



PRS Capsule January 2020

 drishtiias.com/printpdf/prs-capsule-january-2020

Key Highlights of PRS

Polity

New Bodo Agreement

Recently, the central government, the Assam government and the Bodo groups, including all factions of the militant National Democratic Front of Bodoland (NDFB), signed an agreement to redraw and rename the Bodoland Territorial Area District (BTAD) as the **Bodoland Territorial Region (BTR)**, in Assam.

- BTAD is spread over four districts of Kokrajhar, Chirang, Baksa and Udalguri.
- The BTAD and other areas mentioned under the **Sixth Schedule of the Constitution** have been exempted from the **Citizenship (Amendment) Act (CAA), 2019**.
- **The Bodo agreement** provides for a special development package of **Rs 1500 crores** to be given by the central government over 3 years to undertake specific projects for the development of Bodo areas.
- Further, the central government and the Government of Assam will take measures to rehabilitate over 1500 cadres of certain factions of the National Democratic Front of Bodoland.

Disqualifications under Anti-Defection law

A case was filed in SC in appeal against the decision of the High Court challenging the **delay by the Speaker in deciding the disqualification petition**.

- The Supreme Court directed the Speaker of the Manipur Legislative Assembly to decide a disqualification petition concerning the defection of an MLA in Manipur from one political party to another, within four weeks.

- **The Court also held that the Speaker should decide disqualification petitions within a reasonable time period, not exceeding three months.**
- It further observed that **the role of the Speaker in disqualification petitions should be re-considered** since the Speaker continues to belong to a political party.
- It recommended that Parliament may consider amending the Constitution to substitute the Speaker with an alternative adjudicating authority.
 - Such an authority may be a permanent tribunal headed by a retired Supreme Court judge or retired Chief Justice of a High Court, or with any other external independent mechanism.

The Medical Termination of Pregnancy (Amendment) Bill, 2020

The Union Cabinet has approved the **Medical Termination of Pregnancy (Amendment) Bill, 2020**. The Bill seeks to amend the Medical Termination of Pregnancy Act, 1971 which provides for the termination of certain pregnancies by registered medical practitioners.

Key Features

- The amendment to the Act proposes to **enhance the upper limit for termination of pregnancy from 20 weeks to 24 weeks** for special categories of women.
 - These would include **survivors of rape, victims of incest, and other vulnerable women** (such as differently-abled women and minors).
- Further, this limit of 24 weeks for termination of pregnancy will not apply in cases of substantial foetal abnormalities diagnosed by the Medical Board.
 - The composition, functions and other details of the Medical Board will be prescribed.
- The amendments recommend the requirement of the opinion of:
 - one registered medical practitioner for termination of pregnancy up to 20 weeks against the earlier limit of 12 weeks, and
 - two registered medical practitioners for termination of pregnancy between 20 to 24 weeks against the earlier limit of 12 to 20 weeks
- The amendments also propose that the name and other particulars of a woman whose pregnancy has been terminated will not be revealed, except to a person authorised by the law.

NHAI to set up Infrastructure Investment Trusts

The Union Cabinet has authorised the National Highways Authority of India (NHAI) to set up Infrastructure Investment Trusts (InvITs), and monetise completed and operational National Highway (NH) projects.

- These InvITs will be set up as per SEBI's guidelines. The NH projects to be monetised must have a toll collection track record of at least one year.
NHA will have the right to levy toll on such identified highways.
- Each InvIT must have two special purpose vehicles (SPVs)
 - to hold all the identified public funded projects to be placed in the InvIT, and
 - to act as an investment manager in the proposed InvIT.
- NHA will create a separate fund to keep all the sums received from such InvITs.
- The Chairman, NHA is empowered to select the projects to be placed in the InvITs, and operationalise these InvITs.

Infrastructure Investment Trust

- InvIT is a collective investment scheme similar to a mutual fund, which enables direct investment of money from individual and institutional investors in infrastructure projects to earn a small portion of the income as return.
- The InvITs are regulated by the SEBI (Infrastructure Investment Trusts) Regulations, 2014.

Economy

National Strategy for Financial Inclusion

RBI has released the **National Strategy for Financial Inclusion 2019-2024.**

Financial Inclusion: It has been defined as the process of ensuring access to financial services, and timely and adequate credit for vulnerable groups and low-income groups at an affordable cost. Financial inclusion is a key driver of economic growth and poverty alleviation in the whole world.

Key Points

- **Steps taken for financial inclusion:**

- **Pradhan Mantri Jan Dhan Yojana (PMJDY):** under which 34 crore accounts have been opened with deposits of Rs 89,257 crore,
- **Atal Pension Yojana:** to provide pension cover to subscribing bank account holders.

However, it identified certain critical gaps which remain an impediment for financial inclusion, such as-

- inadequate infrastructure (in parts of the rural hinterland, far-flung areas in the Himalayan and north-eastern region),
- poor tele and internet connectivity in rural hinterland,
- socio-cultural barriers, and
- lack of market players in payment product space.

- **Strategic objectives for financial inclusion:** RBI identified six strategic objectives of a national strategy for financial inclusion:

- Universal access to financial services,
- Providing basic bouquet of financial services,
- Access to livelihood and skill development,
- Financial literacy and education,
- Customer protection and grievance redressal, and
- Effective coordination.

- To achieve this vision, the RBI has identified certain milestones such as

- providing banking access to every village (or hamlet of 500 households in hilly areas) within a five km radius by March 2020 and
- strengthening digital financial services to create the infrastructure to move towards a cashless society by March 2022.

- **Measurement of financial inclusion:** RBI recommended that financial inclusion should be measured through parameters across 3 key indicators. These include parameters to

- Measure access, such as the number of bank branches or ATMs for a specified population,
- measure usage, such as percentage of adults with a savings account, insurance or pension policy, and
- measure the quality of services, such as grievance redressal (through number of complaints received and addressed).

Environment

Guidelines for implementing Wetlands (Conservation and Management) Rules, 2019

The Ministry of Environment, Forests and Climate Change has notified guidelines for implementing the Wetlands (Conservation and Management) Rules, 2019.

- The Rules constitute various bodies for the conservation of wetlands and define their powers and functions.
- The guidelines support the state/Union Territory (UT) administrations in the implementation of the Rules by providing guidance on various management and administrative matters for wetlands.

Key Features

- **Role of the Wetlands Authority:** The Wetlands Authority within a state is the nodal authority for all wetland-specific authorities in a state/UT. Functions of this Authority include:
 - preparing a list of all wetlands in the state/UT and recommending wetlands for regulation under the Rules,
 - developing a comprehensive list of activities to be regulated and permitted within the notified wetlands, and
 - issuing necessary directions for the conservation and sustainable management of wetlands to the respective implementing agencies.
- **Prohibited activities:** A list of activities that are prohibited on wetlands include:
 - setting up any industry and expansion of existing industries,
 - dumping solid waste or discharge of untreated wastes and effluents from industries and any human settlements, and
 - encroachment or conversion for non-wetlands uses.
- **Integrated Management Plan:** The guidelines recommend the state/UT administration to prepare a plan for the management of each notified wetland. The plan refers to a document which:
 - describes strategies and actions for use of the wetland,
 - gives monitoring requirements for detecting changes in the ecological character of the wetland, and
 - ensures compliance with regulatory frameworks and policy commitments.
- **Violations:** The Wetlands Authorities are responsible for ensuring the enforcement of the Wetlands Rules and other relevant acts, rules, and regulations.
 - Undertaking any prohibited or regulated activities beyond the thresholds (defined by the state/UT administration) in the wetlands or its zone of influence will be deemed violations under the Wetlands Rules.
 - Violation of the Rules will attract penalties as per the Environment (Protection) Act, 1986.

The Mineral Laws (Amendment) Ordinance, 2020

The Mineral Laws (Amendment) Ordinance, 2020 was promulgated on January 10, 2020.

The Ordinance amends the following acts:

- **Mines and Minerals (Development and Regulation) Act, 1957:** It regulates the mining sector in India and specifies the requirement for obtaining and granting mining leases for mining operations.
- **Coal Mines (Special Provisions) Act, 2015 (CMSP Act):** It provides for the auction and allocation of mines whose allocation was canceled by the Supreme Court in 2014. Schedule I of the Act provides a list of all such mines; Schedule II and III are sub-classes of the mines listed in Schedule I.

Key Features

- **Removal of restriction on end-use of coal:** Currently, companies acquiring Schedule II and Schedule III coal mines through auctions can use the coal produced only for specific end-uses such as power generation and steel production.
 - The Ordinance removes this restriction on the use of coal mined by such companies.
 - Companies will be allowed to carry on coal mining operations for own consumption, sale or for any other purposes, as may be specified by the central government.
 - The Ordinance also adds that companies need not possess any prior coal mining experience in India to participate in the auction of coal and lignite blocks.
- **Composite license for prospecting and mining:** Currently, separate licenses are provided for prospecting and mining of coal and lignite, called prospecting license, and mining lease, respectively.
 - The Bill adds a new type of license, called **prospecting license-cum-mining lease**. It will be a composite license providing for both prospecting and mining activities.
 - **Prospecting includes exploring, locating, or finding mineral deposits.**
- **Transfer of clearances to new bidders:** Currently, upon expiry, mining leases for specified minerals (minerals other than coal, lignite, and atomic minerals) are transferred to new persons through auction. The new lessee must obtain statutory clearances before starting mining operations.
 - The Ordinance provides that the various approvals, licenses, and clearances given to the previous lessee will be extended to the new lessee for two years.
 - During this period, the new lessee will be allowed to continue mining operations.
 - However, the new lessee must obtain all the required clearances within this two-year period.

State-Wise Vehicle Tracking Under Nirbhaya Framework

The Ministry of Road Transport and Highways has launched a scheme for the implementation of a state-wise vehicle tracking platform for safety under the **Nirbhaya Fund Framework**.

Nirbhaya Fund

- The central government had set up the Nirbhaya Fund which can be utilised for projects specifically designed to improve the safety and security of women.
- The Nirbhaya Fund Framework provides for a non-lapsable corpus fund for the safety and security of women.
- It is administered by the Department of Economic Affairs (DEA) of the Ministry of Finance (MoF) of the Government of India.

Key Features

- **Objectives:** The proposed system seeks to enhance the safety of women and girl children.
 - This would be achieved by equipping all public passenger transport vehicles with location tracking devices and emergency buttons to raise alerts in case of an emergency.
 - A monitoring centre will be set up in each State/UT to monitor these calls and respond to distress calls.
- **System overview:** The proposed system will consist of a Vehicle Location Tracking (VLT) device with emergency buttons as specified.
 - This device will send the vehicle location, health status, alerts, and other data to the monitoring centre at specified intervals.
 - The Transport Department officials will be able to access the system and monitor the alerts at the centre.
- **Implementation:** States will notify the timelines for the installation of the VLT devices in vehicles that were registered before January 1, 2019.

The VLT manufacturer will enter a unique identification number in the VAHAN database to link the VLT device with the specific vehicle.
- **Funding:** The total cost of the scheme will be shared between the centre and states as per the ratio mentioned in the Nirbhaya Framework.
 - Funding by the Ministry will include the cost of the backend software, setting up the monitoring centres, training of officials, cloud services for data storage.
 - The funding pattern under the scheme should be as per the Nirbhaya Framework guidelines, which propose 100% funds for union territories, 90% for states with difficult terrains, and 60% for other states.