overwhelm a dam's design limits and accelerate a dam's ageing process.
 - Thus, it is important to note with increasing floods; climate change will accelerate the dam ageing process.

- **Structurally Vulnerable Dams:** Almost every scholarly study on reservoir sedimentation shows that Indian reservoirs are designed with a poor understanding of sedimentation science.
 - Moreover, Any large storage structure, be it concrete, masonry, or earth, can become structurally weak with time. Such is the case with a number of old dams in India.
- **Lack of Storage Information:** The loss of large dams' storage capacity over time is part of the dam ageing process.
 - However, this information continues to be sporadically documented in India and serves as a blind spot in terms of understanding the true gravity of the water crisis in the country.

Consequences of Ageing Dams

- **Impacting Food Security:** When soil replaces the water in reservoirs, supply gets choked. In this case, the cropped area may begin receiving less and less water as time progresses.
 - As a result, the net sown water area either shrink in size or depends on rains or groundwater, which is over-exploited.
- **Impacting Farmers' Income:** As crop yield may get affected severely, it would disrupt the farmer's income.
 - Moreover, water is a crucial factor for crop yield and credit, crop insurance, and investment.
- **Increased Flooding:** The flawed siltation rates reinforce the argument that the designed flood cushion within several reservoirs across many river basins may have already depleted substantially, due to which floods have become more frequent downstream of dams.
 - The flooding of Bharuch in 2020, Kerala in 2018, and Chennai in 2015 are a few examples attributed to downstream releases from reservoirs.

Way Forward

- **Attracting Global Attention:** There is a need to attract global attention to the issue of ageing water storage infrastructure and stimulate international efforts to deal with this emerging, rising water risk.
- **Sustainable Decommissioning:** Decommissioning will also have various positive and negative economic, social, and ecological impacts to be considered in a local and regional social, economic, and geographic context "critical to protect the broader, sustainable development objectives for a region."
- **Transparency in Information:** India's water organizations have to be more transparent concerning dysfunctional and deteriorating large dams.

- Thus, real-time information on the live storage capacity of large storage structures should be made available.
- A realistic estimate of the country's irrigation potential needs to be made based on this for proper planning and management of available water.
- **Alternative Measures:** Water policymakers, planners, and water managers need to think of alternative plans for large storage structures. Some alternatives include:
 - Selecting sites for construction of water harvesting structures of varying capacities;
 - Building medium or minor irrigation-based small storage structures;
 - Identifying mechanisms to recharge aquifers and store water underground;

Conclusion

India will eventually feel difficulty in finding sufficient water in the 21st century to feed the rising population by 2050, grow abundant crops, create sustainable cities, or ensure growth. Therefore, all stakeholders must come together to address this situation urgently.



India Role In African Recovery

This article is based on "Towards a 'healthy' India-Africa partnership" which was published in The Hindu Business line on 01/02/2021. It talks about India-Africa cooperation to combat devastation caused by the Covid-19 pandemic.

Tags: International Relations, GS Paper - 2, Effect of Policies & Politics of Countries on India's Interests, Groupings & Agreements Involving India and/or Affecting India's Interests

With regular high-level visits, increasing diplomatic footprint, diversified engagement across sectors, and a vibrant diaspora, the India-Africa relationship has picked up momentum in the recent past.

However, on the economic front, Africa has been deeply affected by the pandemic due to reduced trade and other markets causing a supply-and-demand shock. This disruption may cause a setback to the years of progress made in India-Africa relations.

Therefore, in the light of India's stakes in Africa, India should reach out to African nations in a variety of ways to help them deal with the Covid devastation.

Areas of Cooperation

- **Social Infrastructure:** Already, the India-Africa social infrastructure (education, health, skills) cooperation is multidimensional, comprehensive, and involves national, state, and subnational actors working toward augmenting African institutional and individual capacities.
- **Common Geo-Political Interests:** India and Africa have common interests on international issues; UN reforms, counter-terrorism, peacekeeping, cybersecurity, and energy security.
- **Economic Cooperation:** India's economic engagement with Africa is substantive.
 - In the last decade and a half, trade between India and Africa has multiplied and diversified—bilateral trade of \$63.3 billion in 2018-19 made India the third-largest trading partner for the continent.
- **Support in Fight Against Covid-19:** Under the e-ITEC initiative, India has shared Covid-19 management strategies, training webinars exclusively to train healthcare professionals from Africa by Indian health experts.
 - India is also sending consignments of essential medicines, including hydroxychloroquine (HCQ) and paracetamol, to many African countries in addition to doctors and paramedics.
- **Combating Neo-Colonialism:** China has a longer and deeper association in the continent, but it is facing a backlash over the pandemic worldwide.
 - China has gained a reputation as an economic colonizer—exploiting the need for capital by under-developed economies to hand over big infrastructure projects to China.
 - Therefore, Chinese investment is seen as neo-colonial as it focuses on money, political influence, hard-infrastructure projects, and resource extraction.
 - On the other hand, India's approach focuses on building local capacities and an equal partnership with Africans and not merely with African elites concerned.
 - In this context, though Africa has been actively engaged with China, it wants India to act as a balancer and net security provider.

Way Forward

- **Vaccine Diplomacy:** As the "pharmacy of the world," a priority area of collaboration would be to ensure direct participation in Covid-19 relief and equitable vaccine access efforts followed by a plan for comprehensive strengthening of Africa's health systems.
- **Economic Convergence:** The Free Trade Agreement has been negotiated within Africa. It's a matter of time for it to be implemented and will be a game-changer.

- In this context, creating a market for 1.3 billion people in Africa would provide Indian manufacturers with economies of scale and scope to compete internationally.
- It could also lead to generations of employment, facilitate skill and technology transfers, and help bridge the existing knowledge gap.
- **India Becoming Voice of Africa:** India can also take the lead in initiating and pushing for more multilateral efforts by stakeholders like the WHO or the UN to do more for African recovery.
 - India and Africa should plan to expand their multi-faceted partnership by jointly combating the Covid and focusing on their strengths to address global challenges – climate change, extremism, counter-terrorism, transnational crimes, and maritime security.

Conclusion

While it can be argued that the Covid-19 crisis has had serious implications for India and the country has huge domestic obligations to deal with, partnering with Africa at this critical juncture in our shared reality will add immense value to the rich historicity of India-Africa solidarity.



Fiscal Activism

This article is based on "It's goodbye to fiscal orthodoxy" which was published in The Hindu on 03/02/2021. It talks about government departure from rigid adherence to fiscal consolidation.

Tags: Indian Economy, GS Paper - 3, Mobilization of resources, Capital Market. Fiscal Policy, Government Budgeting

Affected by the Covid-19 pandemic, the flailing Indian economy is marked by contracting GDP requiring a push from the government. In this scenario, the government has resorted to Keynesian economics (government's spending rather than the free hand of the market).

The Budget 2021 is a selective departure from the principles of the free market. The government adheres to market orthodoxy elements, such as privatization and a greater role for foreign direct investment but sought to spend more to spur growth.

This can be reflected by the fact that the Finance Minister's speech pledges to lower the fiscal deficit to 4.5% of GDP by 2025-26 and promised to introduce an amendment to the FRBM Act to formalize the new targets (the present target as per the FRBM Act is of 3%).

Thus, the Budget marks an important departure from one of the key tenets of the Washington Consensus, the framework for market-oriented economics that has dominated policy-making in most parts of the world. Though this is a step in the right direction, it has some key macroeconomic stability concerns.



Departure From

The Principles of Free-Market Economics

- **Budget 2021 rests on six pillars:** Health and well-being, physical & financial capital and infrastructure, inclusive development for aspirational India, reinvigorating human capital, innovation, and R&D, and minimum government-maximum governance.
- This will require a major increase in funding, not only from the Central Government but also from the states and the private sector. This can be reflected in some of the following highlights of the budget:
 - The present budget presents a **whopping 34.5% increase** in budget allocation — Rs 5.54 lakh crore.
 - The Budget has proposed a new bad bank framework to deal with the problem of non-performing assets. Given the magnitude of NPA, a huge amount of capital will be required to finance it.
 - The government also announced the setting up of a development finance institution to provide long-term financing for infrastructure projects.

Reasons for Departure From Fiscal Orthodoxy

Departure From Rigid Adherence To Fiscal Consolidation

- The Economic Survey that preceded the Budget laid the groundwork for a departure from rigid adherence to fiscal consolidation.
- It has a quote from **economist Olivier Blanchard**, "If the interest rate paid by the government is less than the growth rate, then the intertemporal budget constraint facing the government no longer binds."

- According to the Economic Survey, in the current situation, expansionary fiscal policy will boost growth, and given India's growth potential, we do not have to worry about debt sustainability until 2030.

Intertemporal Budget Constraint

- The "intertemporal budget constraint" means that any debt outstanding today must be offset by a future source of revenue of income.
- Blanchard was saying that intertemporal budget constraint doesn't apply if the Interest Rate-Growth Differential (IRGD), the difference between the interest rate and growth rate, becomes negative.
- In the advanced economies, as interest rates have turned negative, Blanchard's condition has been met. So governments there do not have to worry that deficits will render public debt unsustainable.

Idea Supported By IMF & World Bank

- The International Monetary Fund (IMF) and the World Bank, both flag-bearers of the Washington Consensus, have been urging a departure from fiscal orthodoxy in the wake of the pandemic.
- Both these institutions used to be wary of any increase in the public debt to GDP ratio beyond 100%.
- Today, they are urging the advanced economies to spend more by running up deficits even when the debt to GDP ratio is poised to rise to 125% by the end of 2021.

Key Macroeconomic Stability Issues

- **Inflation May Rise:** There is a concern that a large fiscal deficit can fuel a rise in inflation.
 - Further, it is more than likely that a change in the fiscal consolidation targets will require a change in the inflation target of 4% set for India's Reserve Bank. However, the Budget makes no mention of such a possibility.
- **Low Tax-to GDP Ratio:** Another concern is that, with the tax to GDP ratio not rising as expected, the government has to focus on garnering more non-tax revenues through strategic disinvestment, privatization, and monetization of non-core assets.
 - However, these measures have their own issues.
- **Disinvestment, A High-Risk Strategy:** The sale of public assets has become crucial to a reduction in fiscal deficits in the years ahead. However, this is a high-risk strategy.
 - For years now, revenues from disinvestment have fallen short of targets. For example, Air India's sale, which was begun in 2018, is still dragging on.

- Moreover, selling public assets is politically contentious due to public sector unions and job losses.
- **Downgrade of Ratings:** An important consideration is a fear that the rating agencies would downgrade India if total public debt crossed say, 10%-11% of GDP.
 - That is a risk that cannot be wished away unless the rating agencies have decided to toe the IMF-World Bank line on fiscal deficits.
- **Conflicting With AtmaNirbharta:** Moreover, large-scale privatization almost always involves substantial FDI. Increasing FDI will result in a large rise in foreign presence in the domestic economies.
 - However, a rise in FDI may not reconcile with Atmanirbhar Bharat which connotes greater self-reliance and stronger Indian companies.
- **Crowding Out Effect:** As the government adopts an expansionary fiscal policy stance and increases its spending to boost economic activity.
 - This leads to an increase in interest rates. Increased interest rates affect private investment decisions.
 - A high magnitude of the crowding-out effect may even lead to lesser income in the economy.

Conclusion

A departure from fiscal orthodoxy is welcome. But the government needs to think of ways to make it more sustainable.



Taiwan Card Against China

This article is based on "Playing the Taiwan card" which was published in The Indian Express on 02/02/2021. It talks about the benefits and issues of establishing formal diplomatic ties between India and Taiwan.

Tags: International Relations, GS Paper - 2, Effect of Policies & Politics of Countries on India's Interests, Groupings & Agreements Involving India and/or Affecting India's Interests

The standoff at the Ladakh border between India and China continues amid failing talks. Moreover, the Chinese regime undertook several measures that may jeopardize the diplomatic solution.

While the Indian government and the armed forces make it clear that they will do whatever it takes to protect India's sovereignty and integrity, it should also explore options on the foreign policy front.

On the foreign policy front, India has shown its intent to be a part of the Quad security group (which China refers to as "Asian NATO"). However, the Quad continues

to suffer from indecisiveness to evolve as a formal military bloc to counter China.

In such a situation, it is imperative that India explore alternate diplomatic and militaristic routes to counter China. One such viable option is establishing formal diplomatic ties with Taiwan.

Background

- In 1949 Chiang Kai Shek, the former Chinese president and former head of state who fled to the island of Formosa (former name for the island of Taiwan) following the victory of Mao Zedong in the long-drawn Chinese civil war.
- Since then Relations between China and Taiwan started improving in the 1980s. China put forward a formula, known as “one country, two systems”, under which Taiwan would be given significant autonomy if it accepted Chinese reunification.
- In Taiwan, the offer was rejected, but China insists on concurrence to the One China Policy in all its foreign relations deliberations.

Rationale of Strong Indo-Taiwan Ties

- **Deft Diplomacy:** Though India does not have formal diplomatic relations with the island democracy that Beijing considers a breakaway province, it has slowly been increasing bilateral engagements in the economic, cultural and educational spheres.
 - This can, with some deft diplomacy, become a bargaining chip at future negotiations.
- **Balancing Pakistan as China’s Satellite State:** Some retired diplomats feel India should leverage its relations with Taiwan to balance its ties with China and negate the latter’s “alliance” with its all-weather friend Pakistan, which is now dangerously close to becoming China’s satellite.
- **Act East & New Southbound Policy:** There is scope for convergence between the Indian government’s Act East policy, which advocates closer economic, strategic, and diplomatic engagement with countries in the Indo-Pacific, and Taiwan’s New Southbound Policy, which seeks to enhance cooperation and exchange between Taiwan and 18 countries in Southeast Asia, South Asia, and Australasia.
 - Both policies aim to increase regional influence and gain political and economic benefits from their partners in the region.

Benefits of Establishing Diplomatic Ties with Taiwan

Recognizing Taiwan will entail a lot of benefits for India’s foreign policy regime.

- **India as Leader of Democratic World:** Taiwan is a robust democracy with a booming economy.
 - By establishing formal diplomatic ties with Taiwan, India can bolster its legitimacy as the leader of the democratic world, especially at a time when the role of US has been undermined.
- **Expanding Alliance To Counter China:** India can get the support of another powerful ally in its attempt to carve out a new supply chain alliance which India-Japan-Australia formalized recently.
 - Further, the Quad security grouping can be extended to include new members.
- **Pay Back China in the Same Coin:** China in many repeated efforts has tried to nudge the United Nations Security Council to discuss the Kashmir question.
 - By institutionalizing formal diplomatic relations with Taiwan, India can clearly send a message to China that if it does not respect “One India policy”, then India will not also follow “One China” policy.
 - Further, recognizing Taiwan will make it clear to China that India is very assertive and that if the need arises, India will not back down from sending dedicated naval and air assets in the disputed South China Sea region to enforce the freedom of navigation principle.

Associated Issues

- Every Indian approach towards Taiwan has met with sharp reactions from China. This has considerably constrained the development of broad-based ties between the two countries beyond the realms of culture, education, and investments.
- As not even the mighty US has so far established formal diplomatic relations with Taiwan, the recognition of Taiwan may invite severe ramifications for India. For example:
 - China is our second-largest bilateral trade partner and a key export partner of India with regard to raw materials and goods.
 - According to a FICCI report, India imports more than 40% of several important goods like the API (active pharmaceutical ingredients), television, chemicals, chips, textiles and many more, from China.
 - As a possible retaliatory measure, China can stop exports of these items.
 - It can also activate its terror financing networks which, for years, remained a chronic internal security issue for India in the Northeast.
 - China will also collaborate with Pakistan by intensifying terrorism in the Kashmir valley and the northeast of India.

Conclusion

While both China and India have developed considerable military and economic strength, the former has surpassed India to become an economic powerhouse. It has now embraced aggressiveness to enforce an expansionist outlook. In such a situation, providing legitimacy to the existence of Taiwan may be dubbed as a necessary step.



Rights to Freedom

This article is based on "Beating down critical journalism, creative freedom" which was published in The Hindu on 02/02/2021. It talks about the issues related to rights to freedom.

Tags: Indian Polity, GS Paper - 2, Fundamental Rights, Judgments & Cases

Farmers protesting on the borders of New Delhi and the Union Government are engaged in a tussle regarding three farm laws. After the protest turned into chaos on Republic day, the government has tightened the security.

However, the level of barricading that has been done by the government has been questioned by civil society nationally and internationally. Moreover, there have been active efforts by the government to deter critical reporting.

This can be reflected in instances like nine senior journalists were charged under the law of sedition, a young freelance journalist was arrested, a number of social media pages run by newspapers were blocked and executive order stating that employees of the social media company, Twitter, could face arrest for failure to comply.

These steps may be constituted as an assault on the "rights to freedom" granted under Article 19 of the Constitution.

Issues Related With Rights to Freedom

- **Non-Obstante Clause:** Like several other articles in the Fundamental Rights chapter of the Indian Constitution, Article 19 includes a non-obstante clause, which means these rights are qualified by reasonable restrictions like law & order, sovereignty & security of the country, etc.
 - These clauses under article 19(2) were for the most part inserted by the First Amendment to the Indian Constitution.
 - However, many times when the government has to balance out the fine line between freedom of citizens and reasonable restrictions, it results in a conflicting condition and compromise on the rights to freedom.

- **Broad-Terms & Negligence:** Often the dichotomy between freedom of citizens and reasonable restrictions, result in misuse of power by the government, through Sedition law under section 124A of IPC.
 - Taking this in cognizance, the Supreme Court in Kedar Nath Singh vs State Of Bihar, 1962 held that sedition will be applicable only to activities intended to create disorder or disturbance of public peace by resort to violence".
 - However, as these terms are vague, it leads to often misuse of sedition law and neglect of Supreme Court guidelines.
- **Dis-Proportionate Judicial Remedy:** In recent years the judicial system has emerged as a luxury, whereby rich and influential media houses & journalists get bail quickly and bail gets delayed or denied to independent journalists and smaller media houses.
- **New Legal Weapon:** Apart from being charged with sedition and other offenses, the free press now has to deal with more stringent the Unlawful Activities (Prevention) Act, 2019 which could potentially result in indefinite detention.
- **Angle of Religion:** Even if religion finds no specific mention as reasonable restrictions under Article 19(2), the politics of religious offense constitute another clear threat to freedom of speech and expression.
 - This can be reflected in the recent case of the web series, whose producers and cast face charges despite multiple apologies.

Way Forward

- **Active Role of Judiciary:** The higher judiciary should use its supervisory powers to sensitize the magistracy and police to the constitutional provisions protecting free speech.
- **Narrowing Down Sedition Law:** The definition of sedition should be narrowed down, to include only the issues pertaining to the territorial integrity of India as well as the sovereignty of the country.
- **Adherence to Media Ethics:** Regarding the responsibility of media, it is important that the media stick to the core principles like truth and accuracy, transparency, independence, fairness and impartiality, responsibility, and fair play.
- **Strengthening Institutional Framework:** Rather than the government, news regulatory bodies (the Press Council of India & News Broadcasters Association), should be empowered to put effective checks & balances over media.

Conclusion

There is the need to maintain a balance between

free expression of individual rights and collective security of the society and state; this responsibility should not be borne by the government alone, but by all those who enjoy these rights.



Infrastructure Push

This article is based on "Infrastructure push now, fiscal consolidation later" which was published in The Hindu on 08/02/2021. It talks about the concerns related to infrastructure development in India.

Tags: Indian Economy, GS Paper - 3, Mobilization of resources, Government Budgeting, Fiscal Policy

Presently, the Indian economy is facing an acute economic crisis, triggered Covid-19 pandemic. The National Statistical Office has estimated that the economy would shrink by 7.7%. Against this background, Budget 2021 has provided a reasonable stimulus to infrastructure growth.

However, apart from concerns emanating from the rising fiscal deficit, infrastructure development in India has its own issues. Thus, if the Indian economy wants to reap intended benefits and minimize risks of contemplated fiscal stimulus, there is a need to carry out reforms that impede the development of Infrastructure.

Some of the Proposed Budget Initiatives

- Setting up of a Development Finance Institution (DFI) with an initial capital of ₹20,000 crores, to serve as a catalyst for facilitating infrastructure investment.
- The budgeted increase in capital outlay would provide the central government's share to the **National Infrastructure Pipeline (NIP)**.
- An important initiative pertains to the launching of a National Monetisation Pipeline.
 - This would be the first practical step towards asset monetization.
- In order to manage the non-performing assets of public sector banks, there is a proposal to set up a Bad Bank.

Issues Related To Infrastructure Development

- **Revenue Shortfall:** Slippage in revenue estimates may not be ruled out on account of the realization of lower than anticipated increases in nominal GDP growth, direct tax buoyancy, and disinvestment targets.
- **Lesser Funds With States:** The Union government has accepted the 15th Finance Commission report recommendation, according to which vertical share

of tax devolution from the center to states has been reduced 42% to 41%.

- Moreover, the central government increasingly resorted to the imposition of cesses which are almost permanent have reduced the shareable pool.
- **Issues Associated With Burgeoning Fiscal Deficit:** Infrastructure development in India will be funded by fiscal stimulus.
 - This can be reflected as the Centre has indicated taking the fiscal deficit to 4.5% of GDP by 2025-26.
 - However, the rising fiscal deficit can cause macroeconomic stability issues like high inflation, crowding out, a downgrade of international ratings, etc.
- **Issues Associated With Bad Bank:** Finding buyers for bad assets in a pandemic hit economy will be a challenge, especially when governments are facing the issue of containing the fiscal deficit.
 - Also, the bad bank idea is like shifting loans from one government pocket (the public sector banks) to another (the bad bank).
- **Structural Problems:** Due to land acquisition delays and litigation issues, the rate of implementation of projects is very slow on global standards.
 - Further, getting approvals are very difficult in terms of land access, environmental clearances, impending litigation in court delays the infrastructure projects.

Way Forward

- **Multi-Stakeholder Approach:** The success of the infrastructure expansion plan would depend on other stakeholders of the pipeline playing their due role.
 - These include State governments and their public sector enterprises and the private sector.
 - In this context, the Fifteenth Finance Commission has recommended the setting up of a High-Powered Intergovernmental Group to re-examine the fiscal responsibility legislations of the Centre and States.
- **National Infrastructure Pipeline:** The NIP is a step in the right direction.
 - However, there is a need to facilitate the assimilation of data and information from all the stakeholders like Central and State Governments, Urban Local Bodies, Banks and Financial Institution, PE funds, and private investors, both local and foreign on one platform to increase accountability and transparency in the infrastructure sector.
- **Banking Reforms:** So long as Public sector bank managements remain beholden to politicians and bureaucrats, their deficit in professionalism will remain and subsequently, prudential norms in lending will continue to suffer.

- Therefore, the debate regarding setting up a bad bank must be preceded by proper implementation of holistic reforms in the banking sector, as envisaged under the IndraDhanush plan.

Conclusion

Huge fiscal stimulus, provided by the government in the Budget 2021 is a step in the right direction. However, it needs to address structural and macroeconomic stability concerns, emanating from high public expenditure.



India-Myanmar Relations

This article is based on "The long and the short of India's Naypyitaw dilemma" which was published in The Hindu on 09/02/2021. It talks about the strategic importance of Myanmar and the implications of the recent Coup D'etat.

Tags: International Relations, GS Paper - 2, India and its Neighbourhood, Bilateral Groupings & Agreements

The long-lingering power struggle in Myanmar has finally ended. The Myanmar junta or Myanmar's military has toppled the democratically elected government in a Coup D'etat.

This has smashed decade-long hopes for a truly democratic Myanmar.

As the future of Myanmar's democracy is now uncertain and given its strategic importance, this Coup D'etat will have geopolitical implications for the region and India.

Strategic Importance of Myanmar for India

- **Background:** India and Myanmar relationship officially got underway after the Treaty of Friendship was signed in 1951, after which the foundation for a more meaningful relationship was established during Prime Minister Rajiv Gandhi's visit in 1987.
- **Muti-faceted Relationship:** India and Myanmar have traditionally had much in common, with cultural, historical, ethnic, and religious ties, in addition to sharing a long geographical land border and maritime boundary in the Bay of Bengal.
- **Geo-Strategic Location of Myanmar:** Myanmar is geopolitically significant to India as it stands at the center of the India-Southeast Asia geography.
 - Myanmar is the only Southeast Asian country that shares a land border with northeastern India, stretching some 1,624 kilometers.
 - The two countries also share a 725-km maritime boundary in the Bay of Bengal.

- **Confluence of Two Foreign policy Doctrines:** Myanmar is the only country that sits at the intersection of India's "Neighborhood First" policy and its "Act East" policy.
 - Myanmar is an essential element in India's practice of regional diplomacy in the Indo-Pacific and serves as a land bridge to connect South Asia and Southeast Asia.
- **Competition With China:** If India is to become an assertive regional player in Asia, it has to work toward developing policies that would improve and strengthen its relationship with neighboring countries.
 - However, in pursuance of this, China is a big roadblock, as it aims to diminish India's influence in its neighborhood. Therefore, both India and China are fighting for gaining influence in Myanmar.
 - For example, as part of its policy for the Indian Ocean called Security and Growth for All in the Region (SAGAR), India developed the Sittwe port in Myanmar's Rakhine state.
 - The Sittwe port is meant to be India's answer to the Chinese-fronted Kyaukpyu port, which is intended to cement China's geostrategic footprint in Rakhine.
- **Critical For India's National Security Interests:** North-eastern states in India are affected by left-wing extremism and narcotics trade routes (golden triangle).
 - To counter these threats, the Indian and Myanmar armies have carried out many joint military operations like Operation Sunshine.
- **Economic Cooperation:** Many Indian companies made significant economic and trade agreements in infrastructure and other areas.
 - Some other Indian companies such as Essar, GAIL, and ONGC Videsh Ltd. have invested in Myanmar's energy sector.
 - To elevate its "Made in India" arms industry, India has identified Myanmar as key to increasing its military exports.

Implications of Coup on India

- **Political Realignments:** The coup has attracted strong reactions and the threat of sanctions from the United States and the West. This could lead to unique political realignments in Myanmar.
 - These decisive western sanctions may force Myanmar's military to get closer to China, which may not be in the interest of India.
 - Moreover, a failed Myanmar state at India's doorstep and a weakened Myanmar falling into the clutches of China as a satellite state may increase China's bidding in regional affairs.

- **Rohingya Issue on Back Burner:** Any effort to restore democracy in Myanmar will require supporting Aung San Suu Kyi. However, due to her silence on the Rohingya crisis, the plight of the hapless Rohingya may take a backseat or be conveniently forgotten.
 - This is not in India's national security interest in the north-east.
- **Catch-22 Condition:** While India's national interests, under the new circumstances, would clearly lie in dealing with whoever is in power in Myanmar, India would find it difficult to openly support the junta given the strong western and American stance.

Way Forward

- **Cultural Diplomacy:** Myanmar's importance to India's conduct of cultural diplomacy through the lens of Buddhism for tourism purposes.
 - India's "Buddhist Circuit" initiative, which seeks to double foreign tourist arrivals and revenue by connecting ancient Buddhist heritage sites across different states in India, should resonate with Buddhist-majority Myanmar.
 - This could also build up India's diplomatic reservoir of goodwill and trust with Buddhist-majority countries such as Myanmar.
- **Improving Connectivity:** India should realize that Myanmar is vital to fulfilling its ambition to become a \$5 trillion economy by 2024.
 - Therefore, facilitating connectivity is central to improving India-Myanmar economic relations.
 - In this context, Infrastructure projects such as the India-Myanmar-Thailand Trilateral Highway and Kaladan Multi-Modal Transit Transport (KMMTT) should be financed into fruition expeditiously.
- **Resolving Rohingyas Issue:** The quicker the Rohingya issue is resolved, the easier it will be for India to manage its relations with Myanmar and Bangladesh, focusing instead more on bilateral and subregional economic cooperation.
 - **Cooperation at Multilateral Forums:** Finally, cooperation in different multilateral forums such as ASEAN and BIMSTEC strengthens the relationship between the two countries.

Conclusion

Given the strategic importance of Myanmar, it is therefore in India's geostrategic interest to see Myanmar prevail as a stable and autonomous country, thereby making possible greater bilateral engagement in India-Myanmar relations.



Digital Health Services

This article is based on "The salience of digital medical services was highlighted during the pandemic" which was published in The Indian Express on 09/02/2021. It talks about the benefits and challenges associated with Digital Health Services.

Tags: Science & Technology, GS Paper - 2, GS Paper - 3, Health, Government Policies & Interventions, Scientific Innovations & Discoveries

In the last few years, it's been extremely encouraging to see how integrating technology and new innovative tools can improve public service delivery. For example, the development of IndiaStack and the JAM (Jan Dhan, Aadhaar, and Mobile) trinity.

Similarly, the Covid-19 pandemic re-emphasized the need to reimagine the health system in the digital space. The recent launch of the National Digital Health Mission highlights the use of digital technology in the health sector.

Further, as the cost of treating chronic conditions is increasing and doctor shortages are imminent worldwide, digital health can provide much-needed transformation in pursuit of realizing the goal of the health of all.

National Digital Health Mission

- In order to realize the vision for universal health coverage, the Government of India launched the National Digital Health Mission (NDHM) in 2020.
- The NDHM is a complete digital health ecosystem. The digital platform will be launched with four key features — health ID, personal health records, Digi Doctor, and health facility registry.
- The NDHM is implemented by the National Health Authority (NHA) under the Ministry of Health and Family Welfare.
- NDHM is a manifestation of one of the guidelines of the National Health Policy 2017 that had envisaged the creation of a digital health technology ecosystem aiming at developing an integrated health information system.
- It is a landmark move that is based on the principles of the India health stack and aims to connect the different touch-points of the health ecosystem, such as Health Information Provider to Health Information User to Consent Manager, through digital tools to provide affordable access to quality healthcare.
- The NDHM also aims to ensure that preventive and assistive healthcare come under the same broader umbrella.

Benefits of Digital Health Services

- **Tackling the Spread of a Pandemic:** Once data is recorded and available for analysis, it can help the systems determine both prevalence and genomic data to provide information on disease transmission and geospatial coverage.
 - Innovative use of digital tools such as deep learning and cloud emergency response algorithms has significantly aided emergency room workers during the pandemic to reduce response time.
- **Patient-Friendly Health:** The deployment of artificial intelligence tools for all aspects of the health system, including triaging, diagnostics, among others, will substantially reduce delays, and, therefore, the costs associated with healthcare.
 - Digital transformation of healthcare is at the core of addressing issues such as resource limitations, a varied population mix, and an urgent need to increase medical reach.
- **Preventive Care:** Emerging technologies not only expedite the development of new drugs but also introduce a completely new class of therapies, such as digital therapeutics (DTx).
 - DTx are software-based solutions that can treat disease or disorder which are linked to lifestyle issues.
 - Thus, digital health has a growing impact on the delivery of care and provides the opportunity to tackle the next frontier in healthcare by shifting the focus from treatment to prevention.
- **Helps in Clinical Trials:** Digital health can harness the power of data that can aid in the analysis of samples and images to diagnose as well as drive better clinical decision-making.

Associated Challenges

- **Risk of Online Fraud:** The lack of access to care and diminishing trust towards the healthcare system can make patients turning to inefficient therapies and online medical quackery.
- **Issue of Health Literacy:** Despite the use of digital technologies, the development of health status is also dependent on health literacy.
 - Those with lower health literacy levels are generally in a worse state of health, visit the doctor more often, use fewer prevention techniques, and on the whole, are more costly for the healthcare system.
- **Addressing Out-of-pocket Expenditure:** Before the transition from traditional health care to digital healthcare, there is a need to protect the poor from the uncertainties of doctor hunting, receiving irrational treatment from unqualified medical practitioners,

provide drugs and address the inability to pay for high-end diagnostics.

- Unless the costs of outpatient treatment are catered, out-of-pocket expenditure will continue before a patient needs hospitalization.
- **Misuse of Data:** Before embracing digital healthcare, there is a need for certain checks and balances to ensure there is no misuse of the data.
 - In this context, the government should expedite enacting the Personal Data Protection Bill, 2019, which will ensure that consent for use of data can only be sought with the defined purposes.

Conclusion

The concept of digital health is the cultural transformation of how disruptive technologies that provide digital and objective data accessible to both caregivers and patients leads to an equal level doctor-patient relationship with shared decision-making and the democratization of care.



Chamoli Flash Floods

This article is based on "Rethinking run-of-the-river hydro projects" which was published in The Hindustan Times on 11/02/2021. It talks about the increasing frequency of flash floods in the Himalayan region.

Tags: Biodiversity & Environment, GS Paper - 3, Disaster Management, Environmental Impact Assessment (EIA), Environmental Pollution & Degradation

Recently, the glacial burst in the Chamoli district of Uttarakhand is an eye-opener to the ongoing disruption of the ecological balance. A similar flash flood caused by a glacial lake burst ravaged the Kedarnath Shrine at the peak of the pilgrimage season in 2013.

It is very rare that, anywhere in the world, two such big disasters in a region take place in a short duration of less than a decade. There is enough data to suggest that climate change is responsible for the increasing number of severe flash floods due to glacial melt.

However, apart from climate change, the sudden spurt of environmentally-unfriendly development activities is responsible for the frequent occurrence of the disaster due to flash floods.

Climate Crisis Aggravating Flash Floods

- A new report by the Kathmandu-based International Centre for Integrated Mountain Development (ICIMOD) held that 36% of the volume of glaciers in

the Hindu Kush Himalayan region will be gone by the end of 2100 even if the world manages to keep the temperature rise within 1.5 degree Celsius target of the Paris Climate Agreement.

- Similarly, the data from the Indian Space Research Organisation reveal that the melting of the glaciers has increased in the first 20 years of this century.
- The faster melting of Ganga glaciers will impact the livelihood of close to 600 million people living in the Ganga river basin, extending from Uttarakhand in the north to Bangladesh in the south.

Flash Floods: A Man-Made Disaster

- **Himalayas, a Volatile Mountain System:** The Himalayas are a young and therefore volatile mountain system. Even a minor change in the orientation of its rocks can trigger landslides.
 - Despite this, high-intensity stone quarrying, frequent blasting of mountains, and digging of tunnels through the base of the fragile mountain system for the back-to-back under-construction dams are going in the Himalayan region.
- **Overlooking Environmental Norms:** Moreover, little attention has been paid to the damage caused to local ecology and loss of forest cover in the upper reaches of the central Himalayas by building hydel dams and construction of wider roads overlooking environmental norms.
 - The upper reaches of Uttarakhand, the source for several small riverine systems feeding the Ganga, already have 16 dams and another 13 under construction.
 - The state government has proposed another 54 dams to harness the hydel energy potential of these rivers.
- **Hydropower, not Entirely Green Projects:** Hydropower is a low-emission energy source, but by design, these projects are not environmentally suitable.
 - This is because the river water is diverted for power generation, and this destroys the riverine ecology.
 - The blasting and tunneling that happens while building a dam dry up mountain springs, which provide water for drinking and agriculture.

Note:

- Run of the River (ROR) projects are seen as a “green” alternative to high-dam hydropower projects such as the Tehri Hydropower Project.
- This is because an ROR dam diverts the river flow in a controlled environment to generate electricity and sends the water back to the river, whereas a high-dam project stores river water in a reservoir.

Way Forward

- **Broad Framework For Vulnerable Zones:** With the increasing frequency of flash floods in the Himalayan region, a broad framework for robust early warning systems, infrastructure development, construction, and excavation in vulnerable zones must be evolved.
- **Reexamining HydroPower Option:** IPCC report has assessed that the climate crisis has altered the frequency and magnitude of the natural hazards in high mountain regions of the world.
 - Thus, there is a need for adherence to the Chopra Committee recommendations, which studied the impact of receding glaciers on hydroelectric power projects (HEPs) and objected to the construction of HEPs in paraglacial regions (between 2,200 to 2,500 meters above the sea level).
 - Therefore, the hydropower projects must be weighed against their benefits and challenges.
 - Apart from this, other alternatives like solar energy, wind energy should be pursued as the green growth model of development.
- **Adhering to NDMA Guidelines:** The NDMA guidelines say that the construction of any habitation should be prohibited in the high hazard zone.
 - Restricting constructions and development in glacial lake outburst flood-prone areas is a very efficient means to reduce risks at no cost.
- **Research on Glacial Lakes:** Detailed Project Analysis should be conducted to understand which of the 12,000-odd glacial lakes in Uttarakhand are prone to flooding.
 - Such research should feed into environmental impact assessment reports and guide decisions on developmental projects in the region.

Conclusion

The exact cause of the recent Chamoli glacial lake outburst disaster will unfold in the coming times, but there is no doubt that the impact would have been far less with more prudent development of projects in the region. Policymakers should realize that damaging today and repairing tomorrow is not an option in the Himalayan region.



Law-Tech

This article is based on “How tech can transform law enforcement” which was published in The Hindustan Times on 12/02/2021. It talks about how technology can help law enforcement agencies.

Tags: Governance, GS Paper - 3, IT & Computers, Various Security Forces & Agencies & Their Mandate

Police forces have the critical responsibility of maintaining law and order among citizens. They are responsible for ensuring citizen safety without disrupting their daily lives. Maintaining the balance between being vigilant and being obtrusive is a challenge that the police forces face quite often.

Another challenge for the police to population ratio is less than 150 per 100,000, whereas the United Nations recommends 222 police officials per 100,000 residents.

While more police does not necessarily mean less crime, technology in today's world can help law enforcement agencies (LEA) perform their duties better and ensure public safety. Moreover, the adoption of technology in their operations can act as a force multiplier.

Advantages of Technology in Law Enforcement

- **Citizen-Friendly Policing:** Most citizens in India are averse to going to a police station. Technology can help make this interaction more pleasant. **For example:**
 - These digital portals also provide an easy and transparent mechanism to the citizens to register their complaints, provide feedback and track their complaint status.
 - Technology can also be used to provide senior police officials dashboard views for their areas of jurisdiction, identify trends, patterns, outliers and take corrective action.
- **Leveraging Social Media:** The social media interaction can be both “push” — alerts are sent to citizens — or “pull” — citizens access the social media page/handle in order to get the desired information.
 - In addition, social media can be used by LEAs to reach out directly to citizens — providing information on traffic jams, how to protect against cybercrime, dispelling rumors, countering fake news.
- **Crime Detection:** Technology can effectively help get a digital footprint of the criminal. Artificial Intelligence (AI) can be used to match fingerprints, facial images, analyze CCTV footage and recognize vehicle number plates.
 - Big Data can be used to integrate data from multiple sources such as social media tools, financial institutions, travel records, hotel stays, CDRs and criminal records. This can help create a 360-degree view of the criminal and draw linkages between criminal associates.
- **Crime Prevention:** Big Data can play a major role as it can be used to identify crime patterns and hot spots. AI can be used to draw correlations between the type of crime, time, location.

- **Improving Efficiency:** Technology can address gaps associated with hiring, training, postings of LEAs, thereby ensuring a more “balanced” and effective organization.
 - Similarly, key performance indicators such as the time taken to file a charge-sheet, types of crimes solved, time is taken to address complaints, citizen feedback scores can be used to determine an officer's performance in a more objective manner.
- **Real-time Integration:** The five pillars of the criminal justice system are police, courts, prosecution, jails and forensics. Countless man-years are lost in taking physical files from one place to another.
 - Real-time integration between the information technology systems of these pillars will help in reducing duplicate data entry and errors.
 - This will significantly increase the efficiency of our LEAs and, at the same time, drastically reduce the time taken to provide justice.

Data Ethics



Digital Ethics



Digital Trust

✓ Data Integrity	✓ Code of Digital Ethics
✓ Device Security	✓ Ethical Decisions in Use
✓ Application Security	✓ Ethical Algorithms
✓ Infrastructure Security	✓ Transparency
✓ Identity Management	✓ Data Sharing Governance
✓ Cyber Defense	✓ Privacy
✓ Governance and Compliance	✓ Implications for Harm

Way Forward

- **Police Reforms:** Technology can aid the LEAs' functioning to a great extent, but cannot completely become a replacement for the human element.
 - Therefore, technology adoption needs to be corroborated by long-pending police reforms.
- **Tackling Side-Effects of Technology:** Technology usage faces issues like privacy, police versus community concerns, data retention and public disclosure policies, and financial considerations.
 - In this context, it is the duty of the state to expedite the enactment of the Personal Data Protection Bill 2019 and DNA Technology (Use and Application) Regulation Bill, 2018.

- Further, debate and deliberations regarding these issues must be put in the public domain in a transparent manner.
- **Digital Trust Framework:** There is a need to imbibe Digital ethics, which is a broader framework that includes technology, transparent data and digital ethics to create digital trust in society.

Conclusion

New digital technologies are transforming the ways police protect and serve, allowing agencies to prevent crimes more effectively and solve crimes faster.

There is a need for keeping pace with technologies that assist law enforcement globally and adopt them, as suited to the Indian environment.



DNA Technology Regulation Bill

This article is based on "The DNA bill will cement a disturbing link between tech and policing" which was published in The Hindustan Times on 11/02/2021. It talks about associated issues with the DNA Technology Regulation Bill.

Tags: Governance, GS Paper - 3, Biotechnology, Government Policies & Interventions

Recently, the parliamentary committee on science and technology submitted its report on the DNA Technology (Use and Application) Regulation Bill, 2019. The purpose of the bill is to regulate the use of DNA information for establishing the identity of people. These profiles are then meant to guide law enforcement agencies in investigations.

The committee has underlined that it is important that state-of-the-art technologies are used in the criminal justice system, but this must be done without infringing constitutional rights, especially the Right to Privacy.

Although DNA technology can help law enforcement agencies, in solving crimes, the government must assuage apprehensions over the use of the DNA Technology Bill, 2019.

Associated Issues With the Bill

- **Violation of Right to Privacy:** There are criticisms that the DNA profiling bill is a violation of human rights as it could also compromise the privacy of the individuals.
 - Also, questions are being raised on how the bill plans to safeguard the privacy of DNA profiles stored in the databanks.

- The DNA profiling bill follows a long list of bills that are being introduced without the data protection law in place.

- **Complicate Criminal Investigations:** Using DNA effectively during criminal investigations requires proper crime scene examination, trained and reliable policing, a trusted chain of custody of samples, reliable analysis, and proper use of expert evidence in court.

- Without these prerequisites, a DNA database will exacerbate rather than solve problems in the criminal justice system.

- For example, false matches or misinterpretation or planting of evidence can lead to the travesty of justice.

- **Biological Surveillance:** All DNA footprints at a crime scene might not be of those associated with the incident.

- There is apprehension, therefore, that the DNA repository proposed by the Bill could end up bundling information of people who have nothing to do with the crime being investigated.

- Thus, it may allow state-sanctioned biological surveillance.

- **Inadequate Supporting Infrastructure:** The committee has also flagged the concerns over the lack of infrastructure for conducting DNA tests in the country.

- Presently, the labs in the country can fulfill only 2-3% of the country's DNA profiling requirement.

- In *Rajiv Singh v. State of Bihar (2011)*, the Supreme Court had dismissed improperly analyzed DNA evidence.

- **Affecting Marginalized Sections:** One of the longstanding defects of India's criminal justice system is the lack of legal aid systems to help both victims and accused, especially those from marginalized sections of society.

- A growing body of literature has shown that most people charged with criminal offenses are not aware of their rights.

- This concern may exacerbate when a sophisticated technology, such as DNA profiling, is deployed to establish a crime.

- **Misuse In Caste-Based Profiling:** The standing committee pointed out that the DNA profiles can reveal extremely sensitive information of an individual & hence could be misused for caste/community-based profiling.

Way Forward

- **Giving Priority To Privacy Protection:** The government is bestowed with the responsibility of protecting the

citizens' privacy. The easiest way to achieve this would be prior adoption of a privacy or Data protection bill, 2019.

- This would allow individuals some recourse if their rights were not protected.
- This is particularly important, especially following the Supreme Court's Right to Privacy judgment.
- **Establishing Independent Regulator:** The Bill's proposed DNA Regulatory Board is still too powerful and insufficiently transparent or accountable.
 - Therefore, consideration should be given to an independent forensic science regulator to ensure oversight of both laboratory quality assurance and crime scene examination.
- **Ensuring Transparency:** With a new system of indexing DNA profiles of undertrials, criminals, missing and deceased persons, it becomes all the more important to think about the openness of the techniques of DNA profiling.
- **Addressing Human & Infrastructure Requirements:** The effective and just use of this technology will require educating a range of criminal justice functionaries — police, lawyers, magistrates.
 - Apart from this, the infrastructural issues linked with the number of labs need to be addressed.

Conclusion

Supreme Court in *Malak Singh vs. State of Punjab* 1981 verdict held that organized crime cannot be successfully fought without a close watch of suspects. But surveillance cannot infringe the fundamental right to personal liberty.

In this context, there is the need for creating an enabling ecosystem to ensure that such profiling is done according to the letter and spirit of the Constitution.



Development Financial Institution

This article is based on "Return of DFIs" which was published in The Hindu Businessline on 09/02/2021. It talks about the government's proposal of re-establishing the idea of a Development Finance Institution (DFI).

Tags: Indian Economy, GS Paper - 3, Government Budgeting, Fiscal Policy

The budget 2021 has signaled that the Centre Government is banking on long-term infrastructure creation to lift India's economic growth rate sustainably. In

this pursuit, the government has proposed to go back to the Development Finance Institution (DFI) idea.

Further, DFI makes sense as the Centre government envisages mobilizing nearly ₹100 lakh crore for the ambitious National Infrastructure Pipeline. The idea of DFI looks good in the context of the looming NPA crisis of Banks.

However, many economists have pointed out that India should keep the failed experiment with DFI, such as ICICI and IDBI, which leads to the conversion into universal banks.

DFI & Background

- Development financial institutions provide long-term credit for capital-intensive investments spread over a long period and low yielding rates of return, such as urban infrastructure, mining and heavy industry, and irrigation systems.
- Development banks are different from commercial banks, which mobilize short- to medium-term deposits and lend for similar maturities to avoid a maturity mismatch (a potential cause for a bank's liquidity and solvency).
- In India, the first DFI was operationalized in 1948 with the setting up of the Industrial Finance Corporation (IFCI).
- Subsequently, India's Industrial Credit and Investment Corporation (ICICI) was set up with the World Bank's backing in 1955.
- The Industrial Development Bank of India (IDBI) came into existence in 1964 to promote long-term financing for infrastructure projects and industry.
- However, during the 1970-80s, DFI got discredited for mounting non-performing assets, allegedly caused by politically motivated lending and inadequate professionalism in assessing investment projects for economic, technical, and financial viability.
- Due to these factors, Narsimhan Committee (1991) recommended disbanding of the DFI, and the existing DFI were converted into commercial banks.

Need for DFI

- **NPA Crisis:** The surge in NPAs in the banking sector, and the need to augment financing of infrastructure for kick-starting the growth cycle have led to a renewed policy attention on setting up DFIs.
 - The gap between banks' assets and liabilities, already increased by bad debts will become unsustainable in infrastructure investment, given the long funding periods of such projects.
- **Economic Crisis Triggered By Covid-19 Pandemic:**

Alexander Gerschenkron, a Ukrainian economic historian, famously theorized that the greater the backwardness of a country, the greater the role of the state in economic development, particularly in providing long-term finance to catch up with the advanced economies in the shortest possible time.

- The Covid-19 pandemic has exacerbated inequality, the poverty gap, unemployment, and the economy's slowing down.
- Thus, infrastructure building through DFIs can help in quick economic recovery.
- **Achieving the Target of \$5 Trillion Economy:** The government has envisaged attaining the target of becoming a USD 5 trillion economy by 2025.
 - However, this goal will depend on world-class infrastructure across the country.
 - NITI Aayog has estimated that US\$4.5 trillion will be needed by 2030 to fund infrastructure. DFI is a step in the right direction towards this goal.
- **International Examples:** DFIs in China, Brazil, and Singapore has been successful in both domestic and international markets.

Way Forward

- **Mobilizing Capital For DFI:** To lend for the long term, DFI requires correspondingly long-term sources of finance.
 - DFIs of the earlier era were over-reliant on cheap government funds and today's commercial banks ran into asset-liability mismatches due to their reliance on retail deposits to fund long-term projects.
 - Therefore, it may be best for new-age DFIs to focus on diversified sources of funding.
 - Presently, DFI can be adequately capitalized by the sovereign-backed funds, alternative routes such as capital gains/tax-free bond issues, external borrowings, and loans from multilateral agencies.
- **Specialized DFIs:** Specialised project lenders focussed on specific verticals tend to do better at building project appraisal skills and managing risks than 'supermarket' lenders who fund any project that comes their way.
 - The Centre must therefore be open to the idea of multiple specialized DFIs modeled on the success of refinancing institutions such as NHB and NABARD.
- **Ensuring Good Governance:** While freeing a DFI from political interference or crony lending is necessary, merely having private shareholders or professional managers on board isn't sufficient to ensure good governance.
 - This has to be backed by a robust system of external checks and balances such as supervision

by RBI and proper due diligence by auditors and rating agencies.

- **Ensuring Ease of Doing Business:** In the past, ambitious highway and pipeline projects have been continually held up by local protests and land acquisition woes, retrospective taxes, and poor contract enforcement.
 - The success of DFIs is contingent on ironing out such issues and removing on-ground impediments to the ease of doing business.

Conclusion

While boosting investment in the infrastructure sector is imperative for sustained growth, the need for the hour is to resolve persistent issues in the debt market that impede long-term financing flow.



New India-Russia Ties

This article is based on "Bridge the geopolitical distance with Russia" which was published in The Hindustan Times on 16/02/2021. It talks about the importance that Russia and India hold for each other in the present geopolitical scenario.

Tags: International Relations, GS Paper - 2, Groupings & Agreements Involving India and/or Affecting India's Interests, Bilateral Groupings & Agreements

The year 2020 saw several geopolitical events that impacted both India and Russia. For instance, the sharpening rivalry between the US and China, the India-China border tussle, the continuing decline in ties between the West and Russia, and now change of leadership in the US.

As Russia and India both desire a multi-polar world, they are equally important for each other in fulfilling each other's national interests. However, due to the changing geopolitical scenario, the relationship between both countries is not as good as it used to be in the cold war era.

In this context, the forthcoming visit of India's Foreign secretary to Russia is a good occasion to examine the relevance of Indo-Russian ties in a world of changing geopolitical equations.

Importance of Russia for India

- **Balancing China:** The Chinese aggression in the border areas of eastern Ladakh, brought India-China relations to an inflection point, but also demonstrated that Russia is capable of contributing to defusing tensions with China.

- Russia organized a trilateral meeting among the foreign ministers of Russia, India, and China following deadly clashes in the Galwan Valley in the disputed territory of Ladakh.
- **Emerging New Sectors of Economic Engagement:** Apart from traditional areas of cooperation such as weapons, hydrocarbons, nuclear energy, and diamonds, new sectors of economic engagement are likely to emerge — mining, agro-industrial, and high technology, including robotics, nanotech, and biotech.
 - India's footprint in the Russian Far East and in the Arctic is set to expand. Connectivity projects may get a boost too.
- **Combating Terrorism:** India and Russia are working to close the gap on Afghanistan and are calling for early finalization of the Comprehensive Convention on International Terrorism.
- **Support At Multilateral Forums:** Additionally, Russia supports India's candidacy for permanent membership of a reformed United Nations Security Council and of the Nuclear Suppliers Group.

Importance of India For Russia

- **Balancing China:** Russia and China are currently in a quasi-alliance setup. However, Russia repeatedly reiterates that it does not see itself as anybody's junior partner. That's why Russia wants India to act as a balancer.
 - For Instance, Russia's Far East is a huge landmass that is rich in resources but is sparsely populated and underdeveloped.
 - Till now, its development has primarily revolved around Chinese dominance and so Russia wants to diversify with the help of India to lessen Russia's growing dependence on China.
- **Reviving Eurasian Economic Union:** Russia seeks to leverage India's soft power to gain legitimacy in the success of the Eurasian Economic Union, and re-establishing its hegemony, as it existed during the cold war era.

Main Challenge

- **India Going West:** China's expansionist foreign policy forced India to shed past hesitations and actively pursue closer ties with the West, particularly the US.
 - This can be reflected in a determined restart of the Quad process and a clearer enunciation of a free and inclusive Indo-Pacific.
- **Russia Going East:** The Western countries have imposed harsh economic sanctions towards Russia after the annexation of Crimea in 2014.

- Russia responded to these efforts to isolate it, by revving up its own "Pivot to the East".
- The most distinct results of which are markedly improved relations with China, and better ties with Turkey, Iran, and Pakistan.
- Russia's Pivot to the East policy is not in synergy with that of the US and subsequently, the relationship between India and Russia suffers.

Way Forward

- **India Engaging Russia Into Indo-Pacific Narrative:** India should pursue and facilitate Russia's engagement in the Indo-Pacific. However, Russia's role in the Indo-Pacific will depend on how successful it is in dealing with the fundamental problems hindering its economic development.
 - Russia's active engagement in the region would contribute to making the Indo-Pacific truly "free and inclusive".
- **Prioritizing RIC in Indian Foreign Policy:** India must promote a mutually beneficial trilateral cooperation between Russia, China, and India that could contribute towards the reduction of mistrust and suspicion between India and China.
- **Cooperation At Multilateral Forums:** India and Russia continue to share a common strategic rationale for their relationship.
 - Apart from bilateral synergies, the two are members of various multilateral organizations including BRICS, RIC, G20, East Asia Summit, and SCO—where avenues for cooperation on issues of mutual importance exist.

Conclusion

It is clear that India & Russia still regard each other as valued partners with a friendship built on deep mutual trust, their foreign policy goals are taking them in different directions.

However, neither India nor Russia wants to be a junior partner to China or the United States. Thus, both countries can turn back to and bolster ties as existed in the cold war era.



India-China Disengagement

This article is based on "Looking ahead after the Ladakh walk back" which was published in The Hindu on 17/02/2021. It talks about the recent agreement between India and China on disengagement at Pangong Lake.

Tags: International Relations, GS Paper - 2, Groupings & Agreements Involving India and/or Affecting India's Interests, Bilateral Groupings & Agreements

Recently, India and China have decided to finally reach an agreement on disengagement at Pangong Lake, which has been at the heart of the recent LAC tensions.

Both sides have agreed to a withdrawal of frontline personnel, armored elements, and proposed the creation of a buffer zone that will put a temporary moratorium on patrolling in the disputed lake. China is also asking India to vacate the heights it occupied in an effective countermove in the Kailash Range.

This disengagement process is a promising start towards restoring peace in the border areas. However, there are many other issues that needed to be resolved to establish lasting peace.

Major Issues Associated With Disengagement Process

- **Partial Disengagement:** The current disengagement is limited to two places on the Line of Actual Control (LAC) in Ladakh viz. north bank of Pangong lake and Kailash range to the south of Pangong.
 - However, there are three other sites of contention on the Ladakh border where the PLA had come in — Depsang, Gogra-Hot Springs and Demchok — and talks will be held to resolve these after the current phase of disengagement is completed.
- **Unresolved Issue of Depsang Plains:** The Depsang plains due to their proximity to the Darbuk-Shyok-Daulat Beg Oldie road, the DBO airstrip, and the Karakoram Pass holds strategic importance for India when it comes to dealing with China.
 - Moreover, the Daulat Beg Oldie road is critical for India's control over the Siachen glacier.
 - Siachen glacier is the only area on the Indian landmass where China and Pakistan can physically collude militarily.
 - Therefore, the immediate concern is the status of the Depsang plateau where China has acquired a tactical advantage that can jeopardize India's access to Daulat Beg Oldie (DBO) and air assets in that region.
- **Issue Regarding Creation of Buffer Zone:** There are worries that the creation of proposed buffer zones would lie majorly on the Indian side of the LAC, thus converting a hitherto Indian-controlled territory into a neutral zone.
 - At best, these buffer zones can provide a temporary reprieve but are no alternative to the mutual delineation of the LAC and a final settlement of the Sino-Indian boundary.

- Further, for the sake of disengagement at the north bank, China is asking India to withdraw from the important hills it acquired in the Kailash Range.
- Thus, it raises questions about the wisdom of giving up the only leverage India had against China in Ladakh.

- **Distrust Between India & China:** The events of last year have left enormous distrust, which remains a hurdle, and China's actions on the ground have not always matched its commitments.
 - Further, China is wary of India's attractiveness to the United States and the Quadrilateral Security Dialogue.
 - Owing to the disputed nature of the border and a lack of trust between the two sides, any perceived violations of 'no patrol' zones can lead to deadly outcomes as seen in Galwan valley in 2020.

Way Forward

- **Clubbing Depsang Issue With Current Negotiations:** The Chinese excuse that the Depsang problem precedes the current crisis on the LAC and thus must be treated separately, is not in India's interest.
 - Thus, India should pitch hard to club them together and find a holistic solution.
- **Extending Counteraction:** India should not confine its response to managing the border dispute but extend it to attacking Chinese commercial interests in India and aligning itself more closely with its Quad partners, especially in the maritime domain.
- **Playing Taiwan Card:** On the foreign policy front, India should explore diplomatic and militaristic routes to counter China. Apart from colluding with the Quad countries, one such viable option is establishing formal diplomatic ties with Taiwan.
- **Defense Reforms:** India should look Ladakh crisis as an opportunity to carry out long-pending defense reforms.
 - One such much-needed reform is the military's internal organization. For instance, one of the biggest sources of concern for India's military is the pension bill.
 - This rise in the pension expenditure has a significant crowding-out effect on stores and modernization, two major components that determine a nation's war-fighting ability."
 - The current approach to this problem seems to be two-fold — a farcical three-year "Tour of Duty" to attract the young and an effort to prevent pensionable soldiers from leaving.

Conclusion

The current disengagement process is a welcome move because heightened tensions between the two nuclear-armed Asian powers serve no useful purpose for anyone. However, the success of the new disengagement plan will finally depend on whether it is implemented on the ground in letter and in spirit.



Labour Code For Informal Sector

This article is based on "Bridging the inequality gap" which was published in The Indian Express on 18/02/2021. It talks about the issues related to recently drafted rules of the Code on Social Security.

Tags: Indian Economy, GS Paper - 3, Inclusive Growth, Government Policies & Interventions

The Finance Minister in budget 2021 speech announced that the four labour codes shall be implemented in India with effect from 1st April 2021. These labour codes envisage simplifying the country's archaic labour laws and give impetus to economic activity without compromising with the workers' benefits.

However, the recently drafted rules of the Code on Social Security signals that less consideration has been given to the plight of the informal sector workers.

The informal sector workers in India face the risk of violations of their human and labour rights, the dignity of livelihood, unsafe and unregulated working conditions and lower wages, among several other vulnerabilities.

Therefore, in order to fulfill the inequality gap in society and adopting an inclusive development model, it should be the priority of the government to address the vulnerabilities linked with the informal sector workforce in India.

Need to Protect Informal Workforce

- India's estimated 450 million informal workers comprise 90% of its total workforce, with 5-10 million workers added annually.
- Further, according to Oxfam's latest global report, out of the total 122 million who lost their jobs in 2020, 75% were lost in the informal sector.
 - The Covid-19 pandemic experience tells us that there is also a need to provide social protection, as the vulnerabilities of the informal sector became even more prominent as the entire country went into a state of suspension due to the lockdown.

- Moreover, in the current financial year 2020-21, the economy is expected to contract by 7.7%. So, there is an urgent need to revive the economy by generating employment.

Major Issues Associated With Draft Rules

- **Concern of Exclusion:** The draft rules mandate the registration of all workers (with Aadhaar cards) on the Shram Suvidha Portal to be able to receive any form of social security benefit.
 - Now, on the one hand, this would lead to Aadhaar-driven exclusion and, on the other, workers will most likely be unable to register on their own due to lack of information on the Aadhaar registration processes.
 - Also, a foreseeable challenge is updating information on the online portal at regular intervals, especially by the migrant or seasonal labour force.
- **Urban Centric:** While the government claimed that the exercise of reform was aimed to extend the coverage of statutory protection (including need-based minimum wages, non-hazardous working conditions, universal social security entitlements) to unorganized sector workers and the gig economy.
 - However, the codes fail to extend any form of social protection to the vast majority of informal sector workers which is predominant in rural areas including migrant workers, self-employed workers, home-based workers and other vulnerable groups.
- **No-Right Based Framework:** The Code does not emphasize social security as a right, nor does it make reference to its provision as stipulated by the Constitution.
 - In addition, it does not stipulate any appropriate grievance redressal mechanism which will leave millions of workers vulnerable without clear social protections.

Way Forward

- **Looking After Migrant Workforce:** According to a recent Institute of Human Development Report, the total number of vulnerable migrant workers could range from 115 million to 140 million.
 - It is, therefore, important for the draft rules to clearly state how their applicability will unfold with respect to the migrant informal workforce.
 - In this context, the governments' scheme of one India one ration card is a step in the right direction.
- **Strengthening MSME:** Nearly 40% of the informal workforce is employed with MSMEs. Therefore, it is natural that the strengthening of MSME will lead

to economic recovery, employment generation, and formalization of the economy.

- **Skilling Under CSR Expenditure:** The large corporate houses should also take the responsibility of skilling people in the unorganized sectors under CSR expenditure.
- **Recognizing Invisible Labour:** A national policy for domestic workers needs to be brought in at the earliest to recognize their rights and promote better working conditions.

Conclusion

The Code on Social Security was envisaged as a legal protective measure for a large number of informal workers in India but unless the labour codes are made and implemented keeping in mind the realities of the informal sector workers, it will become impossible to bridge the inequality gap.



Ramani Judgment

This article is based on "The right to her testimony" which was published in The Indian Express on 20/02/2021. It talks about the recent judgment by the Delhi High court in MJ Akbar vs Priya Ramani case.

Tags: Indian Society, GS Paper - 2, Judgments & Cases, Issues Related to Women

Recently, the Delhi High court in MJ Akbar vs Priya Ramani case gave an empowering judgment that can act as a landmark in India's #MeToo movement and women's rights. The court acquitted journalist Priya Ramani in a criminal defamation case brought against her by former Union minister and editor M J Akbar.

Men from privileged classes, when accused of sexual violence, are quick to accuse women of injuring their reputation and status. This makes sexual harassment invisible, and silences and discredits women's voices.

In this context, the court held that the right of reputation cannot be protected at the cost of the right of life and dignity of a woman. Further, the judgment highlighted many other points that can treat the asymmetry of patriarchal power in society.

Significance of Judgement

Women speaking up against sexual harassment are often disbelieved, often asked questions that intend to silence the women and undermine their dignity. The verdict tries to answer these types of questions.

- **Why did not speak up immediately after it happened?:** The verdict urged society to "understand that sometimes a victim may for years not speak up due to mental trauma," and underlined that a woman has a right to speak up about the abuse, even after decades.
 - It pointed out that a woman's right to speak up about her violations was not restricted by the passage of time.
- **Why took media or social media, instead of filing a criminal case?:** The verdict reasoned that the Institutional mechanisms have systematically failed to protect women or provide justice
 - Therefore, survivors are justified in sharing their testimonies on media or social media platforms as a form of self-defense.
- **What is the proof?:** It pointed out that since sexual harassment typically takes place in private, women's testimonies cannot be dismissed as untrue or defamatory simply because they are unable to provide other witnesses to back their allegations.
- **What about the man's reputation?:** When women professionals seek justice against powerful men, generally there is the cry of outrage and injures the reputations of such men.
 - The Ramani verdict notes that a woman cannot be punished for raising voice against sex abuse on the pretext of criminal complaint of defamation as the right of reputation cannot be protected at the cost of the right of life and dignity as guaranteed under Article 21 of the Constitution.

Will the Judgment Be Able To Make An Impact?

The Ramani verdict is a huge moral victory of the #MeToo movement, and will, hopefully, serve to deter powerful men from using the defamation law to silence survivors. However, sexual harassment at the workplace is a **problem of institutions rather than of individuals alone.**

- **Sexual Harassment a Means To Control Women:** The world over, employers deploy sexual harassment as a means to control women workers. According to many reports, in India and Bangladesh, at least 60% of garment factory workers experience harassment at work.
 - In India, it has been much harder to call impunity to account. In the entertainment industry, women have faced a backlash for speaking up, while men accused of grievous abuse have been reinstated.
- **Vulnerable Section Are Voiceless:** For factory workers, domestic workers, street vendors, sanitation and waste workers, construction workers, sex workers, labour laws or laws against sexual harassment exist only on paper.

- Calling out their boss as a perpetrator means an instant loss of job and pay.
- **New Difficulty to Unionize:** Under the new Labour Codes, the government envisages improving ease of doing business. In this context, the new labour codes now discourage workers to unionize.
 - Thereby, women workers fighting sexual harassment, who stand to be silenced by these codes, need more support and attention.

Conclusion

The Ramani verdict is a huge moral vindication of the #MeToo movement, and will, hopefully, serve to deter powerful men from using the defamation law to silence survivors. However, sexual harassment at the workplace is more of a social problem whose roots lie in the patriarchal mindset of society.

Therefore, apart from judgment like this, society needs a cultural revolution where women are treated with equality, equity, and respect.



Nature-Based Solutions

This article is based on "A climate-resilient future" which was published in The Indian Express on 20/02/2021. It talks about the concept of Nature-based solutions (NbS) that can help in climate resilience building and resource management.

Tags: Biodiversity & Environment, GS Paper - 3, Environmental Pollution & Degradation, Conservation

Five years after the adoption of the Paris Agreement, the signatories are again in the process of revising their nationally determined contributions as they prepare for COP26 that is scheduled for later this year.

Also, with the beginning of the United Nations Decade of Ecosystem Restoration in 2021, an even wider scale of discussions of Nature-based solutions (NbS) for climate change adaptation strategy at COP26 is envisaged.

In this context, the concept of Nature-based solutions (NbS) can help in climate resilience building and resource management.

What Are Nature-Based Solutions?

- Nature-based solutions (NBS) refer to the sustainable management and use of nature for tackling socio-environmental challenges.
- The International Union for Conservation of Nature (IUCN) defines NbS as actions to protect, sustainably manage and restore natural and modified ecosystems

that address societal challenges effectively and adaptively, while simultaneously providing human well-being and biodiversity benefits.

- It is further associated with other sector-specific terms like green infrastructure, natural infrastructure, ecological engineering, ecosystem-based mitigation, ecosystem-based adaptation, and ecosystem-based disaster risk reduction.
- NbS creates harmony between people and nature, enables ecological development, and represents a holistic, people-centered response to climate change.
- Also, NbS are an essential component of the overall global effort to achieve the goals of the Paris Agreement on Climate Change.
 - In its essence, Article 5.2 of the Paris Agreement recognizes the importance of natural resources in climate change mitigation and adaptation strategies.
 - Article 7 further promotes the idea of building the resilience of socioeconomic and ecological systems through economic diversification and sustainable management of natural resources.

Example of Nature-Based Solutions

- **Helping Local People:** NbS has been very successful in helping local people to deal with the impacts of climate change, improving ecosystem services, and storing carbon.
 - For example, the restoration project in the Lake District National Park, United Kingdom was successful in improving not just the local biodiversity but also brought with it revenue generation by way of increased tourism.
- **NbS for Disaster Reduction:** Restoration or protection of mangroves along coastlines utilizes a nature-based solution to accomplish several things.
 - Mangroves moderate the impact of waves and wind on coastal settlements or cities and sequester CO₂.
 - They also provide safe nurseries for marine life that can be the basis for sustaining populations of fish that local populations depend on.
 - Additionally, the mangrove forests can help control coastal erosion resulting from sea-level rise.
- **Addressing Urban Issues:** In addition to NbS being used for restoring ecosystems, it can also be used in combination with man-made infrastructure in cities to benefit human health and urban biodiversity.
 - Similarly, in cities, green roofs or walls are nature-based solutions that can be used to moderate the impact of high temperatures, capture stormwater, abate pollution, and act as carbon sinks, while enhancing biodiversity.

- Creating permeable lesser concrete areas to help replenish groundwater in regions facing water scarcity.
- Large hotels and resorts can effectively pioneer solutions such as artificial wetlands for water recycling, which would also add to the local landscape's aesthetics.

Need For NbS

Climate change presents one of the greatest challenges to mankind today. Both cities and natural ecosystems have the most to lose as far as climate change impacts are concerned.

- **Growing Vulnerabilities of Cities:** The vulnerability of cities, in particular, is further aggravated by added complexities of land-use change, the density of population, increased concretization, social inequalities, poor air quality, and several other associated issues.
 - This poses a serious challenge to human health, social well-being, and quality of life, especially for the underprivileged classes of society.
- **Risk to Natural Ecosystem:** Natural ecosystem losses such as loss of biodiversity, depletion of water resources, etc. have similarly been well documented.
 - To overcome or minimize the impacts of climate change, the idea of local-led adaptation has been widely discussed, which directs us to NbS.

Local-led Adaptation

- Local-led adaptation refers to local communities, local governments acting strong in taking effective decisions to tackle climate change.
- Local-led adaptation is often characterized by indigenous solutions, which are often associated with nature.
- Given that the most vulnerable populations are the ones that are more dependent on natural resources, it is, therefore, to be expected that coping solutions also often germinate from the same source.

Challenge to NbS

- **Highly Context-Specific:** NbS are highly contexted specific, and their effectiveness is also uncertain under changing climatic conditions. While natural ecosystems are affected by changing climate, their effectiveness in future climate scenarios is questionable.
- **Need For Huge Finances:** Apart from the uncertainties revolving around the NbS, securing a continuous flow of investments is an added challenge.
 - According to a report by United Nations Environment Programme (2020), an investment of \$140 billion to \$300 billion annually by 2030, rising to between

\$280 billion and \$500 billion by 2050 might be required to finance NbS globally.

Implementing NbS

IUCN released a global standard including a set of criteria and associated indicators for implementing NbS, addressing sustainable development goals and resilient project management.

To illustrate these criteria for decision-making prior to implementation, we take the example of the restoration of a hilly area using NbS. This area once mined excessively for mineral resources; is now susceptible to soil erosion, landslides, and increased climate risk.

- Restoring such an area would address more than one societal challenge.
- The scale of the design of the restoration program needs to be estimated.
- Further, whether or not the planned restoration will improve the biodiversity of the region and is economically workable needs to be checked as well.
- For inclusive governance, the plantation of plant species must be carried out in consultation with local stakeholders as they are the ultimate caretakers of the plantation.
- While we're restoring the area, it might cause an improvement in the region's biodiversity, it may also result in the loss of playgrounds for children.
- However, such trade-offs must be thought of in advance, mutually agreed upon and maintained throughout the time. To meet the seventh criterion, the restored area must be maintained, studied, and effectively documented to support future decision-making.
- The global NbS standards should highlight the importance of replicating workable solutions in similar environments.

Conclusion

If we can address the complexities revolving around NbS along with securing sustainable investment, we might develop a climate-resilient future in addition to protecting, conserving, and restoring our natural environment.



Right To Dissent

This article is based on "The pressing need to adjudicate, not mediate" which was published in The Hindu on 19/02/2021. It talks about the significance of the Right to Dissent in a democracy.

Tags: Indian Polity, GS Paper - 2, Fundamental Rights, Judgments & Cases

Recently, in the pretext of farmer's protest, a review petition on the Shaheen Bagh protest has been filed in the Supreme Court. The court refused to review its earlier verdict which declared that there is no absolute right to protest, and it could be subjected to the orders of the authority regarding the place and time.

This brings into focus the tug-of-war between morality and state security, freedom, and responsibility. On one hand, it is the government's responsibility to ensure that any protest should not turn into violent chaos. On the other hand, public protests are the hallmark of a free, democratic society, whose logic demands that the voice of the people should be heard by those in power and decisions be reached after proper discussion and consultation.

In spite of this dilemma, in order to preserve the democratic fabric of the Indian society, it is the responsibility of stakeholders in a democracy that all freedoms under Article 19 of the Constitution shouldn't be seriously impaired.

Significance of Right to Dissent

- **Fundamental Right:** The Right to protest peacefully is enshrined in the Indian Constitution—Article 19(1) (a) guarantees the freedom of speech and expression; Article 19(1)(b) assures citizens the right to assemble peaceably and without arms.
- **Historical Context:** The background of the Indian Constitution is formed by its anti-colonial struggle, within which the seeds of a political public sphere and democratic constitution were sown.
 - The Indian people fought hard and long to publicly express their views on colonial policies and laws and form a public opinion against them.
- **Checking Abuse of Power:** The Right to the association is required to form associations for political purposes — for instance, to collectively challenge government decisions and to even aim, peacefully and legally, to displace the government, to not merely check abuse of power but to wrest power.
 - The Right to peaceably assemble allows political parties and citizenship bodies such as university-based student groups to question and object to acts of the government by demonstrations, agitations and public meetings, to launch sustained protest movements.
- **People as Watchdogs:** People act as watchdogs and constantly monitor governments' acts, which provides feedback to the governments about their policies and actions after which the concerned government, through consultation, meetings and discussion, recognizes and rectifies its mistakes.

- **Supreme Court's Observation:** In *Ramlila Maidan Incident v. Home Secretary, Union Of India & Ors.* case (2012), the Supreme Court had stated, "Citizens have a fundamental right to assembly and peaceful protest which cannot be taken away by an arbitrary executive or legislative action."

Challenge to Right to Dissent

Any form of public action to challenge the government's proposals or decisions is also constitutionally legitimate, as long as it is done peacefully. Article 19(2) imposes reasonable restrictions on the right to assemble peaceably and without arms.

These reasonable restrictions are imposed in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation, or incitement to an offense.

- However, in the recent review petition, the petitioners apprehended that the observations in the Shaheen Bagh judgment against the indefinite occupation of public space may prove to be a license in the hands of the police to commit atrocities on the legitimate voice of protest.
- Recently, not only the protesting farmers but also their supporters, including comedians and journalists, were charged with the Sedition.
- Further, any arbitrary restraint on the exercise of such rights — for instance, imposing Section 144 — shows the inability of the government to tolerate dissent.

Way Forward

- **Pro-Active Judiciary:** A fair and effective adjudicative mechanism in constitutional matters can meaningfully prevent agitation on the street.
 - Studies have shown that social movements could be less radical and less oppositional when the issues could be effectively sorted out by way of fair litigation means.
 - Further, courts need to ensure timely agitation, because had there been a timely adjudication of the validity of the laws which was questioned by the process recognized by the law, the agitation on the street could have been probably reduced.
- **Establishing Public Enquiry System:** In the United Kingdom there exists a robust public enquiry system that processes ecological demands, integrates them into the political system, and minimizes radicalization of the movement arising out of exclusion and marginalization.
- **Imbibing Civic Culture:** On part of citizens, there is a need to imbibe a civic culture that is characterized

by the acceptance of the authority of the state and a belief in participation in civic duties.

Conclusion

In order to participate in public protest, the right to freedom of speech & expression, association, and peaceful assembly are necessary. In this context, there is a need for debate in public discourse that it is time when reasonable restrictions outlined in Article 19(2) should be brought under review.



Elusive Two-State Solution

This article is based on "Dialogue not demonisation" which was published in The Indian Express on 24/02/2021. It talks about the prospects of the two-state solution between Israel and Palestine.

Tags: International Relations, GS Paper - 2, Groupings & Agreements Involving India and/or Affecting India's Interests

Recently, the International Criminal Court (ICC) issued a decision regarding the scope of its territorial jurisdiction over issues pertaining to the Israeli-Palestinian conflict. According to this, ICC has agreed to look into the human right violations that occurred during the Israel-Palestine issue.

Palestinian Authority has welcomed this decision. On the other hand, Israel has criticized the ICC action as an unwarranted intervention that undermines its sovereignty and threatened that the move may eventually eliminate the possibility of a two-state solution.

Presently, the Israeli-Palestinian conflict is marked by a relatively low-intensity conflict, with recurring spikes in violence, and the continual erosion of political options. This dangerous status quo could directly impact sustainable peace and drag the region into instability.

What is a Two-State Solution?

- The two-state solution has for decades been the primary focus of efforts to achieve peace in the Israeli-Palestinian conflict.
- The solution would establish an independent Palestinian state alongside Israel — two states for two peoples.
- In theory, this would win Israel's security and allow it to retain a Jewish demographic majority while granting the Palestinians a state.
- The 1947 UN Partition Plan led to decades of military action and violence between Israel and Palestine. It was only after the mediation of the US, in the

1991 Madrid Peace conference a two-state solution was agreed to resolve the Israeli-Palestinian conflict.

- According to the United Nations, only a two-state solution that realizes the legitimate national aspirations of Palestinians and Israelis can lead to sustainable peace.

Risk to Two-State Solution

- **Iranian Angle:** Tensions and risk factors persist along Israel's northern fronts, particularly after the Israeli strikes in Syria against Iranian and Hezbollah targets (associated with Palestine) and more recently the killing of Iranian commander Qassem Soleimani by the U.S.
- **Regional Cold War:** Middle East region is witnessing a regional cold war between Iran and Saudi Arabia. This has led to the emergence of smaller but lethal military groups.
 - For Example, Houthi rebels in Yemen. These groups can acquire greater capabilities which can cause further instability in the region.
 - All of these factors exacerbate instability and the prospect of a single or even a multi-front war.
- **Third Intifada:** Finally, these conditions could result in the outbreak of a third intifada, and peaceful resistance can turn into extreme violence and gross human rights violations.
- **Divided Political Leadership In Palestine:** The Palestinian leadership is divided - a two-state solution is supported by Palestinian nationalists in West Bank but the leadership in Gaza does not even recognize Israel.

Intifada

- Intifada is the two popular uprisings of Palestinians in the West Bank and Gaza Strip aimed at ending Israel's occupation of those territories and creating an independent Palestinian state.
- The first intifada began in December 1987 and ended in September 1993 with the signing of the first Oslo Accords, which provided a framework for peace negotiations between Israel and the Palestinians.
- The second intifada, sometimes called the Al-Aqsa intifada, began in September 2000.
- The two uprisings resulted in the death of more than 5,000 Palestinians and some 1,400 Israelis.

Way Forward

- **Role of India:** Historically, India has urged the leadership of both sides to engage in direct negotiations to advance the goal of a two-state solution.
 - In Palestine, India's efforts are focused on nation-building and strengthening institutions through the

India-Palestine development partnership covering various sectors of the Palestinian economy.

- With Israel, India shares a special relationship in the domains of defense, Science & Tech, etc.
- In this context, India can leverage its soft power to propel these two countries towards lasting peace.
- **Abraham Accords, a Positive Step:** The recent normalization agreements between Israel and the UAE, Bahrain, Sudan, and Morocco, known as the Abraham Accords, are further proof that the only way to achieve genuine peace is through direct negotiations.
- All regional powers should envisage peace between the two countries on line of Abraham Accords.



Conclusion

The world at large needs to come together for a peaceful solution but the reluctance of the Israeli government and other involved parties has aggravated the issue more. Thus a balanced approach towards the Israel-Palestine issue would help to maintain favorable relations with Arab countries as well as Israel.



Structural Issues of Union Territories

This article is based on "The structural fragility of Union Territories" which was published in The Hindu on

25/02/2021. It talks about the legal and constitutional provision that leads to the undermining of the elected governments in the union territories.

Tags: Indian Polity, GS Paper - 2, Co-operative Federalism, Constitutional Amendments

Recently, some MLAs from the Puducherry legislative assembly resigned. These resignations reflect a familiar pattern to the resignations of Members of the Legislative Assembly. Such resignations reduce the party's majority in the House abruptly, which invariably leads to the fall of the government.

The intent behind this pattern is that no MLA has to defect and face disqualification under the anti-defection law. In general, these resignations take place only from the ruling parties in the States which are opposed to the ruling party at the Centre.

However, this is not the only way where the elected governments in Union territories are undermined. There are many constitutional and legal provisions that reflect the structural fragility of Union Territories (UTs) as units of the Indian federation.

Structural Fragility Of Union Territories

- **Composition of the Legislature:** Article 239A was originally brought in, by the 14th Constitutional amendment act, 1962, to enable Parliament to create legislatures for the UTs. Under this article, the parliament enacted the Government of Union Territories Act, 1963.
 - The aftermath of this law is that a simple amendment in the Government of Union Territories Act, 1963 can create a legislature with more than 50% nominated members.
 - However, the question remains, how can a predominantly nominated House promote representative democracy.
- **Issue of Nomination:** The Government of Union Territories Act provides for a 33-member House for Puducherry of whom three are to be nominated by the Central government.
 - So, when the Union government nominated three members to the Assembly without consulting the government, it was challenged in the court.
 - The Supreme Court in *K. Lakshminarayanan v. Union of India*, 2019 case held that the Union government is not required to consult the State government for nominating members to the Assembly and the nominated members have the same right to vote as the elected members.

- **Arbitrariness in Nomination:** There is provision for the nomination of members to the Rajya Sabha (under Article 80). The Article specifies the fields from which they will be nominated.
 - The purpose of this nomination is to enable the House to draw on the expertise of those eminent members who are nominated and thus enrich the debate in the House.
 - However, in the case of nomination to the Puducherry Assembly, no such qualification is laid down either in Article 239A or the Government of Union Territories Act.
 - Due to this, the law invites arbitrariness in dealing with the nomination of members to the UT legislature.
- **Administrator's Power:** The UTs were never given a fully democratic set-up with the necessary autonomy. The power vested in the administrator (Lieutenant Governor) conflicts with the powers of the elected government of UTs having a legislature.
 - Section 44 of the Government of Union Territories Act and Article 239 AA(4) (proviso) of the Constitution vests the power in the administrator to express his or her disagreement and refer the matter to the President
 - The President decides on the advice of the Union government. So, in effect, it is the Union government that finally determines the disputed issue.
 - This can be reflected in the Chief Minister of Puducherry asking removal of the Lt. Governor.
 - Similarly, in the National Capital Territory of Delhi, one often hears of complaints against the Lt. Governor from the ministers about the non-cooperative federalism being practiced by him.
- **Overlapping Areas:** The Government of Union Territories Act, 1963 provides for a Legislative Assembly of Puducherry with a Council of Ministers to govern this Union Territory. Although the legislative assembly of Puducherry is empowered to make laws, the administrator is not bounded by the aid and advice of the council of ministers headed by the Chief Minister.
 - This creates overlapping of jurisdictions, which in turn leads to conflict between the union government and elected government of union territory.

Way Forward

- **Practicing Cooperative Federalism:** The Constitution Bench of the Supreme Court in *NCT of Delhi v. Union of India* (2019), had said that the administrator should not misuse this power to frustrate the functioning of the elected government in the territory and use it after

all methods have failed to reconcile the differences between him/her and the Council of Ministers.

- However, this judgment has not been observed in the letter and spirit. Thus, both the government and UTs need to imbibe the ethos of cooperative federalism.
- **Exploring the Washington DC Model:** Indian Government can emulate the model of administrative sharing of power between the Union government and the Governments of UTs.
 - Under that scheme, only the strategic areas and buildings are under the effective control of the federal government and the rest of the areas are under the jurisdiction of Washington state.
 - Given this, the institution of strategic importance like political institutions, defense establishments, etc. can remain under the jurisdiction of the Union Government, and areas other than these can effectively be handed over to UTs governments.
- **Necessary Reforms:** For effective autonomy to the governments of union territories, there is a need for amendment in the legal and constitutional provisions.

Conclusion

The Union government should respect the reason why these UTs were thought fit to provide a legislature and Council of Ministers to some of the UTs. The ostensible reason is to fulfill the democratic aspirations of the people of these territories.

In this context, the Union government should take note of the Supreme court's observation that the administration of Union Territories is by the Central government but that does not mean the Union Territories become merged with the Central government. They are centrally administered but retain their independent entity.



Time to Review Tenth Schedule

This article is based on "The absurdity of the anti-defection law" which was published in The Hindu on 26/02/2021. It talks about the issues related to anti-defection law.

Tags: Indian Polity, GS Paper - 2, Constitutional Amendments, Parliament

Recently, the resignation of MLAs in the Puducherry assembly, yet again, highlighted the absurdity of the anti-defection law. Resignations are done with the intent of lowering the numbers required for a no-confidence motion to succeed. This formula has been seen recently in other states such as Madhya Pradesh and Karnataka.

In this way, no MLA has to face disqualification under the anti-defection law. The anti-defection law was included in the Constitution as the Tenth Schedule in 1985 to combat the “evil of political defections.”

The primary purpose was to preserve the stability of governments and insulate them from the defections of legislators. However, the law has reduced legislators to being accountable primarily to the party and failed to preserve governments’ stability.

Issues Related to Anti-Defection Law

- **Undermining Representative Democracy:** There are two broadly accepted roles of a representative, such as an MP in a democracy. One, as agents of the voters, and the other is to exercise their judgment on various issues of public interest.
 - After enacting the Anti-defection law, the MP or MLA has to follow the party’s direction blindly. This leaves them with absolutely **no freedom to vote their judgment on any issue.**
 - It makes the MP neither a delegate of the constituency nor a national legislator but converts them to be just **agents of the political party.**
 - Thus, this provision goes against the concept of representative democracy.
- **Eroding Legislatures:** An important consequence of the anti-defection law is the hollowing out of our legislatures.
 - The core role of an MP to examine and decide on a policy, bills, and budgets is side-lined.
 - Instead, the MP becomes just another number to be tallied by the party on any vote that it supports or opposes.
- **Undermining Parliamentary Democracy:** While introducing the draft Constitution, Dr. B.R. Ambedkar outlined the differences between the presidential and parliamentary forms of government.
 - According to him, the presidential form had higher stability, but lower accountability as the President is elected for four years, and cannot be removed except for proven misdemeanor.
 - In the parliamentary form, the government is accountable daily through questions and motions and can be removed any time it loses the support of the majority of members of the Lok Sabha.
 - In India, this chain of accountability has been broken by making legislators accountable primarily to the political party. Thus, anti-defection law is acting against the concept of parliamentary democracy.
- **No Longer Provides Political Stability:** The Anti-defection law envisages political stability by ensuring

that any person disqualified for defecting cannot get a ministerial position unless they are re-elected.

- However, Puducherry’s example shows that the political system has found ways to topple governments by resigning rather than vote against the party.
- **Controversial Role of Speaker:** Resigning from the membership of the House is every member’s right.
 - However, according to Article 190 of the Constitution, the resignation **should be voluntary or genuine.** If the Speaker has information to the contrary, they are not obliged to accept the resignation.
 - In many instances, the Speaker (usually from the ruling party) has delayed deciding on the disqualification.
 - The Supreme Court has tried to plug this by ruling that the Speaker has to decide in three months, but it is not clear what would happen if a Speaker does not do so.

Way Forward

- **Strengthening Intra-Party Democracy:** If government stability is an issue due to people defecting from their parties, the answer is for parties to strengthen their internal part of democracy.
 - If people rise within the party hierarchy on their capabilities (rather than inheritance), there would be a greater exit barrier.
- **Regulating Political Parties:** There is an ardent need for legislation that governs political parties in India. Such a law should bring political parties under RTI, strengthen intra-party democracy, etc.
- **Final Authority of Election Commission:** Chairman/Speaker of the house, being the final authority in terms of defection, affects the doctrine of separation of powers.
 - Designating the Election Commission as the final authority in dealing with matters of defections may curb the menace of defection.
- **Restricting the Scope of Anti-defection Law:** In order to shield the detrimental effect of the anti-defection law on representative democracy, the scope of the law can be restricted to **only those laws, where the defeat of government can lead to loss of confidence.**

Conclusion

To sum up, the anti-defection law has been detrimental to legislatures’ functioning as deliberative bodies that hold the executive to account on behalf of citizens. It has turned them into fora to endorse the decision of the government on Bills and budgets. In this context, it is time to review the Tenth Schedule to the Constitution.



Big Tech Firms Regulation

This article is based on "Should governments regulate online platforms?" which was published in *The Hindu* on 26/02/2021. It talks about the recent trend of regulating Big tech firms like Facebook and Google.

Tags: Governance, GS Paper - 3, GS Paper - 2, IT & Computers

Recently, Australia has launched the new News Media and Digital Platforms Mandatory Bargaining Code. The code intends to force Big tech firms like Facebook and Google to pay local media outlets and publishers to link their content in news feeds or search results.

The Australian law is being seen as the first move in the coming battle by countries to regulate tech giants and take back some of the control they have on global communications.

Similarly, the Indian government also announced a sweeping array of rules reining-in social media. Specifically, social media platforms are required to become "more responsible and more accountable" for the content they carry.

However, regulating these platforms has its own issues like effect on free speech, hindering their role as an enabler and being the voice of the voiceless, etc.

Need to Regulate Online Content

- **Monopolizing Internet:** Today, the Big Tech firms are leveraging their capital base and thereby engaging in predatory pricing, and driving out competitors. They are erecting entry barriers by refusing to interconnect and interoperate with competing firms.
 - They control audience data, which is the primary factor of how the Internet works.
- **Surveillance Capitalism:** The Big Tech firms are amassing data on the citizens and using this information for their commercial interest by targeted advertisements.
 - The proposed Australian code would require Facebook and Google to open up their algorithmic module, and their datasets that underpin the advertising market, to regulatory scrutiny.
- **Controlling Moral Panic:** Big Tech platforms are being used for spreading disinformation and promoting menaces like political polarisation, hate speech, misogynistic abuse, terrorist propaganda — all the stuff that gives rise to moral panic.
 - Due to this, the government's intervention rests on the presumption that it is never in the commercial interest of Big Tech to remove offensive speech as this content goes viral more readily, bringing in more eyeballs, more data and more advertising revenue.

- **Ensuring Public Interest:** Further, States are the guardians of the public interest. In democratic societies, governments are elected to represent the will of the people.
 - So if there is a hard choice to be made about curtailing speech or permitting it, it seems only natural to turn to the public guardian.

Issues Involved in Regulation of Online Content

- **Role of Enabler:** Big Tech firms send tremendous value to small publishers or self-financed entrepreneurs.
- **Compelled Speech - Not Free Speech:** In an effort, controlling these platforms, the international human rights standards for freedom of expression and opinion is sometimes compromised.
 - According to recent guidelines for social media platform in India, if any post threatens "the unity, integrity, defense, security or sovereignty of India, friendly relations with foreign states, or public order, or causes incitement to the commission of any cognizable offense or prevents investigation of any offense or is insulting any foreign States" can be put down.
 - However, such terms are broad and it may give rise to the Government interfering with the fundamental rights of freedom of speech and expression.
- **Voice of Voiceless:** It's important to point out that it's only because of social media the issues like **#BlackLivesMatter**, **#LivingWhileBlack**, and **#MeToo** entered into public discourse.
 - Thus, regulating Big Tech may suppress the voice of the vulnerable sections of society.
- **Self-Regulation:** Big Tech proponents contend that the companies are getting smarter about the risks of allowing offensive content on their systems and will inevitably find it in their self-interest to pre-emptively remove such content.

Way Forward

- **Prioritizing Personal Data Regulation:** At a point in time where data is the new gold standard, the regulation of how tech companies use consumers' personal data to establish dominance should be a significant preliminary focus point.
- **Ensuring Right to Privacy:** Governments worldwide have introduced stringent laws to ensure users' right to privacy by requiring tech companies to adhere to certain basic and essential data security and privacy measures.
 - In this context, the dedicated data protection law (the Personal Data Protection (PDP) Bill) must be expedited.

- **Monetizing Information:** Big Tech companies must negotiate a fair payment with all the stakeholders for using their content in Facebook's newsfeed and Google's Search.

Conclusion

Today, the world has now entered in the new era of global diplomacy. It isn't just countries competing with other states; there are gigantic tech companies that have geopolitical implications. Thus, there is a need to recognize the new dynamic of bargaining power between State and Big Tech firms.

