



News Analysis (24 Jul, 2021)

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Investment Climate in India

Why in News

Recently, the **US State Department** released a report titled '2021 Investment Climate Statements: India'. The report **lauded the structural economic reforms** carried by the Government of India, in the wake of economic slowdown and **Covid-19 pandemic**.

- However, the report asserts that India **remains a challenging place to do business**.
- Earlier, the **UK India Business Council (UKIBC)** emphasized that some of the reforms under the **Atmanirbhar Bharat programme could have negative consequences** for the UK and all multinational companies.

Key Points

- **Recent Economic Reforms:**

- **Privatization:** In February 2021, the Government of India announced plans to raise \$2.4 billion through an **ambitious privatization program** that would dramatically reduce the government's role in the economy.
- **FDI Liberalization:** In August 2019, the government announced a **new package of liberalization measures** and brought a number of sectors including coal mining and contract manufacturing under the **automatic route**.
In March 2021, Parliament further liberalized India's insurance sector, increasing the **foreign direct investment (FDI) limits to 74% from 49%**.
- **Atmanirbhar Bharat Abhiyan:** In order to combat economic slowdown pertaining to Covid-19, the Government of India launched **Atmanirbhar Bharat Abhiyan**.
 - This programme envisages extensive social welfare and economic stimulus programs and increased spending on infrastructure and public health.
 - Further, it aims towards cutting down import dependence by focusing on substitution while improving safety compliance and quality goods to gain global market share.
- **PLI Scheme:** The government also adopted **production linked incentives** to promote manufacturing in pharmaceuticals, automobiles, textiles, electronics, and other sectors.
- **Insolvency and Bankruptcy Code:** The introduction and implementation of the **Insolvency and Bankruptcy Code (IBC)** in 2016 led to an overhaul of the previous framework on insolvency and paved the way for much-needed reforms.
Among the areas where India has improved the most in the **World Bank's Ease of Doing Business Ranking** the past three years has been under the resolving insolvency metric.
- **Matching Global Standards of Arbitration:** The government of India passed **Arbitration and Conciliation (Amendment) Act, 2021**.
The Act contains provisions to deal with domestic and international arbitration and defines the law for conducting conciliation proceedings.
- **Sovereign Wealth Funds:** In 2016, the Indian government established the **National Infrastructure Investment Fund (NIIF)**, touted as India's first sovereign wealth fund to promote investments in the infrastructure sector.
The government agreed to contribute \$3 billion to the fund, while an additional \$3 billion will be raised from the private sector.
- **Labour Code:** In the budget 2021 the government announced that the **four labour codes** shall be implemented in India with effect from 1st April 2021.
These labour codes envisage simplifying the country's archaic labour laws and give impetus to economic activity without compromising with the workers' benefits.

- **Other Measures for Improving Ease of Doing Business:**

- **Invest India**: It is the official investment promotion and facilitation agency which works with investors through their investment lifecycle to provide support with market entry strategies, industry analysis, partner search, and policy advocacy as required.
- **PRAGATI Initiative**: To fast-track the approval process, especially in the case of major projects, the government of India started the **Pro-Active Governance and Timely Implementation (PRAGATI initiative)**.
It is a digital, multi-modal platform to speed the government's approval process.

- **Economic Policies Bothering Foreign Investors:**

- **Controversial Decisions:** Recently, the government took two controversial decisions i.e. removal of special constitutional status from the state of Jammu and Kashmir (J&K) and the passage of the Citizenship Amendment Act (CAA), 2019.

However, India maintains that the CAA and scrapping of Article 370 was its internal matter and that “no foreign party has any locus standi on issues pertaining to India’s sovereignty.”

- **New Protectionist Measures:** Several sectors of the economy continue to retain equity limits for foreign capital as well as management and control restrictions, which deter investment.

For example, in 2016, India allowed up to **100% FDI in domestic airlines**, but the issue of substantial ownership and effective control (SOEC) rules that mandate majority control by Indian nationals have not yet been clarified.

- **Bilateral Investment Agreements and Taxation Treaties:** India adopted a new model Bilateral Investment Treaty (BIT) in December 2015, following several adverse rulings in international arbitration proceedings.

The new model BIT does not allow foreign investors to use investor-state dispute settlement methods, and instead requires foreign investors first to exhaust all local judicial and administrative remedies before entering international arbitration.

- **Procurement Rules that Limit Competitive Choices:** Preferential Market Access (PMA) for government procurement has created substantial challenges for foreign firms operating in India.

State-owned “Public Sector Undertakings” and the government accord a 20% price preference to vendors utilizing more than 50% local content.

- **Intellectual Property Rights:** India remained on the Priority Watch List in the 2020 Special 301 Report due to concerns over weak intellectual property (IP) protection and enforcement.

- **Corruption:** India, with a score of 40, ranked 86 among 180 countries in Transparency International’s 2020 Corruption Perception Index.

- **Other Issues:** There are other issues that restrict the expansion in bilateral trade. For example, sanitary and phytosanitary measures and Indian-specific standards not aligned with international standards.

Way Forward

- The Government of India should foster an attractive and reliable investment climate by reducing barriers to investment and minimizing bureaucratic hurdles for businesses.
- The Governments of India and the other countries should cooperate in areas such as standards, trade facilitation, competition, and **anti-dumping** practices.

Secrecy of Vote

Why In News

Recently, the **Supreme Court of India** held that in any election, be it to Parliament or State legislature, the **maintenance of secrecy of voting is “a must”**.

It reiterated its **2013 judgement in the People's Union for Civil Liberties case**.

Key Points

- **Highlights of the Latest Judgement:**

- **Part of Fundamental Right:** The **secrecy is a part of the fundamental right of freedom of expression**.

The confidentiality of choice strengthened democracy.

- **Part of Basic Structure:** Democracy and free elections were a part of the **Basic Structure of the Constitution**.

The concept of 'basic structure' came into existence in the landmark judgment in ***Kesavananda Bharati vs State of Kerala case (1973)***.

- **On Booth Capturing:** Booth capturing and/or bogus voting should be dealt with iron hands, because it ultimately **affects the rule of law and democracy**.

Nobody can be permitted to **dilute the right to free and fair election**.

- **On Unlawful Assembly:** Once the unlawful assembly is established in prosecution of the common object, each member of the unlawful assembly is guilty of the offence of rioting.

- The use of the force, even though it be the slightest possible character by any one member of the assembly, once established as unlawful constitutes rioting.
- It is not necessary that force or violence must be by all but the liability accrues to all the members of the unlawful assembly.
- The definition of 'unlawful assembly', according to Indian law, is laid down in **Section 141 of the Indian Penal Code**.

- **Judgement in People's Union for Civil Liberties case, 2013:**
 - The two main key components that came out of the Supreme Court judgment are:
 - Right to vote also includes **a right not to vote** i.e right to reject.
 - **Right to secrecy is an integral part of a free and fair election.**
 - **Right to Reject:** It implies that a voter while voting has every right not to opt for any of the candidates during an election.
 - Such a right implies a choice to remain neutral. It has its genesis in freedom of speech and expression.
 - Introducing a '**None of the Above**' (NOTA) button can increase the public participation in an electoral process.
 - **Right to Secrecy:**
 - It is **a central right of an elector to cast his vote without fear** of reprisal, duress or coercion **as per Article 21 of the Indian Constitution.**
Protection of the elector's identity and affording secrecy is therefore integral to free and fair elections.
 - An arbitrary **distinction between the voter who casts his vote** and the **voter who does not cast his vote** is violative of **Article 14, Article 19(1) (a)** and **Article 21** of the Indian Constitution.
 - **Article 21(3)** of the **Universal Declaration of Human Rights** and **Article 25(b)** of the **International Covenant on Civil and Political Rights** deals with the "**Right to secrecy**".
- **Other Related Judgement:**

Earlier, the SC held that the **principle of secrecy of ballots** is an important postulate of **constitutional democracy** and referred to **Section 94** of the **Representation of People Act (RPA) 1951.**
The section upholds the **privilege of the voters to maintain confidentiality** about their choice of the vote.

Source: TH

Special Economic Zones

Why in News

Special Economic Zones (SEZ) have touched **new heights in terms of performance in Exports, Investment and Employment** in the last three years.

Key Points

- **About:**

- An SEZ is a **territory within a country that is typically duty-free** (Fiscal Concession) and has different business and commercial laws chiefly **to encourage investment and create employment.**
- SEZs are created also to better administer these areas, thereby **increasing the ease of doing business.**

- **SEZs in India:**

- Asia's **first EPZ** (Export Processing Zones) was established **in 1965 at Kandla, Gujarat.**
- While **these EPZs had a similar structure to SEZs**, the government began to establish **SEZs in 2000** under the **Foreign Trade Policy** to redress the infrastructural and bureaucratic challenges that were seen to have limited the success of EPZs.
- The Special Economic Zones **Act was passed in 2005.** The Act came into force along with the **SEZ Rules in 2006.**
- However, SEZs were **operational in India from 2000 to 2006** (under the Foreign Trade Policy).
- India's SEZs **were structured closely with China's** successful model.
- Presently, **379 SEZs are notified**, out of which 265 are operational. About 64% of the SEZs are located in five states – Tamil Nadu, Telangana, Karnataka, Andhra Pradesh and Maharashtra.
- The **Board of Approval is the apex body** and is headed by the Secretary, Department of Commerce (**Ministry of Commerce and Industry**).
- The **Baba Kalyani led committee** was constituted by the Ministry of Commerce and Industry to study the existing SEZ policy of India and had submitted its recommendations in November 2018.

It was set up with a broad objective to evaluate the SEZ policy towards making it **WTO (World Trade Organisation)** -compatible and to bring in global best practices to maximise capacity utilisation and to maximise potential output of the SEZs.

- **Objectives of the SEZ Act:**

- To **create additional economic activity.**
- To **boost the export** of goods and services.
- To **generate employment.**
- To **boost domestic and foreign** investments.
- To develop **infrastructure facilities.**

- **Major Incentives and Facilities Available to SEZ:**
 - **Duty free import/domestic procurement** of goods for development, operation and maintenance of SEZ units.
 - **Exemption from various taxes** like Income Tax, minimum alternate tax, etc.
 - **External commercial borrowing** by SEZ units upto US \$ 500 million in a year without any maturity restriction through recognized banking channels.
 - **Single window clearance** for Central and State level approvals.
- **Performance so far:**
 - **Exports:** Exports of Rs. 22,840 Crore (2005-06) has **increased to Rs. 7,59,524 Crore** (2020-21).
 - **Investment:** Investment of Rs. 4,035.51 Crore (2005-06) has **increased to Rs. 6,17,499 Crore** (2020-21).
 - **Employment:** Employment from 1,34,704 persons (2005-06) has **increased to 23,58,136 persons** (2020-21).
- **Challenges:**
 - **Unutilized Land in SEZs:**

Due to lack of demand for SEZ space and disruptions caused by the pandemic.
 - **Existence of Multiple Models:**

There are multiple models of economic zones such as **SEZ, coastal economic zone, Delhi-Mumbai Industrial Corridor, National Investment and Manufacturing Zone, food park and textile park** which pose challenges in integrating the various models.
 - **Competition from ASEAN Countries:**
 - In the past few years, many of the **ASEAN countries** have tweaked their policies to attract global players to invest into their SEZs and have also worked on a developmental set of their skilling initiatives.
 - Consequently, **Indian SEZs have lost some of their competitive advantages globally** and hence need to have fresher policies.

Way Forward

- **Promotion of MSME investments in SEZs** by linking with MSME schemes and allowing alternate sectors to invest in sector-specific SEZs is among the recommendations by the Baba Kalyani Committee on SEZs.
- It had also batted for **additional enablers and procedural relaxations as well as granting SEZs infrastructure status** to improve their access to finance and enable long-term borrowings.

Source: PIB

PLI Scheme For Specialty Steel

Why in News

Recently, the Union Cabinet approved the **Production-Linked Incentive (PLI)** scheme (**Central Sector Scheme**) for manufacturing **Speciality Steel (SS)** with a budgetary outlay of **Rs 6,322 crore** over a period of five years from **2023-24**.

Speciality Steel

- It is **value-added steel**, which is made by processing normal finished steel.
- It is done by converting normal finished steel into high value-added steel by way of **coating, plating and heat treatment**.
- Apart from the automobile sector and specialised capital goods, they can be used in various strategic applications such as **defence, space, power etc.**
- SS are **categorized in various types** such as, coated/plated steel products, high strength/wear resistant steel, speciality rails, alloy steel products and steel wires, electrical steel etc.

Key Points

PLI Scheme:

- In order to **boost domestic manufacturing and cut down on import bills**, the central government in **March 2020 introduced a PLI scheme** that aims to give companies incentives on incremental sales from products manufactured in domestic units.
- The scheme **invites foreign companies to set units in India**, however, it also aims to **encourage local companies** to set up or expand existing manufacturing units.
- The Scheme **has also been approved for sectors such as** automobiles, **pharmaceuticals, IT hardware including laptops, mobile phones & telecom equipment, white goods, chemical cells, food processing** and textiles, etc.

HOW DOES THE INCENTIVE WORK

It is a kind of subsidy to the sector

Is a direct payment from the budget to goods made in India	Amount varies from sector to sector	Is based on disadvantage /disability faced by a sector
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- **PLI for Speciality Steel:**

- **Aim:** To help India's SS production reach 42 Million Tonnes (MT) by 2026-27 from 18 MT today.
- **Categories:** There are five categories of specialty steel which have been chosen in the PLI Scheme:
 - Coated/plated steel products.
 - High strength/wear resistant steel.
 - Speciality rails.
 - Alloy steel products and steel wires.
 - Electrical steel.
- **Slabs:** There are three slabs of PLI incentives, the lowest being 4% and highest being 12%.
- **Beneficiaries:** Both big players i.e. integrated steel plants and to the smaller players (secondary steel players).

Any company registered in India, engaged in manufacturing of the identified 'specialty steel' grades will be eligible to participate in the scheme.

- **Reason for choosing speciality Steel:**

- **To Increase Production:**

SS has been chosen as the target segment by the government because out of a production of 102 million tonnes of steel in 2020-21, only 18 million tonnes of value-added steel/speciality steel were produced in the country.
- **To Reduce Imports:**

Most of the imports into India are in the value-added and speciality segment. The PLI scheme will boost manufacturing capacities by Indian mills in this segment and MSMEs will be able to source from them directly.

Out of 6.7 million tonnes of imports of steel in 2020-21, approximately 4 million tonnes were of speciality steel, resulting in Foreign Exchange (Forex) outgo of approximately Rs 30,000 crore.
- **Sector in Uptrend:**

The steel sector is on an uptrend and major integrated producers have lined up major expansion plans.

- **Significance:**
 - **Promote Local Manufacturing:**
 - It will ensure finished steel be made in India only, thereby ensuring that the scheme **promotes end-to-end manufacturing** within the country.
 - It will help **create global manufacturing champions** in India and bring the country **on a par with global steel making majors** such as South Korea and Japan.
 - **Employment Generation:**
 - It will generate employment for about **5 lakh people**, including direct employment for **68,000 people**.
- **Expected Outcome:**
 - It is expected to **bring investments worth about Rs 40,000 crore** and result in a **capacity addition of 25 million tonnes (MT) for speciality steel**.
 - The **export of SS would become about 5.5 MT** against the **current 1.7 MT** earning a Forex of Rs 33,000 crore.
- **Initiatives related to Steel:**
 - **Mission Purvodaya**: It was launched in 2020 for the accelerated development of eastern India through the establishment of an integrated steel hub in Kolkata, West Bengal.
 - **National Steel Policy 2017**: To attain Self-sufficiency in steel production by providing policy support & guidance to private manufacturers, MSME steel producers, it was launched in 2017.
 - **Adoption of the Fourth Industrial Revolution (Industry 4.0)**: It will improve manufacturing processes, material usage, energy efficiency, plant and worker productivity, supply chain and product life-cycle.
 - **Steel Research and Technology Mission of India**: It provides for the grant of financial assistance to various institutions including **Council of Scientific and Industrial Research (CSIR)** laboratories and academic institutions for carrying out research in the iron and steel sector including environmental issues like utilisation of wastes, improvement in energy efficiency and reduction in **greenhouse gases (GHG)** emission.

Source: PIB

Antimicrobial Resistance

Why in News

Recently, the **Ministry of Health and Family Welfare** highlighted **various measures to address the challenges posed by Antimicrobial Resistance (AMR)** in the country.

Key Points

- **About:**
 - Antimicrobial resistance is the **resistance acquired by any microorganism** (bacteria, viruses, fungi, parasite, etc.) **against antimicrobial drugs** (such as antibiotics, antifungals, antivirals, antimalarials, and anthelmintics) that are used to treat infections.
 - As a result, **standard treatments become ineffective**, infections persist and may spread to others.
 - Microorganisms that develop antimicrobial resistance are sometimes referred to as **“superbugs”**.
- **Reasons for Spread of AMR:**
 - The **misuse of antimicrobials in medicine and inappropriate use in agriculture**.
 - **Contamination around pharmaceutical manufacturing sites** where untreated waste releases large amounts of active antimicrobials into the environment.
- **AMR in India:**
 - India, with its combination of large population, rising incomes that facilitate purchase of antibiotics, **high burden of infectious diseases and easy over-the-counter access to antibiotics**, is an important locus for the generation of resistance genes (such genes help bacteria in surviving on being exposed to antibiotics).
 - The multi-drug resistance determinant, **New Delhi Metallo-beta-lactamase-1 (NDM-1)**, emerged from this region to spread globally.
 - Africa, Europe and other parts of Asia have also been affected by multi-drug resistant typhoid originating from South Asia.
 - In India, **over 56,000 newborn deaths each year due to sepsis are caused by organisms that are resistant to first line antibiotics**.

- **Measures Taken to Address AMR:**

- **National Programme on AMR containment:** Launched in 2012. Under this programme, AMR Surveillance Network has been strengthened by establishing labs in State Medical College.
- **National Action Plan on AMR:** It focuses on **One Health approach** and was launched in April 2017 with the aim of involving various stakeholder ministries/departments.
- **AMR Surveillance and Research Network (AMRSN):** It was launched in 2013, to generate evidence and capture trends and patterns of drug resistant infections in the country.
- **AMR Research & International Collaboration: Indian Council of Medical Research (ICMR)** has taken initiatives to develop new drugs /medicines through international collaborations in order to strengthen medical research in AMR.
 - ICMR along with Research Council of Norway (RCN) initiated a joint call for research in antimicrobial resistance in 2017.
 - ICMR along with the Federal Ministry of Education and Research (BMBF), Germany has a joint Indo-German collaboration for research on AMR.
- **Antibiotic Stewardship Program:** ICMR has initiated antibiotic stewardship program (AMSP) on a pilot project across India to control misuse and overuse of antibiotics in hospital wards and ICUs.

DCGI has banned 40 fixed dose combinations (FDCs) which were found inappropriate.
- **Integrated One Health Surveillance Network for AMR:** To assess the preparedness of Indian Veterinary laboratories to participate in integrated AMR surveillance network.

ICMR has also created a veterinary standard operating procedure (Vet-SOPs) for enabling comparison of antimicrobial resistance patterns in animals and humans.
- **Others:**
 - India has undertaken many activities like **Mission Indradhanush** — to address **low vaccination coverage** — strengthened micro-planning and additional mechanisms to improve monitoring and accountability.
 - The Ministry of Health & Family Welfare (MoHFW) identified AMR as one of the top 10 priorities for the ministry's collaborative work with the World Health Organisation (WHO).

- **WHO's take on AMR:**

- The **World Health Organization (WHO)** has identified AMR as one of the top ten threats to global health.
- WHO recommends that countries must prioritize their national action plans to scale up financing and capacity building efforts, put in place stronger regulatory systems and support awareness programmes for responsible and prudent use of antimicrobials by professionals in humans, animals and plants health.
- The WHO also suggests a number of steps that can be taken at various levels to reduce the impact and also limit the spread of this resistance.

Source: PIB

Managing Mental Health Issues in Prisoners: NIMHANS Guidelines

Why in News

Acting on the request of the Ministry of Home Affairs, NIMHANS, an Institute of National Importance, issued a set of guidelines on the management of mental health issues of the prisoners and prison staff.

Key Points

- **NIMHANS Guidelines:**

- **Gatekeeper Model for Identification of Mental Illness:**

- In this model, **selected inmates, trained to identify prisoners at risk of suicide**, would refer them to treatment or supportive services.
- It is a step to **prevent suicides triggered by mental health issues** in prisons across the country.
- There is prevalence of **mental illness and substance use disorder** in about **80% of the prison population**.

- **For Mental Health Treatment:**

- **Prisoners with mental disorders** had to be **regularly assessed** for severity of suicidal risk and also put on regular and supervised medication.
- To address the **prisoner's mental health needs**, the **correctional facility should have links to** community-based initiatives like the **District Mental Health Programme**.

- **Buddy System for Social Intervention:**

- It is a type of social support through trained prisoners called **“buddies” or “listeners”**.
- It was found to have a good impact on the **well-being of suicidal prisoners**. Periodic telephone conversations with friends and family would also foster support.

e-Mulakat is an **online platform enabling relatives/friends/ advocates of prisoners to book prior appointments** for interviewing prisoners through the National Prisons Information Portal.

- **Need:**

- Indian prisons face **three long-standing structural constraints:** Overcrowding, Understaffing and underfunding and violent clashes.

- The **Prison Statistics India 2016**, published by the **National Crime Records Bureau (NCRB)** in 2019 highlights the plight of prisoners in India.
 - **Under-trial Population:** India's under-trial population remains among the highest in the world. At the end of 2016, there were 4,33,033 people in prison, of whom 68% were undertrials.
 - The high proportion of undertrials in the overall prison population **may be the result of unnecessary arrests and ineffective legal aid** during remand hearings.
 - **Covid-19** also led to suspension of trials and delay in court hearings.
 - **People Held Under Preventive Detention:** There is a rise in the number of people held under administrative (or 'prevention') detention laws in Jammu and Kashmir.
 - A 300% increase, with 431 detainees in 2016, compared to 90 in 2015.
 - Administrative, or 'preventive', detention is used by authorities to detain persons without charge or trial and circumvent regular criminal justice procedures.
 - **Unawareness about Section 436A of C.R.P.C.:** There is a gap between the number of prisoners eligible to be released and actually released, under Section 436A of the Code of Criminal Procedure.

Section 436A of C.R.P.C allows undertrials **to be released on a personal bond if they have undergone half of the maximum term** of imprisonment they would have faced if convicted.
 - **Unnatural Deaths in Prison:** The number of "unnatural" deaths in prisons has doubled between 2015 and 2016, from 115 to 231.
 - The rate of suicide among prisoners also increased by 28%, from 77 suicides in 2015 to 102 in 2016.
 - The **National Human Rights Commission (NHRC)** in 2014 had stated that on average, a person is one-and-a-half times more likely to commit suicide in prison than outside. This is a possible indicator of the magnitude of mental health concerns within Indian prisons.
 - **Lack of Mental Health Professionals:** There was only one mental health professional for every 21,650 prisoners in 2016, with only six States and one Union Territory having psychologists /psychiatrists.
 - Also, the NCRB had said that about 6,013 individuals with mental illness were in jail in 2016.
 - As per the Prison Act, 1894 and Prisoner Act, 1900, there should be a welfare officer and a law officer in each jail but recruitment of these officers is still pending. This state explains the low political and budgetary priority which prisons have received during the preceding century.

Way Forward

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- **Preventing suicide in prison or police lock-ups** is not primarily a **medical matter** but needs **cooperation and coordination from various agencies**.
 - There is a necessity for all policing staff to take suicidal behavior as a serious but preventable disorder in a custodial setting as in any other circumstances.
 - **Screening the individuals before putting them behind bars, identifying the important risk factors** such as drug and alcohol abuse or mental illness and seeking appropriate medical aid in this regard may reduce the number of such incidents in substantial ways.
 - Similarly, the **prison or police lock-up environment** itself may increase suicide risk. Therefore, gradual change in environment may help the individual to adapt with the condition and learn to cope with the problems.

Source: TH

Supreme Court Dismisses Plea Against Ban On Firecrackers

Why in News

Recently, the Supreme Court has dismissed appeals challenging the **National Green Tribunal's (NGT) order** which had imposed a complete ban on the sale and use of all firecrackers during the Covid-19 pandemic in NCR and other cities in India.

The order was given in the context of a poor **Air Quality Index (AQI)**, owing to the burning of crackers.

Key Points

- **Background:**
 - In 2017, the Supreme court had **banned the use and sale of toxic crackers** during the **celebration owing to diwali, Christmas, etc.**, on the basis of a petition filed by two infants.
 - They had said the air pollution caused by various factors, especially firecrackers, had made **Delhi a gas chamber**.
 - They pleaded for their **right to life**.
 - The court **dismissed arguments that bursting crackers was a fundamental right** and an essential practice during religious festivals like Diwali.
 - The court held that the **Right to Freedom of Religion (Article 25) is subject to Right to life (Article 21)**.
 - If a particular religious practice is threatening the health and lives of people, such practice is not entitled to protection under Article 25.

- **NGT Order:**

- The NGT in its December 2020 order said that only **green crackers** (which use less polluting raw materials) would be permitted for Christmas and New Year, in areas where the ambient air quality was in the moderate or below categories.
However, owing to **Covid-19 pandemic**, NGT again prohibited the sale and use of firecrackers.
- The firecrackers companies argued that the ban was an impediment to their livelihoods.
- In reply to the argument, the Tribunal had reasoned that the **“right to business is not absolute (Article 19 (1) (g)) and there is no right to violate air quality and noise level norms.**

- **Harmful Effects of Crackers:**

- Firecrackers contain lots of **heavy metals and toxic chemicals** like cadmium, lead, chromium, aluminium, magnesium, nitrates, carbon monoxide, copper, potassium, sodium, zinc oxide, manganese dioxide etc.
- These chemicals, if inhaled or ingested, can cause **severe effects in the health of people** like heart diseases, respiratory or nervous system disorders.
- Further, **noise pollution** causes restlessness, temporary or permanent hearing loss, high blood pressure; sleep disturbance and even poor cognitive development in kids.

Source: TH

Chandra Shekahr Azad

Why in News

On 23rd July, India paid tribute to the freedom fighter **Chandra Shekahr Azad** on his **birth anniversary**.

Key Points

- **Birth:** Azad was born on **23rd July 1906** in the **Alirajpur district of Madhya Pradesh**.

- **Early Life:** Chandra Shekhar, then a 15-year-old student, joined a **Non-Cooperation Movement** in December 1921. As a result, he was arrested.



- On being presented before a magistrate, he gave his name as "**Azad**" (**The Free**), his father's name as "Swatantrata" (Independence) and his residence as "Jail".
- Therefore, he came to be known as **Chandra Shekhar Azad**.
- **Contribution to Freedom Movement:**
 - **Hindustan Republican Association:** After the suspension of the non-cooperation movement in 1922 by Gandhi, Azad joined Hindustan Republican Association (HRA).
 - HRA was a revolutionary organization of India established in 1924 in East Bengal by **Sachindra Nath Sanyal, Narendra Mohan Sen and Pratul Ganguly** as an offshoot of **Anushilan Samiti**.
 - **Members:** Bhagat Singh, Chandra Shekhar Azad, Sukhdev, Ram Prasad Bismil, Roshan Singh, Ashfaqulla Khan, Rajendra Lahiri.
 - **Kakori Conspiracy:** Most of the fund collection for revolutionary activities was done through **robberies of government property**. In line with the same, Kakori Train Robbery near Kakori, Lucknow was done in **1925 by HRA**.
The **plan was executed** by Chandrashekhar Azad, Ram Prasad Bismil, Ashfaqulla Khan, Rajendra Lahiri, and Manmathnath Gupta.
 - **Hindustan Socialist Republican Association:** HRA was later reorganised as the Hindustan Socialist Republican Army (HSRA).
 - It was established in **1928** at Feroz Shah Kotla in New Delhi by Chandrasekhar Azad, Ashfaqulla Khan, **Bhagat Singh**, Sukhdev Thapar and Jogesh Chandra Chatterjee.
 - HSRA planned the **shooting of J. P. Saunders**, a British Policeman at Lahore in 1928 **to avenge the killing of Lala Lajpat Rai**.
- **Death:** He died at **Azad Park in Allahabad** on 27th February 1931.

Source: PIB

National Security Council

Why in News

Amid the **Pegasus Controversy**, it was reported that the Union Government's **expenditure on the National Security Council secretariat (NSCS) increased ten fold in 2017-18** to Rs 333 crores from Rs 33 cr. in 2016-17.

Key Points

- **About:**

- NSC of India is a **three-tiered organization** that oversees political, economic, energy and security issues of strategic concern.
- The **National Security Advisor (NSA)** presides over the NSC, and is also the primary advisor to the prime minister. The current National Security Advisor is Ajit Doval.

- **Formation:**

It was formed in 1998, where all aspects of national security are deliberated upon.

- **Three tier Structure:**

NSC comprises the three tier structure- Strategic Policy Group (SPG), the National Security Advisory Board (NSAB) and the National Security Council Secretariat.

- The SPG chaired by the Cabinet Secretary is the principal forum for inter-ministerial coordination and integration of the relevant inputs.
- The NSAB undertakes long-term analysis and provides perspectives on issues of national security.

- **Function:**

It operates within the executive office of the prime minister of India, liaising between the government's executive branch and the intelligence services, advising leadership on intelligence and security issues.

- **Members:**

The Ministers of Home Affairs, Defence, External Affairs and Finance are its members.

Source: TH
