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## News Analysis (27 Jul, 2021)

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### Emigration Bill 2021

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#### Why in News

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Recently, the Ministry of External Affairs (MEA) invited public inputs to the **Emigration Bill 2021**. The Bill presents a long overdue opportunity to reform the **recruitment process for nationals seeking employment abroad**.

#### Key Points

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- **Key Features of the Bill:**

- The Bill intends to replace the **Emigration Act of 1983**.
- The Bill envisages **comprehensive emigration management, institutes regulatory mechanisms governing overseas employment** of Indian nationals and establishes a **framework for protection and promotion** of welfare of emigrants.
- The bill proposes a **three-tier institutional framework**:
  - It launches a new emigration policy division in (MEA) which will be referred to as the **Central Emigration Management Authority**.
  - It proposes a **Bureau of Emigration Policy and Planning, and a Bureau of Emigration Administration** shall handle day-to-day operational matters and oversee the welfare of emigrants.
  - It proposes **nodal agencies under a Chief Emigration Officer** to ensure the welfare and protection of the emigrants.
- It permits government authorities to **punish workers by cancelling or suspending their passports** and imposing fines up to Rs 50,000 for violating any of the Bill's provisions.

When enforced, it can be used as a tool to **crackdown on workers who migrate through unregistered brokers** or via irregular arrangements such as on tourist visas.
- The proposed legislation will also maintain registration of human resources agencies, validity and renewal and cancellation of a certificate.

Besides, authorities will be empowered to have certain powers of the **civil court**.

- **Need for the Bill:**

- **Labour migration is governed by the Emigration Act, 1983** which sets up a mechanism for hiring through government-certified recruiting agents - individuals or public or private agencies.
  - It outlines obligations for agents to conduct due diligence of prospective employers, sets up a cap on service fees, and establishes a government review of worker travel and employment documents (known as emigration clearances).
  - The Emigration Act, 1983 enacted in the **specific context of large-scale emigration** to the Gulf, **falls short** in addressing the wide geo-economic, geo-political and geo-strategic impact that emigration has today.
- For years, independent investigations into migrant worker conditions have **underlined serious exploitative practices** which include:
  - Large recruitment charges,
  - Contract substitution,
  - Deception,
  - Retention of passports,
  - Non-payment or underpayment of wages,
  - Poor living conditions,
  - Discrimination and other forms of ill-treatment.
- For instance, in recent months, media reports have highlighted how the majority of migrant worker deaths in the **Arab Gulf States/West Asia** are attributed to heart attacks and respiratory failures, whose causes are unexplained and poorly understood.

- **Associated Issues:**

- **Lacks a Human Rights Framework:** The bill is criticised to be **lacking a human rights framework** aimed at securing the rights of migrants and their families. For example:
  - The penal provisions under the law, criminalizes the choices migrant workers make either because they are **unaware of the law, under the influence of their recruiters, or simply desperate to find a decent job.**
  - Further, migrants in an irregular situation who fear that they could be fined or have their passports revoked, are also **less likely to make complaints or pursue remedies for abuses faced.**
- **Not in Sync With International Standards:** The Bill permits manpower agencies to charge workers' service fees, and even allows agents to set their own limits.
  - However, International labour standards and the International Labour organization (**ILO**) general principles recognise that it is employers, not workers who should bear recruitment payments.
  - Worker-paid recruitment fees eat into their savings, force them to take high-interest loans, leave workers in situations of debt bondage — **a form of forced labour.**
- **Scant Gender Dimensions:** This Bill does not also adequately reflect the gender dimensions of labour migration.

Women have limited agency in recruitment compared to their counterparts and are more likely to be employed in marginalised and informal sectors and/or isolated occupations in which labour, physical, psychological, and sexual abuse are common.

## Way Forward

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- India needs to formulate migration centric policies, strategies, and institutional mechanisms in order to ensure inclusive growth and development and reduce distress induced migration.
- This will increase India's prospects for poverty reduction and achieving **Sustainable Development Goals.**

**Source: TH**

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## Insolvency and Bankruptcy Code (Amendment Bill), 2021

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### Why in News

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Recently, the government introduced the **Insolvency and Bankruptcy Code (Amendment Bill), 2021** in the Lok Sabha.

- The Bill is set to replace the **Insolvency and Bankruptcy Code Amendment Ordinance 2021** promulgated in April 2021.  
It introduced an **alternate insolvency resolution process** for **Micro, Small and Medium Enterprises (MSMEs)** with defaults up to Rs 1 crore called the **Pre-packaged Insolvency Resolution Process (PIRP)**.
- In March 2021 a sub-committee of the **Insolvency Law Committee (ILC)** recommended a **pre-pack** framework within the basic structure of the **Insolvency and Bankruptcy Code (IBC), 2016**.

## Insolvency and Bankruptcy Code

- It is a reform **enacted in 2016**. It **amalgamates various laws** relating to the insolvency resolution of business firms.
- It lays down **clear-cut and faster insolvency proceedings to help creditors**, such as banks, recover dues and prevent bad loans, a key drag on the economy.

## Key Words

- **Insolvency:** It is a situation where **individuals or companies are unable to repay** their outstanding debt.
- **Bankruptcy:** It is a **situation whereby a court of competent jurisdiction has declared a person or other entity insolvent**, having passed appropriate orders to resolve it and protect the rights of the creditors. It is a legal declaration of one's inability to pay off debts.

## Key Points

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- **Major Provisions:**
  - Distressed Corporate Debtors (CDs) are permitted to initiate a **PIRP** with the **approval of two-thirds of their creditors** to resolve their outstanding debt under the new mechanism.  
A corporate debtor is a corporate person **who owes debt to any other person**.
  - The PIRP also allows for a **Swiss challenge to the resolution plan** submitted by a CD in case operational creditors are not paid 100 % of their outstanding dues.  
A **Swiss Challenge** is a method of bidding, often used in public projects, in which an interested party initiates a proposal for a contract or the bid for a project.

- **About PIRP:**

- A pre-pack is the **resolution of the debt of a distressed company through an agreement between secured creditors and investors** instead of a public bidding process.

This system of insolvency proceedings has become an **increasingly popular mechanism** for insolvency resolution in the UK and Europe over the past decade.

- Pre-packs are **largely aimed at providing MSMEs with an opportunity to restructure their liabilities and start with a clean slate** while still providing adequate protections so that the system is not misused by firms to avoid making payments to creditors.
- Unlike in the case of **Corporate Insolvency Resolution Process (CIRP)**, **debtors remain in control of their distressed firm during the PIRP.**
- Under the **pre-pack system**, financial creditors will **agree to terms with a potential investor** and seek approval of the resolution plan from the **National Company Law Tribunal (NCLT)**.

- **Need of Pre-Packs:**

CIRP is a **time taking resolution**. At the end of December 2020, over 86% of the 1717 ongoing insolvency resolution proceedings had crossed **the 270-day threshold**.

- Under the IBC, **stakeholders are required to complete the CIRP within 330 days** of the initiation of insolvency proceedings.
- One of the key reasons behind delays in the CIRPs are **prolonged litigations by erstwhile promoters and potential bidders**.

- **Key Features of Pre-Packs:**

- **Insolvency Practitioner:**

- Pre-Pack **usually requires services of an insolvency practitioner** to assist the stakeholders in the conduct of the process.
- The extent of **authority** of the practitioner **varies across jurisdictions**.

- **Consensual Process:**

It envisages a **consensual process** - prior understanding among or approval by stakeholders about the course of action to address stress of a CD, before invoking the formal part of the process.

- **No requirement of Court Approval:**

- It does **not always require approval of a court**. Wherever it requires approval, the courts **often get guided by commercial wisdom of the parties**.
- Outcome of the pre-pack process, where approved by the court, is **binding on all stakeholders**.

- **Benefits of pre-packs:**
  - **Quick resolution:**
    - It is limited to a **maximum of 120 days** with only 90 days available to the stakeholders to bring the resolution plan to the NCLT.
    - Besides offering a way for MSMEs to restructure their debts, the pre-pack scheme could also **reduce the burden on benches of the NCLT** by offering a faster resolution mechanism than ordinary CIRPs.
  - **Minimises Disruptions to the Business:**

Existing **management retains control** in the case of pre-packs rather than resolution professionals in CIRP, hence **avoids the cost of disruption of business** and continues to retain employees, suppliers, customers, and investors.
  - **Addresses the entire liability side:**

PIRP will help **CD to enter into consensual restructuring** with lenders and **address the entire liability** side of the company.
- **Challenges of PIRP:**
  - **Raising additional capital:**

Initially **CDs may not raise additional capital or debt from Investors or Banks**, because of the risk involved in recovering the money being provided by these Investors and lenders.
  - **Small timeline:**

Resolution Plan under PIRP is 90 days with an additional 30 days to AA (Adjudicating Authority) for support of the scheme. It is **challenging for CoC (Committee of Creditors) members to decide on the Base resolution Plan within this short period** without any broad parameters on which the Resolution Plan be approved.

## Way Forward

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- While the PIRP is a timely effort to protect viable MSMEs, it is likely that operationalising it only for MSMEs now may just be the first step towards a sound Pre-pack and **will lead to a much wider coverage in the future** which, like the IBC, is expected to evolve with time and jurisprudence.
- The government should **consider setting up specific benches of the NCLT to deal with pre-pack resolution plans** to ensure that they are implemented in a time-bound manner.

Source: IE

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## Suspension of FCRA Certificate

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## Why in News

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The **Commonwealth Human Rights Initiative (CHRI)** has challenged the suspension of its **Foreign Contribution Regulation Act (FCRA) certificate** for 180 days.

The **Ministry of Home Affairs (MHA)** suspended **CHRI's certificate** in violation of various provisions of the FCRA Act.

## Key Points

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- **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 paid by 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 contributions 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.
  - **Other Regulations:**
    - **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 the 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.”
- **Argument of CHRI:**
  - The suspension order is contrary to the framework of the scheme set out under the FCRA Act and even the **suspension was passed without initiating any inquiry.**
  - The suspension order was based on wholly incorrect facts and violates basic **principles of natural justice.**

- **Issues 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.

## Commonwealth Human Rights Initiative (CHRI)

- CHRI is an **independent, non-partisan, international non-governmental organisation**, working for the practical realisation of human rights across the Commonwealth.
- **Headquarters:** New Delhi

## The Commonwealth

- **Origin:** It is one of the world’s oldest political associations of states. Its roots go back to the British Empire when some countries were ruled directly or indirectly by Britain.
  - Some of these countries became self-governing while retaining Britain’s monarch as Head of State. They formed the British **Commonwealth of Nations**.
  - In 1949, the Commonwealth came into being. Since then, independent countries from Africa, the Americas, Asia, Europe and the Pacific have joined the Commonwealth.
- **Membership:** The Commonwealth is a voluntary association of 54 independent and equal sovereign states.

Membership is based on free and equal voluntary cooperation. Rwanda and Mozambique - have no historical ties to the British Empire.

## Way Forward

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- 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

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## Tackling the Menace of Black Money

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## Why in News

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Recently, the **Union Minister of State for Finance** has stated in **Lok Sabha** that the **government's black money law** has helped detect several instances where Indians have been found stashing undisclosed income overseas.

## Key Points

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- **Black Money:**
  - There is **no official definition of black money in economic theory**, with several different terms such as parallel economy, black money, black incomes, unaccounted economy, illegal economy and irregular economy all being used more or less synonymously.
  - The simplest definition of black money could possibly be **money that is hidden from tax authorities**.
  - It can come from two broad categories:
    - **Illegal Activity:**

Money that is earned through illegal activity is obviously not reported to the tax authorities, and so is black.
    - **Legal but Unreported Activity:**

The second category comprises income from legal activity that is not reported to the tax authorities.
- **Impacts:**
  - **Loss of Revenue:**
    - Black money eats up a part of the tax and, thus, the **government's deficit increases**.
    - The government has to **balance this deficit by increasing taxes, decreasing subsidies and increasing borrowings**.
    - Borrowing leads to a further **increase in the government's debt due to interest burden**. If the government is unable to balance the deficit, it has to decrease spending, which affects development.
  - **Money Circulation:**
    - People generally tend to keep black money in the form of **gold, immovable property and other secret manners**.
    - Such money does not become part of the main economy and, therefore, remains generally out of circulation.
    - The black money keeps circulating among the wealthy and creates more opportunities for them.
  - **Higher Inflation:**
    - The infusion of **unaccounted black money** in the economy **leads to higher inflation**, which obviously hits the poor the most.
    - It also increases the disparity between the rich and the poor.

- **Government's Initiatives:**
  - **Legislative Action:**
    - **The Fugitive Economic Offenders Act, 2018**
    - **The Central Goods and Services Tax Act, 2017**
    - **The Benami Transactions (Prohibition) Amendment Act, 2016**
    - **The Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015**
    - **Prevention of Money Laundering Act, 2002.**
  - **International Cooperation:**
    - **Double Taxation Avoidance Agreements (DTAAs):**  
India is proactively engaging with foreign governments with a view to facilitate and enhance the exchange of information under Double Taxation Avoidance Agreements (DTAAs)/Tax Information Exchange Agreements (TIEAs)/Multilateral Conventions.
    - **Automatic Exchange of Information:**
      - **India has been a leading force** in the efforts to forge a **multilateral regime** for proactive sharing of **financial information** known as **Automatic Exchange of Information** which will greatly assist the global efforts to combat tax evasion.
      - The Automatic Exchange of Information based on Common Reporting Standard has commenced from 2017 enabling **India to receive financial account information of Indian residents in other countries.**
    - **Foreign Account Tax Compliance Act of USA:**  
**India has entered into an information sharing agreement** with the USA under the act.

## Way Forward

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Since, black money menace is still untamed, therefore a lot more needs to be done to tackle it. Some of the strengthening steps that can be taken are:

- **Appropriate legislative framework related to:** Public Procurement, Prevention of Bribery of foreign officials, citizens grievance redressal, **whistleblower** protection, **UID Aadhar**.
- **Setting up and strengthening institutions dealing with illicit money:** Directorate of Criminal Investigation Cell for Exchange of Information, Income Tax Overseas Units- ITOUs at Mauritius and Singapore have been very useful, Strengthening the Foreign TAX, Tax Research and Investigation Division of the CBDT.
- **Electoral Reforms:** Elections are one of the biggest channels to utilize the black money. Appropriate reforms to reduce money power in elections.

- **Imparting skills to personnel for effective action:** Both domestic and international training pertaining to the concerned area. For instance, the **Financial Intelligence Unit-India** makes proactive efforts to regularly upgrade the skills of its employees by providing them opportunities for training on anti-money laundering, terrorist financing, and related economic issues.

**Source: PIB**

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## **New Facilities Under Strategic Petroleum Reserves**

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### **Why in News**

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Recently, under the **Strategic Petroleum Reserves (SPR)** programme, the government has given approval for establishing **two additional facilities**.

In 2020, **India filled its strategic petroleum reserves** in view of the **slump in crude prices**.

### **Key Points**

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- **New Facilities:**
  - The new facilities will be **commercial-cum-strategic facilities** with a total storage capacity of **6.5 MMT** (Million Metric Ton) underground storages at:
    - **Chandikhol, Odisha** (4 MMT)
    - **Padur, Karnataka** (2.5 MMT)
  - They will be built in **Public Private Partnership** mode under **phase II** of the SPR Programme.
- **Existing Facilities:**
  - Under **Phase I of the Programme**, Government of India has established petroleum storage facilities with total capacity of **5.33 MMT at 3 locations**:
    - **Visakhapatnam, Andhra Pradesh** (1.33 MMT).
    - **Mangaluru, Karnataka** (1.5 MMT).
    - **Padur, Karnataka** (2.5 MMT).
  - The petroleum reserves established under Phase I are **strategic in nature** and the crude oil stored in these reserves will be **used during an oil shortage event**, as and when declared so by the Government of India.

## **Strategic Petroleum Reserves**

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- **About:**

- Strategic petroleum reserves are **huge stockpiles of crude oil** to deal with any crude oil-related crisis like the risk of supply disruption from natural disasters, war or other calamities.
- According to the agreement on an **International Energy Programme (I.E.P.)**, each **International Energy Agency (IEA)** country has an **obligation to hold emergency oil stocks equivalent to at least 90 days of net oil imports**.
  - In case of a severe oil supply disruption, **IEA members may decide to release these stocks to the market** as part of a collective action.
  - **India became an associate member** of the IEA in 2017.
- The **concept** of dedicated strategic reserves **was first mooted in 1973 in the US**, after the **OPEC (Organization of the Petroleum Exporting Countries)** oil crisis.
- Underground storage is, by far, the **most economical method** of storing petroleum products because the underground facility **rules out the requirement of large swathes of land, ensures less evaporation** and, since the caverns are built much below the sea level, it is **easy to discharge crude** into them from ships.
- The construction of the Strategic Crude Oil Storage facilities in India is being managed by **Indian Strategic Petroleum Reserves Limited (ISPRL)**.

ISPRL is a wholly owned subsidiary of Oil Industry Development Board (OIDB) under the Ministry of Petroleum & Natural Gas.
- After the new facilities get functional a total of **22 days (10+12)** of oil consumption will be made available.
- With the strategic facilities **Indian refiners also maintain crude oil storage (industrial stock) of 65 days**.
- Thus, Approximately a total of **87 days (22 by strategic reserves + 65 by Indian refiners)** of oil consumption will be made available in India after completion of **Phase II of the SPR programme**. This will be very **close to the 90 days mandate by the IEA**.

- **Need of SPRs in India:**

- **Build Sufficient Capacity:**

- The **current capacity of this is not sufficient** to tackle any unpredicted event that occurs in the international crude market.
- 86% of the country is dependent on oil with **nearly 5 million barrels of oil consumption in a day**.

- **Energy Security:**

The **fluctuation in the price of crude oil in the international market** leads to a dire need for India to make petroleum reserves to ensure the country's energy security and avoid monetary loss.

## Way Forward

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- The demand is to look for assets of energy sources present abroad. **India should buy and store the oil in the host countries** as Indian assets and retrieve them when required like China.
- India **should distribute its oil contracts in several countries so as to avoid the monopoly** of any one region.  
For example, currently **India is importing most of the oil from the Gulf region**.
- The oil is the central source of energy but is limited, therefore **alternative sources need to be looked upon**.
- Indian oil imported in the ships consisting of 90% foreign ships; is also an issue to be looked upon. **India needs to acquire its own ships to transport oil**.

**Source: PIB**

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## **Exercise Cutlass Express**

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### **Why in News**

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Recently, **Indian Naval Ship Talwar** participated in a multinational training exercise **Cutlass Express 2021**, being conducted along the East Coast of Africa.

### **Key Points**

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- **About Exercise Cutlass Express:**
  - The exercise is **an annual maritime exercise** conducted to promote national and regional maritime security in **East Africa and the Western Indian Ocean**.
  - The 2021 edition of the exercise **involves participation of 12 Eastern African countries, US, UK, India and various international organisations** like **International Maritime Organisation (IMO)**, **United Nations Office on Drugs and Crime (UNODC)**, **Interpol**, **European Union Naval Force (EUNAVFOR)**, **Critical Maritime Routes Indian Ocean (CRIMARIO)**.
  - The exercise is designed to assess and **improve combined maritime law enforcement capacity, promote national and regional security and increase interoperability** between the regional navies.
  - **India's Information Fusion Centre – Indian Ocean Region (IFC-IOR)** is also participating in the exercise.  
India's participation is in accordance with India's stated policy towards maritime cooperation in the Indian Ocean region and vision **SAGAR (Security and Growth for All in the Region)**.

- **Significance of Western Indian Ocean:**

- The Western Indian Ocean is where the **Indian Ocean and Arabian Sea meet**. It **connects North America, Europe and Asia**, and as such is of global strategic importance.
- The **Western Indian Ocean (WIO) region comprises 10 countries**: Somalia, Kenya, Tanzania, Mozambique, South Africa, Comoros, Madagascar, Seychelles, Mauritius, and the French overseas territory of Réunion.
- Its **rich natural resource profile** has pushed global players to view the region with increasing interest in recent years.
- India's compulsions for **energy security and its dependence on overseas resources** has been the biggest pull drawing it closer to the region.

### The Western Indian Ocean



## Nature of Inter-regional Cooperation in WIO region:

- **Programme to Promote Regional Maritime Security (MASE):** The MASE Programme was adopted in 2010 in Mauritius, and is jointly run by the European Union (EU) and the United Nations Office on Drugs and Crime (UNODC).
  - The programme's primary objective is to strengthen the maritime security capacity of Eastern and Southern Africa and the WIO region in order to implement the Regional Strategy and Action Plan against Piracy.
  - Indian Ocean Commission (IOC) is a part of it.
- **Djibouti Code of Conduct (DCoC):** It provides a framework for capacity building in the WIO region and Gulf of Aden in order to counter the threat of piracy.

This is the first such code to be operational in the Western Indian Ocean waters. The code was signed in **January 2009**.
- **Jeddah amendment to the Djibouti Code of Conduct (DCoC+):** It was made **in 2017** to cover other illicit maritime activities, including human trafficking and illegal, unreported and unregulated fishing and to build national and regional capacity to address wider maritime security issues, as a basis for sustainable development of the maritime sector.

**India has joined** the Djibouti Code/Jeddah amendment.
- **Indian Ocean Commission:** The IOC is an intergovernmental organisation **founded in 1982** comprises **five small-island states** in the Western Indian Ocean: the Comoros, Madagascar, Mauritius, Réunion (a French department), and Seychelles.

**India has been accepted as an observer** of the IOC.
- **Indian Ocean Rim Association:** It was **established in 1997** and is a regional forum that seeks to build and expand understanding and mutually beneficial cooperation through a consensus-based, evolutionary and non-intrusive approach.
  - IORA has 22 member states, including Australia, Bangladesh, Comoros, India, Indonesia, Iran, Kenya, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Seychelles, Singapore, Somalia, South Africa, Sri Lanka, Tanzania, Thailand, UAE, and Yemen.
  - Its Secretariat is based in **Cyber City, Ebène, Mauritius**.

## INS Talwar

- INS Talwar is the **lead ship of the Talwar-class frigates or Krivak class stealth ships** of the Indian Navy.

- **New Frigates:** The Krivak class stealth ships are being **built with technology transfer from Russia by Goa Shipyard Ltd. (GSL)** under '**Make in India**'. Engines for the ships are supplied by Ukraine.
  - In October 2016, India and Russia signed an **Inter-Governmental Agreement (IGA)** for four Krivak or Talwar stealth frigates.
  - The first two frigates will be built in Yantar Shipyard, in Kaliningrad, Russia. The following two will be built in GSL.
- **Existing Frigates:** The navy **already operates six Krivak III frigates.**
  - The new Krivak frigates that joined the fleet between April 2012 and June 2013 **are INS Teg, Tarkash and Trikand.**
  - The first three that joined the fleet between June 2003 and April 2004, are **INS Talwar, INS Trishul, INS Tabar.**
- **Use:** They are primarily used to accomplish a wide variety of naval missions such as finding and eliminating enemy submarines and large surface ships.

**Source: PIB**

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## **India's Forest Cover & Wasteland**

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### **Why in News**

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Recently, the Minister for Environment, Forests and Climate Change (MoEFCC) informed **Rajya Sabha** about the **forest area in the country.**

- The data provided was as per the **India State of Forest Report, 2019** that is the **16<sup>th</sup> biennial assessment of India's forests** by **Forest Survey of India**, Dehradun an organisation under the MoEFCC.
- Information about the **Wasteland** in the country was also provided as per the **Wasteland Atlas, 2019.**

### **Key Points**

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- **Definition of Forest:**

- The word 'forest' is not defined in any Central Forest Act, namely the **Indian Forest Act (1927)**, or the **Forest Conservation Act (1980)**.
  - The Central government has **not laid down any criterion to define forest**.
  - The Indian Forest Act, 1927 **gives states the rights to notify Reserved Forests in their areas**.
- States are responsible for determining their definition of forests; this prerogative stems from a **Supreme Court** order called the ***T.N. Godavarman Thirumulpad vs the Union of India 1996*** judgment.
  - In the judgement, the **Supreme Court** interpreted that the word "forest" must be understood according to its "**dictionary meaning**".
  - This description **covers all statutorily recognised forests, whether designated as reserved, protected or otherwise**.

- **Total Forest Area:**

The recorded forest area in the country is **7,67,419 sq km**, however the ministry has so far **not quantified the forest area that has been under dispute**.

- **Category-Wise Forest:**

- **Reserved Forests category:**
  - It is under **direct supervision of the Government**.
  - **No public entry** allowed for the commercial purpose of cattle grazing.
  - Total area under this category is **4,34,853 sq km**.
- **Protected Forests category:**
  - It is **looked after by the government**.
  - **Local people are allowed** to collect forest produce and cattle grazing without causing any serious damage.
  - Total area under this category is **2,18,924 sq km**.
- **Unprotected Forest Category:**
  - They are unclassified Forests.
  - No restriction on cutting trees or grazing cattle.
  - Total area under this category is **1,13,642 sq km**.

- **Wasteland:**

- As per the **Wasteland Atlas, 2019**, published by the Ministry of Rural Development, the **total wasteland in the country is 5,57,665.51 sq km**.
- Wasteland is defined not as desertified land, but **land that is not used for agriculture, commercial use or as forest land**.

For instance, it could use grasslands that are used by communities for grazing.

- **Governments Initiatives:**
  - **National Mission for a Green India:**
    - It is one of the eight Missions under the **National Action Plan on Climate Change (NAPCC)**.
    - It was launched in February, 2014 with the objective **to safeguard the biological resources of our nation and associated livelihoods against the peril of adverse climate change** and to recognise the vital impact of forestry on ecological sustainability, biodiversity conservation and food-, water- and livelihood-security
  - **National Afforestation Programme (NAP):**
    - It has been implemented since 2000 for the afforestation of degraded forest lands.
    - It is being implemented by the MoEFCC.
  - **Compensatory Afforestation Fund Management and Planning Authority, (CAMPA Funds):**
    - Launched in 2016, **90% of the fund is to be given to the states while 10% is to be retained by the Centre.**
    - The **funds can be used for** treatment of catchment areas, assisted natural generation, forest management, wildlife protection and management, relocation of villages from protected areas, managing human-wildlife conflicts, training and awareness generation, supply of wood saving devices and allied activities.
  - **National Action Programme to Combat Desertification:**
    - It was **prepared in 2001 to address issues of increasing desertification** and to take appropriate actions.
    - It is implemented by the Ministry of Environment, Forest and Climate Change.

## Constitutional Provisions for Forests

- Forests are included in the **Concurrent List** in the (Seventh Schedule) of the Constitution of India.
- Through the **42<sup>nd</sup> Amendment Act**, 1976 Forests and Protection of Wild Animals and Birds were transferred from State to Concurrent List.
- **Article 51 A (g)** of the Constitution states that it shall be the **fundamental duty** of every citizen to protect and improve the natural environment including forests and Wildlife.
- **Article 48 A** in the **Directive Principles of State policy**, mandates that the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country.

## Legislations

- India's forests are currently governed by the **National Forest Policy, 1988** which has environmental balance and livelihood at its centre.
- The **Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006** recognizes the rights of the forest dwelling tribal communities and other traditional forest dwellers to forest resources, on which these communities were dependent for a variety of needs, including livelihood, habitation and other socio-cultural needs.

**Source: IE**

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## **Monkeypox**

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### **Why in News**

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Recently, the US started surveillance on people travelling from Nigeria, who may have had contact with the individuals infected with Monkeypox.

### **Key Points**

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- **About:**
  - It is a **viral zoonotic disease** (transmission from animals to humans) and is identified as a pox-like disease among monkeys **hence it is named Monkeypox**. It is **endemic to Nigeria**.
  - It is **caused by monkeypox virus**, a member of the **Orthopoxvirus genus in the family Poxviridae**.
  - The natural host of the virus remains undefined. But the disease has been reported in many animals.

Animals known to be sources of Monkeypox virus include **monkeys and apes, a variety of rodents** (including rats, mice, squirrels and prairie dogs) **and rabbits**.
- **Outbreaks:**
  - It was first reported in 1958, in monkeys in the **Democratic Republic of Congo (DRC)** and in humans in 1970, also in the DRC.
  - In 2017, Nigeria experienced the largest documented outbreak, 40 years after the last confirmed case.
  - Subsequently, the disease has been reported in **many West and Central African countries**.

- **Symptoms:**
  - Infected people break out in a **rash that looks a lot like chicken pox**. But the fever, malaise, and headache from Monkeypox **are usually more severe than in chicken pox infection**.
  - In the early stage of the disease, Monkeypox **can be distinguished from smallpox because the lymph gland gets enlarged**.
- **Transmission:**
  - Primary infection is through **direct contact with the blood, bodily fluids, or cutaneous or mucosal lesions of an infected animal**. Eating **inadequately cooked meat of infected animals** is also a risk factor.
  - **Human-to-human transmission** can result from close contact with infected respiratory tract secretions, skin lesions of an infected person or objects recently contaminated by patient fluids or lesion materials.
  - Transmission can also **occur by inoculation or via the placenta** (congenital monkeypox).
- **Vulnerability:**

It spreads rapidly and **can cause one out of ten deaths** if infected.
- **Treatment and Vaccine:**
  - There is **no specific treatment or vaccine available** for Monkeypox infection. In the past, the **anti-smallpox vaccine was shown to be 85% effective** in preventing Monkeypox.
    - But the world was declared free of **smallpox in 1980** so the vaccine isn't widely available anymore.
  - Currently, there is **no global system in place to manage the spread of Monkeypox**, with each country struggling to contain any outbreak whenever it occurs.

## Way Forward

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- Improved surveillance and response, raise awareness of the disease and avoid contact with wild animals, especially monkeys.
- Any animals that might have come into contact with an infected animal should be quarantined, handled with standard precautions and observed for monkeypox symptoms for 30 days.
- It is important to refocus attention on other diseases. There is a drop in the number of reported cases of endemic diseases as people are not seeking care in health facilities, owing to **Covid-19**.

**Source: DTE**

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## Garib Nawaz Employment Scheme

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## Why in News

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Recently, the **Union Minister for Minority Affairs** replied in the Parliament that **a total number of 371 training centers under Gharib Nawaz Employment Scheme were opened** across the country.

## Key Points

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### About Gharib Nawaz Employment Scheme:

- It was **launched by the Ministry of Minority Affairs in 2017**.
- **Maulana Azad Education Foundation**, an autonomous body under the aegis of Ministry of Minority Affairs, implements the Scheme.
- The main aim of this scheme is **to provide short term job oriented skill development courses to minorities' youth** in order to enable them for skill based employment.
- This scheme is implemented **as per common norms of the Ministry of Skill Development & Entrepreneurship (MSD&E)** through the empanelled **Program Implementation Agencies (PIAs)**.
- The PIA is **mandated to place minimum 70% trainees** out of total trained trainees.
- The **monthly stipend for maximum of three months and post placement support for maximum of two months** after getting employment are also being paid to the beneficiaries directly into their account.

## Minorities

- The **term "Minority" is not defined in the Indian Constitution**. However, the Constitution **recognises only religious and linguistic minorities**.  
**6 Minority Communities in India:** Jain, Parsi, Buddhist, Christian, Sikh and Muslim (notified by the Government).
- **Constitutional Provisions:**
  - **Article 29:** It provides that any section of the citizens residing in any part of India having a distinct language, script or culture of its own, shall have the right to conserve the same.  
It grants protection to both religious minorities as well as linguistic minorities.
  - **Article 30:** Under the article, all minorities shall have the right to establish and administer educational institutions of their choice.  
The **protection under Article 30 is confined only to minorities** (religious or linguistic) and does not extend to any section of citizens (as under Article 29).
  - **Article 350-B:** The **7<sup>th</sup> Constitutional (Amendment) Act 1956** inserted this article which provides for a Special Officer for Linguistic Minorities appointed by the President of India.

- **Legal Provisions:**

- **National Commission for Minorities (NCM) Act, 1992.**
- **National Commission for Minority Education Institution (NCMEI) Act, 200**

**Other Schemes for Minority Communities:**

- **Prime Minister's 15 Point Programme**
- **Pradhan Mantri Jan Vikas Karyakram**
- Seekho aur Kamao
- Usttad (Upgrading the Skills and Training in Traditional Arts/Crafts for Development)
- Garib Nawaz Kaushal Vikas Yojana
- Nai Manzil (for formal skilling of school dropouts)
- Nai Roshni (for leadership Development of Minority Women)
- Begum Hazrat Mahal Girls scholarships

**Source: PIB**

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## **Kargil Vijay Diwas**

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### **Why in News**

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The 22<sup>nd</sup> anniversary of **Kargil Vijay Diwas** was observed on the 26<sup>th</sup> of July 2021.

The day is dedicated to the martyred soldiers of the Kargil war.

### **Key Points**

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- **About:**

- After the Indo-Pak war of 1971, there had been many military conflicts. Both the countries conducted nuclear tests in 1998 which further escalated tensions and finally the Kargil War in 1999.
- Kargil War, also known as the Kargil conflict, was fought between **May-July of 1999 in the Kargil** (now a district in the UT of Ladakh) **district of Jammu and Kashmir** along the **Line of Control (LoC)** in which India got the victory.

- **Operation Vijay:**
  - In the **year 1999**, India and Pakistan signed the Lahore Agreement **to mutually resolve the Kashmir issue in a peaceful manner.**
  - However, the **Pakistani troops began infiltrating toward Indian side of the Line of Control (LoC) under Operation Badr**, hoping to cut off Indian Troops in Siachen. Indian Army responded by launching Operation Vijay.
  - On 3<sup>rd</sup> May 1999, **Pakistan started this war** when it had infiltrated into the high altitudes in the rocky mountainous region of Kargil with around 5000 soldiers and captured it.
  - When the Indian Government got the information about it, '**Operation Vijay**' was launched by the Indian army to throw back the intruders who had treacherously occupied Indian Territory.

**Source: IE**

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