



News Analysis (02 Feb, 2021)

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UK Visa Scheme For Hong Kong Residents

Why in News

Recently, the **UK has launched a special visa scheme that will allow the Hong Kong residents** a chance to migrate and eventually apply for British citizenship.

- The move came months after China imposed a **national security law** over Hong Kong enabling it to curb the 2019 pro-democracy like protests in future and also to **override the powers of the government** in Hong Kong.
- The move is **considered the UK's most generous welcoming of foreign workers** since the entry of new **European Union (EU)** citizens in 2004 - when 10 countries were added to the bloc - at a time when the UK was also a member. The **UK officially left the EU** on 31st January 2020.

Key Points



- **Background:**

- Since July 2020, after the national security law was implemented, the **British government has already allowed around 7,000 people from Hong Kong** to move to its shores.
- These were **allowed permission to migrate not through the visa scheme, but through government action on compassionate grounds.**
- In response to the Law, **Australia, Britain** and Canada have also suspended their **extradition treaties** with Hong Kong.

- **Conditions for the Special Visa Scheme:**

- The visas will be issued to those in Hong Kong holding a **British National (Overseas) passport** and their immediate dependents, and will offer a fast track to UK citizenship.
- Applicants who get the visa **can live and work in the UK for 5 years**, after which they **apply for settlement. Twelve months after this, they can apply for citizenship.**

- **Reason for Announcing Visa Scheme (National Security Law):**
 - **Threat from National Security Law:** China implemented new national security law for Hong Kong, that **could impose the People's Republic of China's arbitrary and opaque criminal system onto the Hong Kong common law system.**
 - **National security act** is seen as breach of the **Basic Law, the mini-constitution** which defines ties between Hong Kong and Beijing (China's capital).
 - **Provisions of National Security Law:**
 - Crimes of **secession, subversion, terrorism and collusion with foreign forces** are punishable by a maximum sentence of life in prison.
 - **Damaging public transport facilities** can be considered terrorism.
 - Those found guilty will **not be allowed to stand for public office.**
 - **Establishment of a new security office in Hong Kong**, with its own law enforcement personnel - neither of which would come under the local authority's jurisdiction.
 - Hong Kong will **have to establish its own national security commission** to enforce the laws, with a China-appointed adviser.
 - This office can send some cases to be tried in mainland China.
 - Hong Kong's chief executive will have the power to appoint judges to hear national security cases, raising **fears about judicial autonomy of Hong Kong.**
 - **China** will also have the **power over how the law should be interpreted.**
- **UK's Stand:**

The imposition of the security law “**a serious and clear breach of the Sino-British Joint Declaration**”, referring to a **1984 treaty** between the two countries.

Under the Treaty, **China promised to honour Hong Kong's liberal policies**, system of governance, independent judiciary, and individual freedoms **for a period of 50 years from 1997.**
- **China's Stand:**
 - China **criticised the UK move.** The British side **disregarded the fact that Hong Kong returned to China 24 years ago.**
 - China also said that it would **no longer be recognising BN(O) passports**, saying that the **citizenship offer “seriously infringed” on China's sovereignty.**

The Handover of Hong Kong from Britain to China

- **Hong Kong was formerly a British colony** and was **handed over to mainland China in 1997**, becoming one of its **Special Administrative Regions (SAR).**

- It is **governed by a mini-constitution called the Basic Law**, which affirms the principle of “**one country, two systems**”.
- The constitutional document is a product of the **1984 Sino-British Joint Declaration**, under which China promised to honour Hong Kong’s liberal policies, system of governance, independent judiciary, and individual freedoms for a period of 50 years from 1997.

Way Forward

- The present Visa regime **will enable the people of Hong Kong to evade the secretive, authoritarian and coercive actions of China** under national security act, however long term solutions can be attained by arbitration and conciliation with all the stakeholders to secure the interests of people of Hong Kong.
- **National security law endangers Hong Kong’s position as an East Asian trading hub**, and along with the UK's action it should invite global criticism for Beijing, which is already being accused of withholding key information related to the **Covid-19 pandemic**.

Source: IE

Ageing Dams of India: UN Report

Why in News

According to a **United Nations** (UN) report "**Ageing water infrastructure: An emerging global risk**", over 1,000 large **dams in India** will be roughly 50 years old in 2025 and such ageing embankments across the world pose a growing threat.

- The report, compiled by **Canada-based Institute for Water, Environment and Health**, says the world is unlikely to witness another large dam-building revolution as in the mid-20th century, but dams constructed then will inevitably be showing their age.
- The analysis includes dam decommissioning or ageing case studies from the **USA, France, Canada, India, Japan, and Zambia and Zimbabwe**.

Key Points

- **Global Scenario:**

- Most of the **58,700 large dams** worldwide were **constructed between 1930 and 1970** with a design life of 50 to 100 years.
- **By 2050**, most people on Earth will **live downstream of tens of thousands of large dams built in the 20th century**, many of them already operating at or beyond their design life.

At 50 years, a large concrete dam “would most probably begin to express signs of ageing.”

- **Ageing signs 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 - “strongly interconnected” manifestations.
- **32,716 large dams (55% of the world's total) are found in just four Asian countries:** China, India, Japan, and South Korea - a majority of which will reach the 50-year threshold relatively soon.

The same is true of many large dams in Africa, South America, and Eastern Europe.

- **Indian Scenario:**

- **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.

The **number of such dams will increase to 4,400 by 2050.**
- This means that **80% of the nation’s large dams face the prospect of becoming obsolete** as they will be 50 years to over 150 years old.
- The **situation with hundreds of thousands of medium and minor dams is even more dangerous** as their shelf life is even lower than that of large dams.
- **Examples: Krishna Raja Sagar dam was built in 1931** and is now 90 years old. Similarly, **Mettur dam was constructed in 1934** and is now 87 years old. Both these reservoirs are located in the water scarce **Cauvery river basin**.

- **Problems:**

- **Decreasing Storage Capacity:**

- As dams age, **soil replaces the water in the reservoirs**. Therefore, the storage capacity cannot be claimed to be the same as it was in the 1900s and 1950s.
 - The storage space in Indian reservoirs is receding at a rate faster than anticipated.

- **Flawed Design:**

- Studies show that the **design of many of India's reservoirs is flawed**.
 - Indian reservoirs are **designed with a poor understanding of sedimentation science**.
 - The designs **underestimate the rate of siltation and overestimate live storage capacity** created.

- **High Siltation Rates:**

It refers both to the increased concentration of suspended sediments and to the increased accumulation (temporary or permanent) of fine sediments on bottoms where they are undesirable.

- **Consequences:**

- **Less Water:**

When soil replaces the water in reservoirs, supply gets choked. The **cropped area begins receiving less and less water** as time progresses.

- **Impact on Groundwater:**

The net sown water area either shrinks in size or **depends on rains or groundwater, which is overexploited**.

- **Affecting Farmers' Income:**

- The farmer's income may get reduced as **water is one of the crucial factors for crop yield along with credit, crop insurance and investment**.
 - It is important to note that **no plan on climate change adaptation will succeed with sediment packed dams**.

- **Frequent Flood:**

- The designed **flood cushions 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.

- **Step Taken:**

Recently, the Cabinet Committee on Economic Affairs has approved the **Dam Rehabilitation and Improvement Project (DRIP)** Phase II and Phase III.

It envisages **comprehensive rehabilitation of 736 existing dams** located across the country and complements the **Dam Safety Bill, 2019**.

Way Forward

- The nation will eventually be **unable to find sufficient water in the 21st century** to feed the rising population by 2050, grow abundant crops, create sustainable cities, or ensure growth. Therefore, **it is imperative for all stakeholders to come together to address this situation urgently.**
- A **preventive mechanism to avoid dam failures** is necessary because if a dam fails, no amount of punishment can compensate for the loss of lives.
- **Dam decommissioning should be seen as equally important as dam building** in the overall planning process on water storage infrastructure developments.
- **With the changing climate**, it has become absolutely essential to really think about the issue of water carefully and proactively.

Source: TH

Regulations on FCRA Contributions

Why in News

Recently, the **Ministry of Home Affairs (MHA)** issued **new regulating guidelines to banks under Foreign Contribution (Regulation) Act, 2010**. It states that the **donations received in Indian rupees by non-governmental organisations (NGOs)** and associations **from any foreign source** (even if that source is located in India at the time of such donation) should be treated as **foreign contribution**.

Key Points

- **About the New Guidelines:**
 - **Widening the Scope of Foreign Contribution:** Under the issued regulations, donations given in Indian rupees (INR) by any foreigner/foreign source including foreigners of Indian origin like **Overseas Citizen of India (OCI)** or **Person of India Origin (PIO)** cardholders should also be treated as foreign contribution.
 - **Meeting the Standards of FATF:** The guidelines mandate that good practices should be followed by NGOs in accordance with standards of global financial watchdog- **Financial Action Task Force (FATF)**.
It asked NGOs to inform the Ministry about “suspicious activities” of any donor or recipient and “take due diligence of its employees at the time of recruitment.”

- **Existing Rules:**
 - **Mandatory Reporting by Banks:**

All banks have to report the receipt or utilisation of any **foreign contribution by any NGO**, association or person to the Central government **within 48 hours**, whether or not they are registered or granted prior permission under the **Foreign Contribution Regulation Act (FCRA) 2010**.
 - **Prescribed Banking Channels:**
 - In September 2020, the **Foreign Contribution (Regulation) Amendment Act (FCRA), 2020** was passed by the Parliament.
 - A new provision that **makes it mandatory for all NGOs to receive foreign funds in a designated bank account at the State Bank of India's New Delhi branch** was inserted.
 - All NGOs seeking foreign donations have to open a designated FCRA account at the SBI branch or link their existing account to it.
- **Reasons for FCRA Regulations:**
 - The annual inflow of foreign contribution has almost doubled between the years 2010 and 2019, but many recipients of foreign contribution **are being not utilised the same for the purpose for which they were registered or granted prior permission** under amended provisions of the FCRA 2010.

Recently, the Union Home Ministry has **suspended licenses of the six (NGOs)** who were alleged to have used foreign contributions for religious conversion.
 - To ensure that such contributions **do not adversely affect the internal security** of the country.

Recently the **National Investigation Agency (NIA)** registered a case against a foreign based group that provides funds for secessionist and pro-Khalistani activities in India.
 - These regulations **could enhance transparency and accountability** in the receipt and utilisation of foreign contributions.
- **Controversies Related to FCRA:**
 - **Scope not defined:** It prohibits the receipt of foreign contributions “for any activities detrimental to the national interest” or the “economic interest of the state”.

However, there is no clear guidance on what constitutes “public interest”.
 - **Limits Fundamental Rights:** The FCRA restrictions have **serious consequences on both the rights to free speech and freedom of association** under **Articles 19(1)(a) and 19(1)(c)** of the Constitution.

Foreign Contribution (Regulation) Act (FCRA), 2010

- Foreign funding of persons in India is regulated under FCRA Act and is implemented by **the Ministry of Home Affairs**.
Individuals are permitted to accept foreign contributions without permission of MHA. However, the monetary limit for acceptance of such **foreign contributions shall be less than Rs. 25,000**.
- The Act ensures that the recipients of foreign contributions **adhere to the stated purpose for which such contribution has been obtained**.
- Under the Act, organisations are required to register themselves **every five years**.

Foreign Contribution (Regulation) Amendment Act, 2020

- **Prohibition to accept foreign contribution:** The Act bars public servants from receiving foreign contributions. Public servant includes any person who is in service or pay of the government, or remunerated by the government for the performance of any public duty.
- **Transfer of foreign contribution:** The Act prohibits the transfer of foreign contribution to any other person not registered to accept foreign contributions.
- **Aadhaar for registration:** The Act makes Aadhaar number mandatory for all office bearers, directors or key functionaries of a person receiving foreign contribution, as an identification document.
- **FCRA account:** The Act states that foreign contribution must be received only in an account designated by the bank as FCRA account in such branches of the State Bank of India, New Delhi.
- **Reduction in use of foreign contribution for administrative purposes:** The Act proposes that not more than 20% of the total foreign funds received could be defrayed for administrative expenses. In FCRA 2010 the limit was 50%.
- **Surrender of certificate:** The Act allows the central government to permit a person to surrender their registration certificate.

Way Forward

- **Excessive regulation on foreign contribution may affect working of the NGOs** which are helpful in implementing government schemes at the grassroots. They fill the gaps, where the government fails to do their jobs.
- The regulation **should not hamper sharing of resources across national boundaries** essential to the functioning of a global community, and should not be discouraged unless there is reason to believe the funds are being used to aid illegal activities.

Source: TH

Vaghai-Bilimora Heritage Line

Why in News

The **Western Railway** has decided to **not stop the services of three trains**, including the **107-year-old narrow gauge heritage train between Vaghai and Bilimora**, in Gujarat permanently.

- Other **two narrow gauge** trains run between **Miyagam, Choranda and Malsar**, and **Choranda junction and Moti Karal**.
- In rail transport, track gauge or track gage is the **spacing of the rails** on a railway track.

Key Points

- **Background:**

The **Ministry of Railways**, previously issued a letter to the Western Railway ordering permanent closure of 11 "**uneconomic branch lines**" and **narrow gauge sections** of the Western Railway, including **three from Gujarat**.

- **About the Vaghai-Bilimora Train:**

- It started in 1913, was a remnant of **Gaekwad dynasty** who ruled the **princely state of Baroda**. **Tribal people** from the interior commute by this train regularly. The train covers a distance of **63 kilometres**.
- At the instance of Gaekwad rulers, the British laid railway tracks and it **was operated by Gaekwad Baroda State Railway (GBSR) owned by Sayajirao Gaekwad III**.
 - The **Gaekwad jurisdiction was spread across** parts of Saurashtra, Mehsana in north Gujarat, and Bilimora in South Gujarat.
 - The **founder of the dynasty was Damaji I** who had risen to power by 1740. The **last Gaekwar, Sayaji Rao III**, died in 1939.
- For about 24 years the train **was run by a steam engine**, which was replaced by a diesel engine in 1937.
 - In 1994, the **original steam engine was put on the display at Churchgate Heritage Gallery in Mumbai**.
- This was much before the Western Railway came into existence in 1951 with the merger of the Bombay, Baroda & Central India Railway, the Saurashtra, Rajputana and Jaipur state Railways.
- The 63-km Billimora-Vaghai and the 19-km Choranda-Moti Karal routes are **among those five routes the Indian Railways had proposed to be preserved as "industrial heritage"** in 2018.

Source: IE
