



News Analysis (03 Aug, 2019)

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Census 2021

The next census of India to be conducted in 2021 with March 1, 2021 as the reference date, except for the states of Jammu & Kashmir, Himachal Pradesh and Uttarakhand.

- The Census 2021 **will be conducted in 18 languages out of the 22 scheduled languages (under 8th schedule) and English**, while Census 2011 was in 16 of the 22 scheduled languages declared at that time.
- It also **will introduce a code directory** to streamline the process
- The option of "Other" under the gender category will be changed to **"Third Gender"**.
There were roughly 5 lakh people under "other" category in 2011.
- For the first time in the 140 year history of census in India, data is proposed to be collected through a mobile app by enumerators and they will receive an additional payment as an incentive.
- **The Census data would be available by the year 2024-25** as the entire process would be conducted digitally and data crunching would be quicker.
Data from the Census 2011 is still being released. **E.g.:** The **dataset on migration was published recently.**

Issue of Caste Data Collection

- Earlier in 2018, the Ministry of Home Affairs had declared that the Other Backward Class (OBC) category would be included in the Census 2021.
However, the Registrar-General of India (RGI) has said that only SC/ST will be included as the unreliable nature of caste data collection decreases the credibility of the results. **E.g.:** A person belonging to the Yadav caste writes Yadu, Yaduvanshi, etc. in the form; there is no standardisation. People sometimes even confuse caste with gotra.

- The 2011 caste data, collected as part of the Socio Economic Caste Census (SECC), is yet to be released by the Centre.
Even a committee formed under former vice-chairman of NITI Aayog, Arvind Panagariya to find a way to publish the 2011 Socio-economic and Caste Census data failed to provide any tangible outcome.
- The last caste-based census was conducted by the British in 1931.

Census

- The census provides information on size, distribution and socio-economic, demographic and other characteristics of the country's population.
- **'Rig-Veda' reveals** that some kind of population count was maintained during 800-600 BC in India.
- **Arthashastra by 'Kautilya' written in the 3rd Century BC** prescribed the collection of population statistics as a measure of state policy for taxation.
- During the regime of the **Mughal king Akbar, the administrative report 'Ain-e-Akbari'** included comprehensive data pertaining to population, industry, wealth and many other characteristics.
- A systematic and modern population census, in its present form was conducted non-synchronously between 1865 and 1872 in different parts of the country.
- However, **the first synchronous census in India was held in 1881**. Since then, censuses have been undertaken uninterruptedly once every ten years.
- India's last census was carried out in **2011 when the country's population stood at 121 crore**. The Indian Census is one of the largest administrative exercises undertaken in the world.

Source: TH

Accused Can be Ordered to Give Voice Samples

The Supreme Court has ruled that **a judicial magistrate** can order an **accused** to give his voice **samples even against his consent** in the course of a **criminal investigation**.

- The Supreme Court has issued this order under **Article 142** of the Constitution of India.

- It called upon the Parliament to make requisite changes in the Code of Criminal Procedure to provide for the same and till that happens, the magistrate will have the power to order the same.
 - The **87th Report of the Law Commission of India** describes a voiceprint as a **“visual recording of voice”**. Voiceprints resemble fingerprints, in that each person has a distinctive voice with characteristic features dictated by vocal cavities and articulates.
 - In a past judgment, the court said that the making of such far-reaching interpretations in the Criminal Procedure Code – which is silent on whether a court can order a person to give voice sample to police – should be best left to the legislature.
- The court also observed that the **fundamental right to privacy (Article 21)** cannot be construed as absolute and must bow down to compelling public interest.
- The court did not give any direct observation on **Article 20 (3)** of the Constitution which protects an accused from being compelled to be a witness against himself.
 - However, with this order, a person can be compelled to give his voice sample during the criminal investigation.
 - The **Chief Justice compared a voice sample** with other impressions like **specimen handwriting, or impressions of his fingers, palm or foot collected by police during the investigation**. By themselves, these impressions or the handwriting do not incriminate the accused person, or even tend to do so.
 - A voice sample will be taken for the **reason of comparison with other voices** in order to see if they match and are of the same person.

Article 142

- **Definition:** Article 142 provides **discretionary power** to the Supreme Court as it states that the Supreme Court in the exercise of its jurisdiction may pass such decree or make **such order** as is necessary **for doing complete justice** in any cause or matter pending before it.
- **Constructive Application:** In the early years of the evolution of Article 142, the general public and the lawyers both lauded the Supreme Court for its efforts to bring complete justice to various deprived sections of society or to protect the environment.
 - The **Cleansing of Taj Mahal** and **justice to many undertrials** is a result of the invocation of this article only.
- In the **Union Carbide case**, relating to the victims of the Bhopal gas tragedy, the **Supreme Court placed itself above the laws made by the Parliament** or the legislatures of the States by saying that, to do complete justice, it **could even override the laws made by Parliament**.
 - However, in the **Supreme Court Bar Association v. Union of India**, the Supreme Court stated that **Article 142 could not be used to supplant** the existing law, but only to **supplement the law**.

- **Cases of Judicial Overreach:** In recent years, there have been several judgments of the Supreme Court wherein it has been **foraying into areas which had long been forbidden to the judiciary by reason of the doctrine of 'separation of powers'**, which is part of the basic structure of the Constitution. One such example is:
 - **The ban on the sale of alcohol along national and state highways:** While the notification by the central government prohibited liquor stores along National Highways only, the Supreme Court put in place a ban on a distance of 500 metres by invoking Article 142.
 - Additionally, and in the absence of any similar notification by any of the State governments, the court extended the ban to State highways as well.
 - Such judgments have **created uncertainty about the discretion** vested in the court to invoke Article 142 where even fundamental rights of individuals are being ignored.
- **Way Forward**
 - **The Supreme Court needs to introspect** on whether the use of Article 142 as an independent source of power should be regulated by strict guidelines.
 - Another option is that **all cases invoking Article 142 should be referred to a Constitution Bench of at least five judges** so that this exercise of discretion may be the outcome of five independent judicial minds operating on matters having such far-reaching impact on the lives of people.
 - In all cases where the court invokes Article 142, the government should bring out a white paper to study the beneficial as well as the negative effects of the judgment after a period of six months or so from its date.

Source: Tol

Institutions of Eminence Scheme

The **University Grants Commission**, has nominated 20 institutions for **Institutes of Eminence tag** (IOE).

Nominations have been made on the recommendations of **Empowered Expert Committee (EEC)** headed by **N Gopalaswami**.

Empowered Expert Committee constituted by the University Grants Commission (UGC) was entrusted to conduct the appraisal of applications for shortlisting 20 Institutions of Eminence (10 public and 10 private institutions).

Objectives

- **Excellence and Innovation:** To provide for higher education leading to excellence and innovations in such branches of knowledge as may be deemed fit at post-graduate, graduate and research degree levels.
- **Specialization:** To engage in areas of specialization to make distinctive contributions to the objectives of the university education system.
- **Global Rating:** To aim to be rated internationally for its teaching and research as a top hundred Institution in the world over time.
- **Quality teaching and Research:** To provide for high quality teaching and research and for the advancement of knowledge and its dissemination

Criteria

- **Global/National Ranking:** Only those institutions which have appeared in any of the global/national ranks shall be recommended for the IoE status.
 - **Public institutions** are assessed on the basis of **QS-2020 world rankings**, in case of a tie **QS- 2019 rankings** are used.
 - **Private institutions** are assessed on the basis of their ranking in the **QS India or National Institution Ranking Framework (NIRF)**, the NIRF ranking being used as a tie-breaker.
 - Any institution that did not appear in any rankings (QS-2019, QS-2020 and NIRF) is excluded completely from the list of IOE tag.
- **Greenfield Proposals:** Only after exhausting the above criterion, if any slot remains vacant, consideration shall be given to **yet to be established (Greenfield)** proposals.
 - The term greenfield project generally refers to the initiation of a project without the need to consider any prior work.
 - The Greenfield Institutions would get **3 year period** to establish and operationalise the institution, and thereafter, EEC will consider giving IoE status to such institutions.
 - **Satya Bharti Foundation (telecom major Airtel's philanthropic arm)** became the **second greenfield institution** to be given IoE status, **after Reliance's Jio Institute.**

Benefits

- **Autonomy:** Institutes with IOE tag will be given greater autonomy and freedom to decide fees, course durations and governance structures.
- **Grant:** The public institutions under IOE tag will receive a government grant of ₹1,000 crore, while the private institutions will not get any funding under the scheme.

Source:TH

SANKALP Scheme

Recently the **Ministry of Skill Development and Entrepreneurship** has called for SANKALP Scheme to focus on district-level skilling ecosystem through convergence and coordination.

To enhance the district level ecosystem, the Ministry has taken the following initiatives:

- **Skill India Portal:** A system to capture and converge skill data even at the district level.
- **Grants:** Nine States namely Andhra Pradesh, Assam, Bihar, Gujarat, Jammu & Kashmir, Maharashtra, Manipur, Punjab and Uttar Pradesh were given grants.
- **Aspirational Districts:** In addition to these State, grants have also been released to 117 **aspirational districts** under Aspirational Skilling Abhiyaan.

Skills Acquisition and Knowledge Awareness for Livelihood Scheme

- Skills Acquisition and Knowledge Awareness for Livelihood (SANKALP) is an outcome-oriented programme of Ministry of Skill Development & Entrepreneurship (MSDE) with a special focus on decentralised planning and quality improvement.
- It is a **Centrally Sponsored Scheme** which is collaborated with the World Bank.
- It aims to implement the mandate of the National Skill Development Mission (NSDM).
- The main objectives of the scheme are:
 - **Convergence:** Creating convergence among all skill training activities, both State-led and Government of India funded, at the state level.
 - **Quality:** Improving the quality of skill development programs through building a pool of quality trainers, developing model curriculum and content, and standardizing assessment and certification.
 - **Evaluation System:** Establishing a robust monitoring and evaluation system for skill training programs.
 - **Inclusiveness & Opportunity:** Providing access to skill training opportunities to the disadvantaged sections. Creating industry-led and demand-driven skill training capacity.
- Similar to SANKALP scheme, the government has also launched the STRIVE scheme for skill development.

Skills Strengthening for Industrial Value Enhancement Scheme

- Skills Strengthening for Industrial Value Enhancement (STRIVE) scheme is a World Bank assisted-Government of India project with the objective of improving the relevance and efficiency of skills training provided through Industrial Training Institutes (ITIs) and apprenticeships.

- It is a **Central Sector Scheme**, covering the following 4 result areas:
 - Improved performance of ITI.
 - Increased Capacities of State Governments to support ITIs and Apprenticeship Training.
 - Improved Teaching and Learning.
 - Improved and Broadened Apprenticeship Training.

Central Sector Scheme and Centrally Sponsored Scheme

India's developmental plan is comprised of two types of schemes i.e., **Central Sector and Centrally Sponsored Scheme**.

- Under Central sector schemes, it is 100% funded by the Union government and implemented by the Central Government machinery.
- Under Centrally Sponsored Scheme (CSS) a certain percentage of the funding is borne by the States in the ratio of 50:50, 70:30, 75:25 or 90:10 and the implementation is by the State Governments.

Source: PIB

The Repealing and Amending Bill, 2019

The Parliament has passed the Repealing and Amending Bill, 2019.

- The bill seeks to **repeal certain enactments and to amend certain other enactments**.
 - It provides for **repealing fifty-eight old Laws** including the Beedi Workers Welfare Fund Act, 1976, and the Motor Vehicles (Amendment) Act, 2001 which have no relevance today.
 - It also repeals the Tea (Amendment) Act, 1980, the Central Road Fund (Amendment) Act, 2007, and the Central Universities Act, 2009.
 - It seeks to make minor amendments to the Income Tax Act, 1961 and the India Institutes of Management Act, 2017.
- The Bill has been passed to ensure **minimum legislation and maximum governance**. Periodic review of old laws is a part of governance.
Since 2014, the government has repealed 1428 obsolete central laws.

Source: IE

Ramon Magsaysay Award 2019

Indian journalist Ravish Kumar has been awarded the 2019 Ramon Magsaysay Award for **“harnessing journalism to give voice to the voiceless”**.

- The other winners of the award are:
 - Myanmar’s Ko Swe Win- Journalist;
 - Thailand’s Angkhana Neelapajit- Human Rights Activist;
 - Philippines’ Raymundo Pujante Cayabyab- Musician; and
 - South Korea’s Kim Jong-Ki- Activist working with violence and mental health issues in youth.
- **Last year (2018)**, Sonam Wangchuk (an educational reformer from Ladakh) and Bharat Vatwani (a psychiatrist who works for mentally ill street persons in Mumbai) were among the winners of the award.

Ramon Magsaysay Award

- The Ramon Magsaysay Award was established in 1957 and is considered as **Asia’s premier prize and highest honour**.
- It is named after **Ramon Magsaysay, the third president of the Republic of the Philippines**.
- Till 2009 awards have traditionally been given in five categories: government service; public service; community leadership; journalism, literature, and creative communication arts; and peace and international understanding.
- However, post 2009, the Ramon Magsaysay Award Foundation annually selects the awardees for the **field of Emergent Leadership**. Awardees are presented with a certificate, a medallion with an embossed image of Ramon Magsaysay and cash prize.
- The award is internationally-recognized as the **Nobel Prize counterpart of Asia** and is the highest award given to Asian **individuals and organizations**.

Source: TH

Adarsh Smarak Scheme

Recently, the **Union Ministry of Culture** has released its **100-day agenda** which also includes digging rainwater harvesting pits at **over 100 major monuments** covered under the **Adarsh Smarak scheme**.

The other initiatives include installing big screens and audio systems at two dozen spots where a large number of devotees gather for prayers or aarti, rolling out 25 science museums on wheels to reach out to rural students.

Adarsh Smarak Scheme

- The scheme was launched in **2014** for providing **improved visitor amenities**, especially for the physically challenged.
- The scheme comes under the **Ministry of Culture**.
- A total of **100 Monuments** protected by the Archaeological Survey of India (ASI) are being developed and maintained as Adarsh Monuments under the scheme.
- The **civic amenities** are being augmented at these sites.

Objectives of the Scheme

- To make monument **visitor friendly**.
- To **upgrade/provide washrooms**, drinking water, signages, **cafeteria, and wi-fi facility**.
- To provide **interpretation and audio-video centers**.
- To **streamline wastewater and garbage disposal** and a rainwater harvesting system.
- To make the monument **accessible to differently-abled**.
- To implement **Swachh Bharat Abhiyan**.

Source: TH

Fit and Proper Regime

The **Reserve Bank of India (RBI)** has notified guidelines on Fit and Proper criteria for elected directors on the boards of Public Sector Banks (PSB).

- The Reserve Bank of India (RBI) has mandated that the elected directors of public sector banks (PSBs) are to be appointed by the **Nomination and Remuneration Committee (NRC)** of the board of the respective banks.
- Under **Fit and Proper** criteria, RBI has mandated all the banks to constitute a Nomination and Remuneration Committee (NRC) consisting of a minimum of **three non-executive directors** from amongst the board of directors.
- Of these non-executive directors, not less than one-half shall be **independent directors** and should include at least one member from the Risk Management Committee of the board.
- Fit and proper regime is intended to keep centre's nominated directors away from the PSB board and ensure minimum political intervention.
Members of Parliament, state legislatures, and local governments not eligible to be members of PSB boards

Source: BS
