



News Analysis (05 Sep, 2020)

 drishtias.com/current-affairs-news-analysis-editorials/news-analysis/05-09-2020/print

Draft Data Empowerment and Protection Architecture: NITI Aayog

Why in News

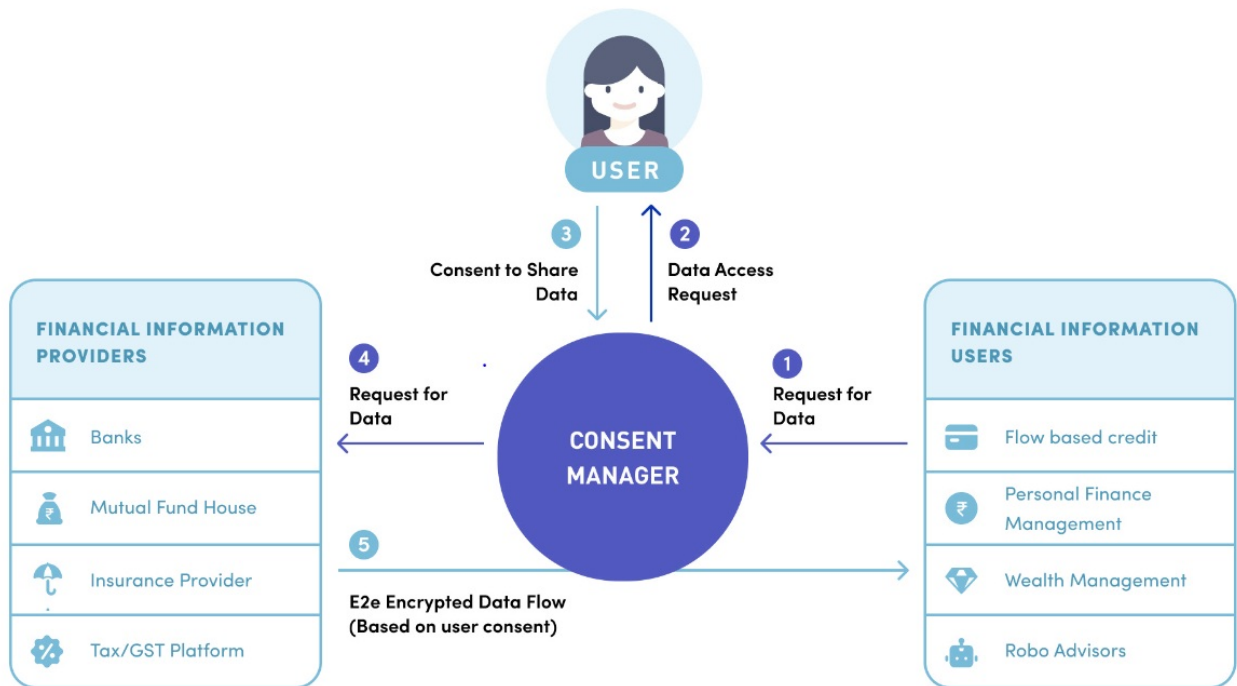
Recently, the **NITI Aayog** has released **draft Data Empowerment and Protection Architecture (DEPA)** which aims to promote greater user control on data sharing.

Key Points

- **Features:** DEPA will be empowering individuals with control over their personal data, by operationalising a **regulatory, institutional, and technology design for secure data sharing**.
 - DEPA is designed as an **evolvable and agile framework** for good data governance.
 - DEPA empowers people to **seamlessly and securely access their data and share it with third party institutions**.
 - The consent given under DEPA will be **free, informed, specific, clear, and revocable**.
- **Consent Managers:** DEPA's Institutional Architecture will involve the creation of **new market players** known as User Consent Managers. These will ensure that individuals can provide consent as per an innovative digital standard for every data shared. These Consent Managers will also work to protect data rights.

Reserve Bank of India (RBI) issued a Master Directive creating Consent Managers in the financial sector to be known as **Account Aggregators (AAs)**. A non-profit collective or alliance of these players is created called the **DigiSahamati Foundation**.
- **Open APIs:** Open **Application Programming Interfaces (APIs)** enable **seamless and encrypted flow of data** between data providers and data users through a consent manager.
- **Implementation:** RBI, **SEBI, IRDAI, PFRDA** and the Ministry of Finance will implement this model. This regulatory foundation is also expected to evolve with time (eg. with the forthcoming **Data Protection Authority** envisaged under **Personal Data Protection Bill, 2019**).

DEPA Institutional Architecture



- **Background:** Regulatory direction on data privacy, protection, consent, and the new financial institutions required for DEPA's application in the financial sector was provided through
 - Supreme Court Judgement on the fundamental **Right to Privacy** in 2017.
 - **Personal Data Protection Bill (PDP), 2019.**
 - **Justice Srikrishna Committee Report, 2018.**
 - **RBI Master Direction on NBFC-Account Aggregators, 2016** (for the financial sector).
- Recently, a government committee headed by Infosys co-founder **Kris Gopalakrishnan** has suggested that **non-personal data** generated in India **be allowed to be harnessed by various domestic companies and entities.**

Application

- **Financial sector:**
 - Using DEPA, individuals and Micro, Small and Medium Enterprises (MSMEs) can use their **digital footprints to access not just affordable loans**, but also **insurance, savings, and better financial management products**.
 - The framework is **expected to become functional for the financial sector starting fall 2020**.
 - It will help in **greater financial inclusion and economic growth**.
 - **Flow based lending:** If **portability and control of data** could allow an MSME owner to digitally share proof of the business' regular tax (GST) payments or receivables invoices easily, a bank could design and offer **working capital loans based on demonstrated ability to repay** (known as flow based lending) rather than only offering bank loans backed by assets or collateral.
- **Telecom Sector:** DEPA is also being launched in the telecom sector following a **Telecom Regulatory Authority of India (TRAI) consultation report on privacy** released in July 2018.
- **Government Departments:** The first major government department to become a Government Information Provider will be **Goods and Services Tax (GST)**.
In future, departments with data on individuals and MSMEs could adopt the specifications to improve the ease of doing business or create greater data portability of individual education, jobs, or transaction data.
- **Healthcare:** National Health Authority which has been tasked with implementing the **National Digital Health Mission**, is piloting the DEPA architecture for **healthcare data**.
- **Skilling:** The Ministry of Skill Development and Entrepreneurship is encouraging adoption of a **digital skill credential** that could be used to address low data portability in employment by sharing **verified information on work experience or educational training**.

Advantages

- Opening up an API-based data sharing framework would bring **significant innovation by new fintech entities**.
- This architecture **replaces costly and cumbersome data access and sharing practices that disempower individuals**, such as physical submission, username/password sharing, and terms and conditions forms providing blanket consent etc.
- Individuals and small firms do not benefit from individual's data right now. DEPA will provide individuals and small businesses with the practical means to **access, control, and selectively share** personal data that they have stored across **multiple institutional datasets** – to **maximise the benefits of data sharing for individual empowerment whilst minimising privacy risks and data misuse**.
- DEPA will also enable **better personal financial management services, wealth management, robo advisory, or different types of lending, insurance, and investment use cases and products** that one may not be able to foresee today.

Global Approaches to Data Protection and Sharing

- European Union's **General Data Protection Regulation (GDPR)**: It introduces strong data protection laws (through policies such as the right to be forgotten), and the emphasis on gathering minimum data.
- **UK's Open Banking Data Sharing Framework**: It takes a restoration of competition perspective, and mandates that banks work with **Account Information Service Providers** to gather individual **consent** to share data.
- Australia's **My Health Record**, which has an opt-out system rather than a consent-to-share system for health records and the **Australian Consumer Data Right** for the banking sector.
- China's approach has been to create a **tightly controlled internet** that prioritises national security over user control and data democracy.
- The USA has **some cybersecurity measures** but is yet to implement a nationwide data protection law.

Source: IE

Project Dolphin

Why in News

The Prime Minister announced the **government's plan to launch a Project Dolphin** in his recent Independence Day Speech (15th August 2020).

The proposed project is aimed at **saving both river and marine dolphins.**

PROJECT DOLPHIN

PRESERVING OUR UNDERWATER FRIENDS



10-YEAR PROJECT TO FOCUS ON BOTH RIVER AND SEA DOLPHINS



AIM TO STRENGTHEN BIODIVERSITY, CREATE EMPLOYMENT OPPORTUNITIES AND ATTRACT TOURISM



KILLING, HABITAT FRAGMENTATION BY DAMS AND BARRAGES AND INDISCRIMINATE FISHING HAS REDUCED THE GANGES RIVER DOLPHIN POPULATION FROM TENS OF THOUSANDS TO AROUND 3,700 OVER THE LAST CENTURY



GANGES RIVER DOLPHIN, A SPECIES OF FRESHWATER DOLPHINS, IS PRIMARILY FOUND IN GANGA AND BRAHMAPUTRA RIVERS, AND THEIR TRIBUTARIES IN INDIA, BANGLADESH AND NEPAL



IN INDIA, THESE DOLPHINS ARE SIGHTED IN DEEP RIVERS IN ASSAM, BIHAR, JHARKHAND, MADHYA PRADESH, RAJASTHAN, UTTAR PRADESH AND WEST BENGAL



GANGES RIVER DOLPHIN, OFFICIALLY DISCOVERED IN 1801, CAN LIVE ONLY IN FRESHWATER

Key Points

- Project Dolphin will be **on the lines of Project Tiger**, which has helped increase the tiger population.
- Project **got in-principle approval** in December 2019, at the first meeting of the **National Ganga Council (NGC)**, headed by the Prime Minister.
- It is expected to be implemented by the **Ministry of Environment, Forest and Climate Change**.
 - Special Conservation program needs to be taken up for Gangetic Dolphin which is a **national aquatic animal** and also **indicator species** for the river Ganga spread over several states. As the Gangetic dolphin is at the top of the food chain, protecting the species and its habitat will ensure conservation of aquatic lives of the river.
 - So far, the **National Mission for Clean Ganga (NMCG)**, which implements the government's flagship scheme **Namami Gange**, has been taking some initiatives for saving dolphins.
- **Global Experience:** The **Rhine Action Plan (1987)** of the **International Commission for the Protection of the Rhine (ICPR)** — representing **Switzerland, France, Germany, Luxemburg and the Netherlands** — helped in conservation of the **salmon** fish (also an indicator species).

Gangetic Dolphin



- **Scientific Name:** Platanista gangetica
- **Features:**
 - These are generally **blind** and catch their prey in a unique manner. They emit an **ultrasonic sound** which reaches the prey.
 - These are also called susu.
- **Location:**
 - It is found **mainly in the Indian subcontinent**, particularly in **Ganga-Brahmaputra-Meghna** and **Karnaphuli-Sangu** river systems.
 - It is **also** found in the **Ganga's tributaries**.
- **Threats:**
 - **Dams** disturb the migration, breeding cycles and **habitat** of fish and other prey.
 - **Pollution.**
 - Excessive silting and sand mining especially in Assam and lower course of the Ganga.
- **Population:**
 - **The Gangetic dolphin census** suggests that the Gangetic dolphin population in India could be about **2,500-3,000**.
 - As per Ministry of State for Environment, Forest and Climate Change there are about **1,272 dolphins in Uttar Pradesh** and **962 in Assam**.
- **Status of Conservation:**
 - In the **First Schedule of the Indian Wildlife (Protection), Act 1972**.
 - **Endangered** by the **International Union for the Conservation of Nature (IUCN)**.
 - **Appendix I** (most endangered) of the **Convention on International Trade in Endangered Species (CITES)**.
 - **Appendix II** (migratory species that need conservation and management or would significantly benefit from international co-operation) of the **Convention on Migratory Species (CMS)**.

- **Conservation Efforts:**

- **Wildlife Protection Act:** In 1986 after the launch of Ganga Action Plan in 1985, the government included Gangetic dolphins in the **First Schedule of the Indian Wildlife (Protection) Act 1972.**
 - It means they have the highest degree of protection against hunting.
 - This was aimed at checking hunting and providing conservation facilities such as wildlife sanctuaries.
 - For instance, **Vikramshila Ganges Dolphin Sanctuary** was established in Bihar under this Act.
- **Conservation Plan:** The Conservation Action Plan for the Ganges River Dolphin 2010-2020, which “identified threats to Gangetic Dolphins and impact of river traffic, irrigation canals and depletion of prey-base on Dolphins populations”.

The **National Ganga River Basin Authority** (replaced by National Ganga Council) in 2009 and constituted a Working Group under the Patna University to prepare a Conservation Action Plan for the Gangetic Dolphin in 2009.
- **National Aquatic Animal:** In 2009, during the 1st meeting of the National Ganga River Basin Authority, the Gangetic river dolphin was declared as the national aquatic animal.
- The National Mission for Clean Ganga celebrates **5th October as National Ganga River Dolphin Day.**

Source IE

Extension of Tenure of Standing Committees

Why in News

The Rajya Sabha Secretariat is considering changing the rules governing the **Departmentally-Related Standing Committees’ (DRSC)** tenure to make it to two years from the present one year so that the **panels have enough time** to work on the subjects selected by them.

Key Points

- **Reason for Extension:** The tenure of all the DRSCs of Parliament **is ending** on 11th September, 2020 and they can’t hold deliberations till new panels are formed.
 - A significant amount of the tenure of the committees was lost due to the **Covid-19** pandemic.
 - Many of the panels have not been able to complete reports on the subjects they were working on. For example, the **Information Technology panel** could not complete deliberations on “**Safeguarding citizens’ rights and prevention of misuse of social/online news media platforms including special emphasis on women security in the digital space**”, for which it summoned Facebook recently.
- **Options Being Considered:**
 - To **extend the term of the panels for a year.**
 - To form **new committees with a fixed tenure of two years.**

- **Origin:** On the recommendation of the Rules Committee of the Lok Sabha, **17 DRSCs** were set up in the Parliament in **1993**. In **2004**, seven more such committees were set up, thus increasing their number from **17 to 24**.
- **Departmental Standing Committees:** Out of the 24 standing committees, **8 work under the Rajya Sabha and 16 under the Lok Sabha**.
- **Members:** Each standing committee consists of **31 members (21 from Lok Sabha and 10 from Rajya Sabha)**. The members of the Lok Sabha are **nominated by the Speaker**, just as the members of the Rajya Sabha are nominated by the Chairman from amongst its members

A minister is not eligible to be nominated as a member of any of the standing committees. In case a member, after his nomination to any of the standing committees, is appointed a minister, he then ceases to be a member of the committee
- **Tenure:** The term of office of each standing committee is **one year from the date of its constitution**.
- **Role:**
 - They secure more **accountability of the Executive** (i.e., the Council of Ministers) to the Parliament. Through Committees, Parliament exercises its control and influence over administration and keeps vigilance over the executive.
 - The Committees **aid and assist the Legislature in discharging its duties** and regulating its functions effectively, expeditiously and efficiently. They assist the Parliament in thoroughly and systematically scrutinising the matters which could not be discussed on the floor at length.
 - The Committees also provide the **expertise on a matter** which is referred to them.
- **New Draft Guidelines:** Recently, Rajya Sabha secretariat prepared **new draft guidelines for its standing committees**. The guidelines are still under review by the Lok Sabha Speaker. This may include:
 - A minimum 15 days' notice and confirmation by one-third of the members before holding a panel meeting.
 - Nomination of members based on their qualifications, interests and occupations.
 - At least 50% attendance while collecting evidence and adopting reports.

Parliamentary Committees

- The Constitution of India makes a mention of these committees at different places, but **without making any specific provisions regarding their composition, tenure, functions, etc.**
- Broadly, parliamentary committees are of two kinds—**Standing Committees and Ad Hoc Committees**.

- **Standing Committees : Permanent** (constituted every year or periodically) and **work on a continuous basis**. They can be categorized into following broad groups
 - **Financial Committees**
 - **Departmental Standing Committees (24)**
 - **Committees to Inquire**
 - **Committees to Scrutinise and Control**
 - **Committees Relating to the Day-to-Day Business of the House**
 - **House-Keeping Committees or Service Committees**
- **Ad Hoc Committees: Temporary** and cease to exist on completion of the task assigned.
 - Ad hoc committees can be divided into two categories, that is, Inquiry Committee and Advisory Committee.
 - Examples of Ad Hoc Committees: **Joint Committee on Bofors Contract, Joint Committee on Fertilizer Pricing etc.**

Way Forward

- The sittings of Parliament are **steadily declining over the years**. From 100-150 sittings in the 1950s, the number is down to 60-70 sittings per year in 2019-20. In such a scenario, a **major part of parliamentary work is done by DRSCs**. A longer tenure will help in completion of tasks and deliberations assigned to them.
- However, there is a need for a number of other **parliamentary reforms**. It has been seen that the majority of the bills were passed by the Parliament through a voice vote, without much debating and without referring them to the parliamentary committees. For example, **RTI Amendment Act (2019), UAPA Amendment Act (2019)** - which have huge implications on civil liberties, **were passed without referring them to the Parliamentary committee**.

Source: TH

State of the Young Child in India Report

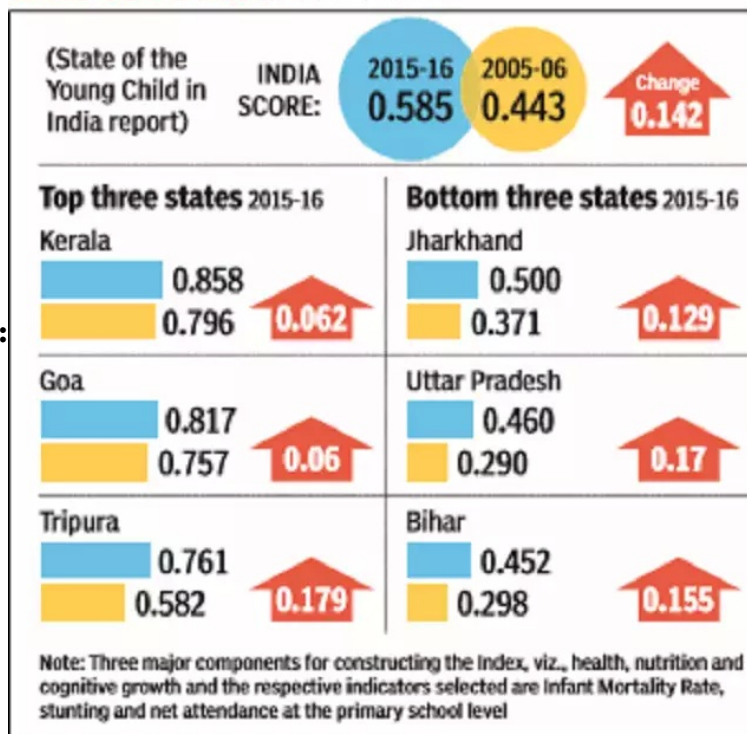
Why in News

Recently, the **State of the Young Child in India report** has been released by **Mobile Creches**, a non-governmental organisation (NGO).

- The **Young Child Outcomes Index (YCOI)** and the **Young Child Environment Index (YCEI)** are parts of the report.
- Mobile Creches works in the field of **early childhood care and development by ensuring creche services at construction sites and slum settlements** across several cities.

Key Points

IMPROVING SCORE



Young Child Outcomes Index:

- It measures **health, nutrition and cognitive growth of children in the 0-6 years age group** with the help of indicators such as **infant mortality rate, stunting and net attendance** at the primary school level.
 - It has been constructed for **2005-2006** and **2015-2016** to enable inter-state comparisons as well as provide an idea of change over time.
 - **Kerala, Goa, Tripura, Tamil Nadu and Mizoram** are among the top five states for the well-being of children.
 - **Assam, Meghalaya, Rajasthan, Chhattisgarh, Madhya Pradesh, Jharkhand, Uttar Pradesh and Bihar** have scores below the country's average.
 - The **overall India score is 0.585** on a scale of 0-1.
- **Young Child Environment Index:**
 - It helps to **understand the policy and environment enablers that influence a child's well-being.**

It uses **five policy enablers** that influence child well-being outcomes, including **poverty alleviation, strengthening primary health care, improving education levels, safe water supply and promotion of gender equity.**
 - It was constructed for **2015-2016 only** due to limitations of data availability.
 - **Kerala, Goa, Sikkim, Punjab and Himachal Pradesh** have secured the top five positions.
 - The **eight states with a below-average score on the YCOI have also performed poorly** on this one.
 - The **overall India score is 0.672.**

- **Analysis of Expenses:**
 - India spent **Rs. 1,723 per child in 2018–2019 towards child nutrition, healthcare, education and other necessary protection services** which is insufficient and fails to reach the entire eligible population.
 - It highlights that the **budgetary allocation** for the Ministry of Women and Child Development has **increased on a yearly basis however** all the additional funds have been allocated towards nutrition delivery under the **Integrated Child Development Scheme** (ICDS).
 - While the population of children under six years of age is 158.8 million, the ICDS covers only 71.9 million children as calculated from the total number of beneficiaries across states.
 - Out of the 159 million children aged below 6 years in India, 21% are undernourished, 36% are underweight and 38% do not receive full immunisation.
 - The report **calls for an increase in public spending on children.**

Way Forward

- The Government of India has introduced several comprehensive policies and flagship programmes like the ICDS and the **National Nutrition Mission (Poshan Abhiyan)** for early childhood development in the country but the need of the hour is to implement them effectively through proper coordination among various ministries.
- The recently unveiled **National Educational Policy, 2020** among other schemes and programmes like **Mid Day Meal Scheme, Indira Gandhi Matritva Sahyog Yojana (IGMSY), National Nutrition policy 1993**, etc. towards ensuring early childhood care and comprehensive education has to be implemented properly to ensure universal access to high-quality early childhood care and education across the country in a phased manner.
- For a country, poor early childhood development could mean economic loss. The importance of this aspect of national development needs to be understood and effective steps should be taken to ensure that all children have a healthy start to their lives.

Source: TH

Revised Priority Sector Lending Guidelines

Why in News

Recently, the **Reserve Bank of India (RBI)** released revised **Priority Sector Lending (PSL)** guidelines, which align with emerging national priorities and also bring sharper focus on inclusive development.

The PSL guidelines were last reviewed for **commercial banks in April 2015** and for **Urban Co-operative Banks (UCBs) in May 2018.**

Key Points

- **Revised Guidelines:**

- **Fresh Categories:** Bank finance to **start-ups up to Rs. 50 crore**, loans to farmers for installation of solar power plants for **solarisation of grid connected agriculture pumps** and loans for **setting up Compressed BioGas plants** have been included as fresh categories eligible for finance under priority sector.
- **Farmers' Related:** Higher credit limit has been specified for **Farmers Producers Organisations (FPOs)** undertaking farming with assured marketing of their produce at a predetermined price.
 - Loans for these activities will be subject to an **aggregate limit of Rs. 2 crore** per borrowing entity.
 - The targets prescribed for **small and marginal farmers** and **weaker sections** will be increased in a phased manner.
 - It has defined **farmers with land holding of up to one hectare as marginal farmers**, and farmers with a landholding of **more than one hectare and up to 2 hectares as small farmers**.
- **Boosting Credit:** The credit limits for renewable energy, health infrastructure, including the projects under '**Ayushman Bharat**', have been doubled.
 - Bank loans up to a limit of **Rs. 30 crore** to borrowers for purposes like solar-based and biomass-based power generators, windmills, non-conventional energy-based public utilities, etc. For individual households, the loan limit will be **Rs. 10 lakh per borrower**.
 - Bank loans up to a **limit of Rs.10 crore per borrower** for building healthcare facilities including under 'Ayushman Bharat' in Tier II to Tier VI centres, have been allowed.
- **Addresses Disparity:** It seeks to **address** the issues concerning **regional disparities** in the **flow of priority sector credit at district level** which includes:
 - Ranking districts on the basis of per capita credit flow to the priority sector.
 - **Building an incentive framework** for districts with comparatively low flow of credit and a **dis-incentive framework** for districts with comparatively high flow of priority sector credit.
 - Higher weightage has been assigned to priority sector credit in 'identified districts' where priority sector credit flow is comparatively low.

- **Benefits:**

Revised PSL guidelines will enable better credit penetration to credit deficient areas; increase the lending to small and marginal farmers and weaker sections; boost credit to renewable energy, and health infrastructure.

Priority Sector Lending

- The RBI mandates banks to lend a certain portion of their funds to **specified sectors**, like **agriculture, Micro, Small and Medium Enterprises (MSMEs), export credit, education, housing, social infrastructure, renewable energy** among others.
 - All **scheduled commercial banks** and **foreign banks** (with a sizable presence in India) are mandated to set aside **40% of their Adjusted Net Bank Credit (ANDC)** for lending to these sectors.
 - **Regional rural banks, co-operative banks** and **small finance banks** have to allocate **75% of ANDC** to PSL.
- The idea behind this is to ensure that adequate institutional credit reaches some of the vulnerable sectors of the economy, which otherwise may not be attractive for banks from the profitability point of view.

Source: IE

Indo-China Defence Ministerial Meet

Why in News

The **Indo-China Defence Minister level meet** happened **on the sidelines of the Shanghai Cooperation Organisation (SCO)** Defence Ministers' meeting in Moscow (Russia) on 4th September 2020.

Key Points

- **Significance of the Meet:** The **first high-level political face-to-face meeting** between India and China **since the border row erupted along the Line of Actual Control (LAC) in eastern Ladakh**.
 - India pushed for the restoration of status quo ante at all friction points along the Line of Actual Control (LAC) in eastern Ladakh and called for disengagement of troops in an expeditious way.
- **Background:**
 - The Indian and Chinese armies are engaged in the standoff at **Pangong Tso, Galwan Valley, Demchok and Daulat Beg Oldie** in eastern Ladakh.
 - The **actions on the northern bank of Pangong Tso** are not just for territorial gains on land, but enhanced domination of the **resource-rich lake**.
 - **Pangong Tso** is overlooked by the **Finger Area** - a set of eight cliffs extending out of the Sirijap range (on the northern bank of Lake).
 - The **stand-off at Ladakh's Galwan Valley** has escalated in recent weeks due to the infrastructure projects that India has undertaken in the recent years. India is building a strategic road, **Darbuk-Shyok-Daulat Beg Oldie (DSDBO) road**, through the Galwan Valley - close to China - connecting the region to an airstrip.
 - **China is opposed to any Indian construction** in the area. A stand-off in the Galwan area was one of the biggest flashpoints of the **1962 war**.

Line of Actual Control

- The LAC is the **demarcation that separates Indian-controlled territory from Chinese-controlled territory**. India considers the LAC to be 3,488 km long, while the Chinese consider it to be only around **2,000 km**.
- It is divided into **three sectors**:
 - The eastern sector which spans **Arunachal Pradesh and Sikkim**.
 - The middle sector in **Uttarakhand and Himachal Pradesh**.
 - The western sector in **Ladakh**.
- The India-China LAC in Ladakh is an outcome of the territory illegally retained by China after the 1962 conflict. The **Chinese occupation of parts of Aksai Chin** is not supported by historical or legal documents.



India’s Statement at SCO

- **Peace and Prosperity:** India stressed upon a peaceful, stable and secure region of SCO member states.
 - Prosperity and stability in the region demand a climate of trust and cooperation, non-aggression, respect for international rules, sensitivity to each other’s interest and peaceful resolution of differences.
 - India is committed to the evolution of a **global security architecture** which will be open, transparent, inclusive, rules-based and anchored in international laws.

- **On the Regional Situation:** India expressed concern at
 - The security situation in **Afghanistan**.
 - The **SCO contact group on Afghanistan** is useful for arriving at a formal agreement among SCO member States.
 - It was conceived In 2005 and was brought into action in 2017 **at the level of deputy foreign ministers**.
 - The Group envisages joint actions to enhance cooperation in security, trade, the economy as well as cultural and humanitarian ties.
 - **Gulf Region:** India called upon the **Gulf countries** to resolve differences between them by “dialogue based on mutual respect, sovereignty and non-interference in internal affairs of each other”.
- **Terrorism:** India unequivocally **condemns terrorism in all forms and manifestations**, and condemns its proponents and asserted the **need to build institutional capacity** to deal with both traditional and non-traditional threats — above all, terrorism, drug-trafficking and transnational crime.

Shanghai Cooperation Organization

- It was formed in the year 2001 and headquartered at Beijing, China.
- **Geographic Extent:** SCO is a significant organization that has a vast geographic expanse and is important for **Central Asia, South-Asia and Asia-Pacific** region.
 - It is a **major Eurasian organization** that represents half of the world’s population.
 - It is a **permanent intergovernmental international organisation**.
- **Member-states:** The SCO has **eight members** namely India, Kazakhstan, China, Kyrgyzstan, Pakistan, Russia, Tajikistan and Uzbekistan, and **four observer states** - Afghanistan, Belarus, Iran and Mongolia.

India joined SCO in 2017 at the insistence of Russia, and China balanced India’s entry with the entry of Pakistan.
- **Permanent Bodies:** The organisation has two permanent bodies — the **SCO Secretariat** based in **Beijing** (China) and the **Executive Committee of the Regional Anti-Terrorist Structure (RATS)** based in **Tashkent** (Uzbekistan).
- **Significance:** It has the capacity to counterbalance the **North Atlantic Treaty Organization**.
- **Mandate:** SCO has an evolving mandate which started off by being an **economic, political, cultural and regional security** organization.

Way Forward

- In April 2020, **India and China completed their 70 years of diplomatic relations**. Both sides should acknowledge that the situation is precarious, and that the recent days in particular have undone decades of painstakingly negotiated confidence-building mechanisms.

- For India, the first priority has to be to restore the status quo ante at the border as it existed in April 2020. This will require both a display of military strength at the border by standing up to Chinese aggression, and **diplomatic work** by making it clear to China that its intervention will lead to heavy costs across all spheres of the relationship.
- Through the **platform of SCO**, India has a clear opportunity to highlight the real values of **Indian Foreign Policy**.

Source: TH

5th BRICS Culture Ministers' Meet

Why in News

The **5th BRICS Culture Ministers' Meeting** was held through a video conference under the **Chairpersonship of Russian Federation**.

The delegates from Culture Ministries of the **BRICS nations - Brazil, Russia, India, China and South Africa** - participated in the meeting.

Key Points

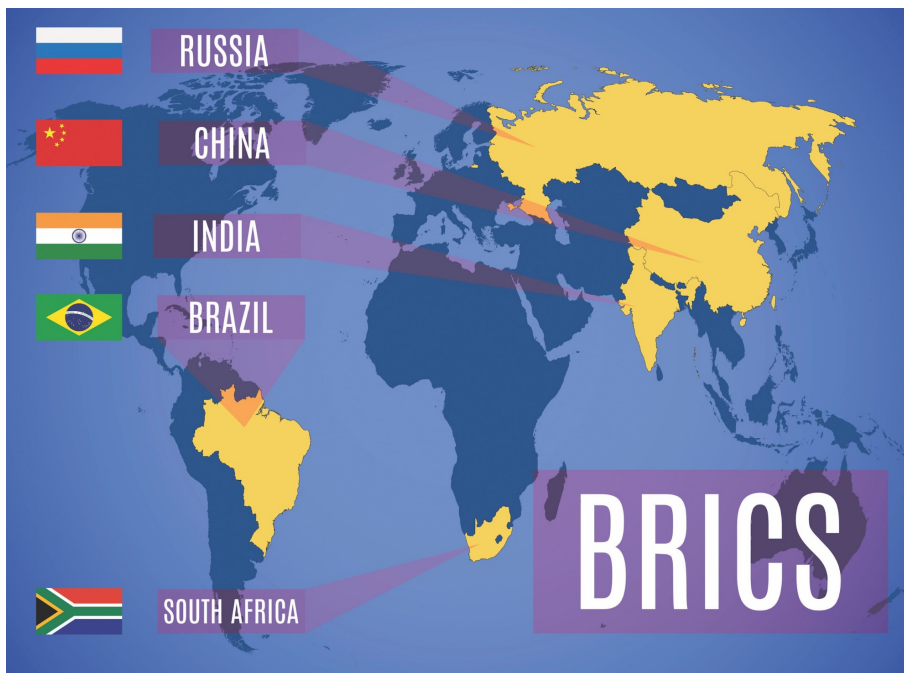
- **Discussions Held:**
 - Impact of the **Covid-19** situation on the cultural sphere in the BRICS countries.
 - Review of the **possible implementation of joint cultural online-projects** within BRICS.
- **Suggestions Given by India:**
 - **Digitisation:**
 - Exploring possibilities of hosting a **Digital Online Exhibition** on a shared theme towards the end of 2021 under the auspices of **BRICS Alliance of Museums**.
 - Extending full cooperation and **content sharing for the website envisaged** under the BRICS Alliance.
 - **BRICS Corner:** Opening the BRICS Corner under the auspices of **BRICS Alliance of Libraries** proposed **to be inaugurated during India's BRICS Presidency in 2021**. The Corner will disseminate information related to the history and culture of BRICS countries.
- **Joint Exhibition to be Organised by India:** The **National Gallery of Modern Arts, New Delhi** will host the **BRICS Joint Exhibition** titled '**Bonding Regions & Imagining Cultural Synergies**' under the auspices of the **BRICS Alliance of Art Museums and Galleries** in **2021**.

- **Cultural Cooperation among BRICS Nations:**

- In **2018**, the BRICS nations endorsed **institution-to-institution collaborations** in the form of BRICS Alliance of Museums, BRICS Alliance of Art Museums and Galleries.
- In **2017**, the **agreement on cooperation in the field of culture (2017-21)** between the governments of BRICS nations was signed.

BRICS

- BRICS is an **acronym** for the grouping of the world's leading emerging economies, namely **Brazil, Russia, India, China, and South Africa**.
 - In 2001, the British Economist **Jim O'Neill coined the term BRIC** to describe the four emerging economies of Brazil, Russia, India, and China.
 - The grouping was **formalised** during the first meeting of BRIC Foreign Ministers' in **2006**.
 - **South Africa** was invited to join BRIC in December **2010**, after which the group adopted the acronym BRICS.
- The **chairmanship of the forum is rotated annually among the members**, in accordance with the acronym B-R-I-C-S.
- During the **Sixth BRICS Summit in Fortaleza** (Brazil) in **2014**, the leaders signed the Agreement establishing the **New Development Bank** (NDB - Shanghai, China). They also signed the **BRICS Contingent Reserve Arrangement** to provide short-term liquidity support to the members.



Way Forward

- Culture is a particularly **opportune area** because most BRICS countries have historical or even ancient ties with one another. For instance, India, China and Russia were all connected by the **ancient Silk Route**, which was a corridor not only for trade, but also for religions and philosophies. Cultural cooperation can **reduce conflicts** and lead to **peace** among the BRICS nations.
- The **New Development Bank has a definite role here**. Numerous tourist destinations need investment in infrastructure—roads to drive, facilities like hotels and motels, and rail and aviation infrastructure linking the multiple BRICS centers.

Source: PIB

Revised Guidelines for Parole and Furlough: MHA

Why in News

Recently, the Union **Ministry of Home Affairs (MHA)** has revised the **Model Prison Manual, 2016** guidelines related to parole and furlough.

Key Points

- **Revised Guidelines:**
 - The MHA has asked states to **not release prisoners**, on **parole** and **furlough**, who are considered a threat to the security of the state or to individuals.
 - Imprisonment besides being a mode of punishment also **aims at protecting the society from criminal activities**, therefore **release on parole is not an absolute right** but a concession.
 - A **balance** is, therefore, considered essential between ensuring the rights of inmates and protecting the society from further harm.
 - The **parole rules of states to be reviewed** about the benefits and detriments of such parole.
 - Parole and furlough may **not be granted as a matter of routine** and may be **decided by a committee of officers and behavioural experts**, especially for inmates sentenced for sexual offences and serious crimes such as murder, child abduction, violence etc.
 - **Inclusion of an expert psychologist/ criminologist/correctional administration expert** as a member of the sentence review board and in the committee which decides grant of parole and furlough to inmates and obtain their opinion before such temporary release.

- **Background:**

- In the wake of the **Covid-19 pandemic**, states are under pressure to release prisoners in order to avoid overcrowding in prisons. Earlier, the **Supreme Court of India** has also passed orders on measures taken **to decongest** prisons, correction homes and detention centres due to the Covid-19 outbreak.

Prison is a state subject and **all states have their own rules** for parole, furlough, remission and premature release based on good conduct of the prisoners.

- The MHA guidelines came in the **backdrop of reports** of several prisoners being released on parole and furlough and some of them committing crimes out of jail.

Parole and Furlough

- **Parole:** It is a system of **releasing a prisoner with suspension of the sentence**. The release is conditional, usually subject to behaviour, and requires periodic reporting to the authorities for a set period of time.
 - **Parole is not a right**, and is given to a prisoner for a specific reason, such as a death in the family or a wedding of a blood relative.
 - It may be denied to a prisoner even when he makes out a sufficient case, if the competent authority is satisfied that releasing the convict would not be in the interest of society.
- **Furlough:**
 - It is similar to parole, but with some significant differences. It is given in cases of **long-term imprisonment**. The period of furlough granted to a prisoner is treated as **remission of his sentence**.
 - Unlike parole, **furlough is seen as a matter of right for a prisoner**, to be granted periodically irrespective of any reason, and merely to enable the prisoner to retain family and social ties, and to counter the ill-effects of prolonged time spent in prison.
- Both parole and furlough are considered as **reformatory processes**. These provisions were introduced with a view to **humanising the prison system**.
 - Parole and furlough are covered under the **Prisons Act of 1894**.

Way Forward

It is important for state authorities to review their guidelines to ensure that the facility and concession given to inmates, by way of parole, furlough and premature release etc. with the intention of providing them relief and rehabilitation, is not abused and misused by them and their advantage does not turn into disadvantage and nuisance for the society at large.

Source: IE

Proposed Amendment to Railways Act 1989

Why in News

Recently, the **Ministry of Railways** has **proposed to decriminalise begging** on trains or railway premises and **compound the offence of smoking by levying spot fine and dropping all charges/action** against the person involved.

These changes are part of an exercise to **decriminalise/rationalise penalties under the provisions of the Railway Act, 1989**.

Key Points

- **On Begging:**
 - **Current Provision: Section 144 (2) of the Act** holds that if any person begs in any railway carriage or upon a railway station, s/he shall be **liable for punishment of either imprisonment** for a term that may extend to one year, or with **a fine** that may extend to Rs. 2,000, **or with both**.
 - **Proposed Amendment:** Now the **proposal** is to amend the Section by stating that “No person shall be permitted to beg in any railway carriage or upon any part of the Railway”.
 - In **2018, Delhi High Court quashed a similar law** that made begging in the national capital a punishable offence and held that **law does not make any distinction between types of begging: voluntary or involuntary**.
 - The law violated **Article 14** (Equality before Law) and **Article 21** (Right to Life and Personal Liberty) of the Constitution.
 - The Court held that the **State cannot fail to do its duty to provide a decent life to its citizens and add insult to injury by arresting, detaining and, if necessary, imprisoning persons who beg** in search for essentials of bare survival.
 - It noted that the **city governments can bring in alternative legislation to curb any racket of forced begging** after undertaking an empirical examination on the sociological and economic aspects of the matter.
- **On Smoking:**
 - **Current Provision: Section 167 of the Act** holds that **no person in any compartment of a train shall**, if objected to by any other passenger, **smoke therein**. Irrespective of any objections raised, the railway **administration may prohibit smoking** in any train or part of a train. Whosoever contravenes these provisions shall be **punishable with a fine** that may extend to Rs.100.
 - **Proposed Amendment:** If the person liable to pay the fine is willing to pay it immediately, the officer authorised may **compound the offence by charging the maximum fine** which will be paid to the railway administration. Provided that, the **offender shall be discharged and no further proceeding** shall be taken against him/her in respect of such offence.

Beggary

- **Definition of Beggary:**
 - The **Bombay Prevention of Begging Act, 1959** defines **beggary** as an activity of having no visible means of subsistence, and wandering about or remaining in any public place in such condition or manner, as makes it likely that the person doing so exists by soliciting or receiving alms.
 - However, the provisions of legislation **aim to effectively "cleanse" these spaces of individuals who appear poor or destitute.**
- In India, begging was **first criminalised in the 1920s**, as part of a **colonial logic** that sought to subjugate certain communities by imputing criminality to them.
- **Beggary Laws In India:**
 - There is **no central Act on beggary**, however, many States and Union Territories have used certain sections of the Bombay Prevention of Beggary Act, 1959, as the basis for their own laws.
 - The act of begging in Delhi was made a criminal offence after the 1959 Act was **extended to Delhi** by a **Central government amendment in 1960.**
 - Through these legislations, the governments try to maintain public order, address forced begging or “begging rackets”, and prevent annoyance to tourists.

Major Provision Related to Smoking

- The **Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003** (COTPA) is the principal comprehensive law governing tobacco control in India.
- In **2004, India ratified the World Health Organisation Framework Convention on Tobacco Control** (WHO-FCTC) which came into force in 2005.

Source: TH
