

# **NEWS ALERT**

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## **AADHAAR**

**DECCAN HEARLD AUG 3, 2018**

### **Arogya Karnataka scheme to be linked with a Aadhaar**

“We will link the health cards to Aadhaar to identify who is really eligible to be covered under the scheme,” Patil told reporters here. National Health Mission state director Rathan U Kelkar added that a notification would be issued under the State Aadhaar Act to enable the linking of the cards. As many as 15,643 patients have availed of treatment under the Arogya Karnataka scheme so far, Patil said. “I also want to clarify the Arogya Karnataka card is not a must to obtain treatment. Patients can produce their BPL/APL card and get treatment,” the minister said. The Arogya Karnataka scheme will be merged with the Centre’s Ayushman Bharat (National Health Protection Scheme). “Karnataka has 1.30 crore BPL families. The Centre’s scheme is expected to cover 62 lakh families,” Patil said. At present, 501 private hospitals have been empanelled to offer healthcare services under Arogya Karnataka scheme. “We are in talks with another 322 private hospitals and some differences in fixation of rates are being sorted out. I’m sure all of them will fall in line sooner or later,” the minister said. The government is also mulling increasing the health cover under the Arogya Karnataka scheme from Rs 1.5 lakh to Rs 5 lakh akin to the Centre’s scheme, Patil said.

**STATESMAN AUG 1, 2018**

### **Govt delinks Aadhaar with social welfare pensions**

The Delhi government on Tuesday approved a proposal of its Social Welfare Department to do away with the requirement of Aadhaar and

linking bank accounts with the 12-digit biometric identity for availing of welfare schemes such as old-age and other pensions.

A Cabinet meeting chaired by Chief Minister Arvind Kejriwal approved the proposal delinking Aadhaar and social welfare benefits including old age, disability and widows pensions, a Delhi government statement said.

"Lot of people suffering due to inability of banks to link adhar wid bank account. Today, Cabinet decided to delink adhar from widow n age old pension(sic)," Kejriwal tweeted.

Lot of people suffering due to inability of banks to link adhar wid bank account. Today, Cabinet decided to delink adhar from widow n age old pension.

The Social Welfare department will now remit all the pensions stopped due to lack of Aadhaar, the government statement said.

"Increased pension will be remitted with effect from April 2018, to all beneficiaries who are getting pension on old rates so that beneficiaries are not penalised for system related reasons," it said.

The Department is responsible implementing old age assistance, commonly known as old age pension for senior citizens in Delhi. This assistance is available to all senior citizens who are residents of Delhi for at least five years and having family income of Rs. 1,00,000/- or less per annum.

In 2016, the Cabinet had decided for not insisting upon Aadhaar for remittance of pension. But, it was mandated that the enhanced pension will be given only to Aadhaar seeded accounts.

As a result, a total of 33,191 old age pension beneficiaries and 9,799 disability pension beneficiaries were unable to get increased pension.

Section 7 of the Aadhaar Act, 2016 and a circular of the UIDAI clearly say that no beneficiary should be denied benefit for the want of Aadhaar or failure of Aadhaar authentication and they should be offered alternative and viable mean of identification, the statement said.

The Social Welfare Department provides Rs 2,000 per month as old age pension to people aged 60-69 years, and Rs 2,500 to those 70 years or more, living in Delhi. The eligibility criteria is residence in Delhi for 5 years and Rs one 1 or less family income.

The department has remitted assistance to 418,000 beneficiaries for April-2018, it said.

Under the disability pension, Rs 2,500 per month are provided to eligible persons.

## **INDIAN EXPRESS AUG 5, 2018**

### **MHA plans to link fingerprint, face recognition data from all police stations to central system**

While the Unique Identification Authority of India (UIDAI) has said that Aadhaar data will not be used for criminal investigations, the Ministry of Home Affairs (MHA) is working on a proposal to scale up fingerprint collection across the country and link it to its ambitious Crime and Criminal Tracking Network System (CCTNS). The proposal also has provision for integrating face recognition system and iris scans with the CCTNS.

“The idea is that integration of fingerprint database, face recognition software and iris scans will massively boost the police department’s crime investigation capabilities. It will also help civilian verification

when needed. No one will be able to get away with a fake ID,” said a home ministry official.

The UIDAI had recently issued a statement that under the Aadhaar law, its data could not be given to any criminal investigation agency. The authority was responding to a suggestion made by National Crime Records Bureau (NCRB) Director Ish Kumar that investigating agencies should be allowed to access the Aadhaar fingerprint data to identify criminals. NCRB is the nodal agency for implementation of CCTNS.

CCTNS is envisaged as a countrywide integrated database on crime incidents and criminals. It aims to connect all police stations across the country, with all their crime and criminal data, with a central database for real time access to information.

The first phase of CCTNS is nearing completion, with 14,500 of 15,500 police stations across the country being connected. Only Bihar, for various administrative reasons, is lagging behind, with close to 850 police stations yet to be linked to CCTNS.

As part of Phase II, the MHA is planning to integrate fingerprint database stored with Central Finger Print Bureau (CFPB), and use NIST Fingerprint Image Software (NFIS), a technology used by the Federal Bureau of Investigation (FBI), for matching fingerprints.

The CFPB currently uses Automated Fingerprint Identification System (AFIS), also called FACTS, for matching fingerprints. Sources said the technology is outdated and the FBI, which massively uses fingerprint data for criminal investigations, has long abandoned a similar technology.

The government is also working on scaling up data collection. While FBI has over four crore fingerprints in its database, the CFPB currently has a database of just over 10 lakh fingerprints. The MHA is working on scaling it up to 30 lakh by connecting data stored with state fingerprint bureaus. The plan is to store all data from crime scene investigations

across the country. Annually, close to 50 lakh cases are registered. The National Informatics Centre is already working on a cloud for its integration, said a source.

In 2009, Indian Mujahideen's operations chief Ahmed Zarar Siddibappa alias Yasin Bhatkal was arrested by the Kolkata police in a theft case. However, he was identified as "Bulla Malik", based on fake identity documents, and released after a few days. He went on to engineer a series of blasts in Pune and Mumbai, until he was apprehended in Nepal in 2013. This has become a reminder of the importance of CCTNS and integration of fingerprint and face recognition database in criminal investigations.

The home ministry is planning to connect all police chowkis — which may run into over a lakh — across the country with the CCTNS. It also plans to connect the Railway Protection Force's stations and their data, apart from the revenue police stations of Uttarakhand. The idea, sources said, is that although complaints registered at chowkis eventually reach the police station and are fed into its database, it takes a long time — particularly in hilly states — which defeats the purpose of CCTNS.

"The proposal also talks about connecting palmtops carried by police patrol teams for integration of spot panchnama with the CCTNS. It will greatly enhance real time access to crimes across the country for all police agencies," said the MHA official.

He pointed out that while lakhs of motor vehicle offences are registered by the transport department across the country, there is no central database. Now, this too would be connected to the CCTNS. This would help in ascertaining the history of criminal offences that a vehicle is involved in.

## ADULTERY

**TELEGRAPH AUG 3, 2018**

**Adultery a crime? SC has doubts**

A constitution bench of the Supreme Court on Thursday observed that adultery could be a ground for divorce under civil law but making it a criminal offence, as the current law does, appeared irrational and unconstitutional.

One, it interfered with an individual's sexual autonomy; and two, the current adultery law punished only the man and could thereby violate the right to equality.

Justice D.Y. Chandrachud, one of the five judges, batted for the sexual autonomy of women in abusive relationships, wondering why they should be prevented from seeking "solace and comfort" outside marriage.

The husband beating the wife is a fact of life in most Indian families, he said. Since formalising a divorce takes time, what's wrong if she seeks "solace and comfort in a relationship which will give her happiness", he said.

Justice Chandrachud argued that both men and men should have a degree of sexual autonomy.

The bench of Chief Justice Dipak Misra and Justices R.F. Nariman, A.M. Khanwilkar, Chandrachud and Indu Malhotra is examining the constitutional validity of Section 497 of the penal code, which deals with adultery.

It clarified it was not considering whether women too should be punished for the offence - it was only examining the constitutionality of the provision since it punishes only the man involved (with up to five years in jail).

The court added that although adultery may be considered not to be a criminal offence, it is "morally impermissible" - for both husband and wife.

Yet Section 497 fails to make the offence gender neutral, unlike Section 494 (bigamy), which makes men and women equally liable for prosecution,

Justice Nariman felt that Section 497 could be struck down on the ground of violation of Article 14 (equality) for it seeks to prosecute only the man. Justice Misra shared this view.

"Both parties who are engaged in adultery derive the benefit of the act, where one party is treated as an offender and the other as a victim.... In a marriage everyone has to equally respect the marriage. In such a situation each party to the marriage has equal responsibility," Justice Misra said.

Section 497 makes adultery a criminal offence if a married man has sexual intercourse with the wife of another man without the latter's "connivance" or "consent".

A batch of petitioners has assailed the provision on various grounds. One, it is discriminatory because it punishes only the man, they say. Two, it allows only the husband whose wife is in an adulterous relationship to file a complaint of adultery, while withholding this right to the wife of a man in an adulterous relationship.

Three, it does not make it an offence if a married man has sex with an unmarried woman, or a married woman with an unmarried man. The arguments will continue on Tuesday.

**HINDU AUG 3, 2018**

**Adultery law violates the dignity of woman, says SC**

The time has changed since it was commonly accepted that it is the man who is the seducer and not the woman, the Supreme Court said on Thursday, while questioning if the ‘archaic’ law on adultery would stand the test of right to equality.

A five-judge Constitution Bench, headed by Chief Justice Dipak Misra, made the observation while hearing a case challenging the validity of the penal law, which makes adultery an offence punishable only for men and not the consenting women.

Penal provisions Section 497 in the Indian Penal Code, which defines adultery, says that a man could be punished up to five years in jail if he has sexual intercourse with another man’s wife. However, it is not an offence if the sexual intercourse is with the “consent or connivance” of the husband of the woman.

The Bench, also comprising Justices R.F. Nariman, A.M. Khanwilkar, D.Y. Chandrachud and Indu Malhotra, said the IPC section treats a married woman as “chattel” (a personal possession) of the conniving husband, which was “absurd”. “When a woman is treated as chattel, her right to dignity is affected,” the Bench remarked.

The Bench also observed that decriminalising adultery was not “a licence for people to go indulge in it”.

It also remarked that adultery is a sign of marital breakdown as marriage as an institution has two pillars where both parties have to be equally responsible.

Advocate Kaleeswaram Raj, appearing for petitioner Joseph Shine, an Indian living in Italy, said adultery remains a ground for divorce in all personal laws.

“However, penalising adultery and jailing citizens for engaging in consensual sex is a different thing altogether. There is no compelling state interest or even a valid rationale for the state to do so,” Mr. Raj said.

Mr. Raj clarified that he was seeking to strike down the provisions as unconstitutional and looking to make its provisions gender neutral.

Senior counsel Meenakshi Arora said most countries have done away with adultery as a criminal offence, including Bhutan, Sri Lanka, China, South Korea.

## **AGRICULTURE**

**DECCAN HEARLD AUG 3, 2018**

### **State cabinet gives approval for agri innovation centre**

The state Cabinet on Thursday gave its approval for setting up of 'Centre for Excellence in Agri innovation', said to be first-of-its-kind in agricultural research in the country. Briefing reporters after the meeting, Rural Development and Panchayat Raj Minister Krishna Byre Gowda said, "The institution, to come up at National Centre of Biological Sciences (NCBS) in Bengaluru, will serve as an incubation centre for startups in agricultural research. The state government will provide a grant of Rs 15 crore to set up the Centre." In another decision, the Cabinet decided to set up a sub-committee headed by Chief Minister H D Kumaraswamy to decide on subsidies to be provided for mega industrial projects. Industries Minister K J George, Small Scale Industries Minister S R Srinivas and Revenue Minister R V Deshpande will be other members on the panel. Gowda said the Cabinet gave administration approval for construction of Rs 450-bed hospitals at the campuses of Koppal, Gadag and Chamarajnagar government medical colleges and a super-speciality hospital at PKTP hospital campus in Mysuru at a cost of Rs 450 crore.

## AWARDS

**STATESMAN AUG 3, 2018**

### **Delhi-born prof awarded fields medal**

Akshay Venkatesh, a renowned Indian-born Australian mathematician, is among the winners of mathematics' prestigious Fields medal, also known as the Nobel prize for math. He received the medal for the "synthesis of analytic number theory, homogeneous dynamics, topology and representation theory, which has resolved long-standing problems in areas such as the equidistribution of arithmetic objects," according to the International Mathematical Union's website.

The Fields medals are awarded every four years to the most promising mathematicians under the age of 40. The prize was inaugurated in 1932 at the request of Canadian mathematician John Charles Fields, who ran the 1924 Mathematics Congress in Toronto. Each winner receives a 15,000 Canadian-dollar cash prize.

The other three winners are Caucher Birkar, a Cambridge University professor of Iranian Kurdish origin; Germany's Peter Scholze, who teaches at the University of Bonn and Alessio Figalli, an Italian mathematician at ETH Zurich. Caucher Birkar's medal was reported stolen just minutes later.

Venkatesh was born in New Delhi and relocated to Perth with his parents when he was two. A child prodigy, he is the only Australian to have won medals at the International Physics Olympiad and International Mathematics Olympiad, at the age of 12.

He finished high school when he was 13 and went to the University of Western Australia graduating with first class honours at the age of 16.

He earned his PhD at the age of 20. Since then, he has gone from holding a post doctotal position at MIT to becoming a Clay Research Fellow and is currently a professor at Stanford University.

Venkatesh has worked at the highest level in number theory, arithmetic geometry, topology, automorphic forms and ergodic theory. His research has been recognised with many awards, including the Ostrowski Prize, the Infosys Prize, the Salem Prize and Sastra Ramanujan Prize.

## **BACKWARD CLASSES**

**INDIAN EXPRESS AUG 1, 2018**

### **Panel to examine OBC sub-categorization seeks third extension**

The Commission to examine the sub-categorisation of Other Backward Classes (OBC), headed by the former Chief Justice of Delhi High Court G Rohini, has sought a third extension till November 2018 for submission of its politically crucial report on creating quotas within quotas.

Confirming the development, Union Minister for Social Justice and Empowerment Thaawarchand Gehlot told The Indian Express, “The Commission has asked for four months’ time stating that it needs time to compile more data. Their extension would have to be approved by the Cabinet.”

The five-member panel, constituted in October 2017, was to complete its task of sub-categorising 5000-odd castes in the central OBC list so as to ensure “more equitable distribution” of opportunities in central government jobs and educational institutions. Its report was to be submitted within three months. Since then, it has sought and was granted extensions twice citing the ‘voluminous’ nature of its task. As per the ‘final extension’ granted by the Cabinet, its report was to be submitted on July 31, 2018.

The Commission was set up under Article 340 of the Constitution that was used to establish the landmark Mandal Commission more than two decades ago which recommended 27 per cent reservation for socially and educationally backward classes in higher education and government jobs. Over the years, with the benefits of this reservation being cornered

mostly by the dominant OBC groups, the sub-categorisation panel report is expected to recommend earmarking sub-quotas for the extremely backward classes within the OBCs.

The report would be politically instrumental in the BJP's attempt to undermine regional parties by reaching out to the non-dominant OBCs, more so in the run up to the 2019 general elections. The National Commission for Backward Classes had in 2015 noted that "unequals cannot be treated equally" and recommended that OBCs be categorised into extremely backward classes, more backward classes and backward classes.

"At present, eleven states have sub-categorised OBCs for their state services. We have to devise a similar methodology for the central OBC list. We have already called for data on five lakh-odd OBCs in central government jobs as part of this process," said officials.

## **BANKING**

**HINDU AUG 7, 2018**

### **Indra Nooyi to step down as pepsiCo CEO after 12 years**

PepsiCo CEO Indra Nooyi will step down on October 3 after a 12-year stint at the helm of food and beverage multinational. The 62-year-old India-born executive has spent 24 years at PepsiCo. The company announced that its Board of Directors has unanimously elected Ramon Laguarta to succeed Nooyi as Chief Executive Officer.

However, Nooyi will remain Chairman until early 2019 to ensure a smooth and seamless transition. The 54-year-old Laguarta was also elected to the company's Board of Directors, effective October 3.

"Leading PepsiCo has truly been the honor of my lifetime, and I'm incredibly proud of all we have done over the past 12 years to advance the interests not only of shareholders, but all our stakeholders in the communities we serve," said Nooyi adding, "Growing up in India, I never imagined I'd have the opportunity to lead such an extraordinary company."

Commenting on the appointment of Laguarta Nooyi said, "Ramon Laguarta is exactly the right person to build on our success. He is a terrific executive with a long and proven track record of growing businesses. He has a deep understanding of the changing preferences of consumers and other critical trends unfolding around the world, and he has demonstrated that he knows how to navigate them successfully. Ramon has been a critical partner in running the company, and I'm confident he will take PepsiCo to new and greater heights in the years to come."

Under Nooyi's leadership, PepsiCo's revenue grew more than 80 per cent, outperforming our peers and adding a new billion-dollar brand

almost every other year. According to PepsiCo's Presiding Director Ian Cook, PepsiCo shareholders have benefited during Nooyi's tenure. "\$1,000 invested in PepsiCo in 2006 is worth more than two-and-a-half times that amount today," Cook said.

"Today is a day of mixed emotions for me. This company has been my life for nearly a quarter century and part of my heart will always remain here. But I am proud of all we've done to position PepsiCo for success, confident that Ramon and his senior leadership team will continue prudently balancing short-term and long-term priorities, and excited for all the great things that are in store for this company. PepsiCo's best days are still ahead of it," added Nooyi.

Laguarta has held a number of executive and general management roles in his 22 years at PepsiCo. Since September 2017, Laguarta has served as President of PepsiCo, overseeing global operations, corporate strategy, public policy and government affairs.

## **BUSINESS STANDARD AUG 1, 2018**

### **Govt to withdraw FRDI Bill**

The government has decided to withdraw FRDI Bill following apprehensions expressed by public with regard to the 'bail-in' clause to resolve a failing bank and insurance cover on bank deposits, Finance Minister Piyush Goyal told a parliamentary committee.

The Financial Resolution and Deposit Insurance Bill (FRDI Bill) was introduced in the Lok Sabha on August 10 last year, and thereafter, it was referred to a joint committee of Parliament for scrutiny.

"The stakeholders including public have raised apprehensions relating to the provisions of the FRDI Bill, like the use of bail-in instrument to

resolve a failing bank, the adequacy of deposit insurance cover and the felt need to revive the insurance limits substantially, and application of resolution framework for public sector banks.

"Resolution of these issues would require a comprehensive examination and reconsideration. It is, therefore, appropriate that the bill may be withdrawn," Goyal had informed the joint committee, which tabled its report on the controversial bill today in Parliament.

The committee, headed by Bhupender Yadav, agreed with the proposal of the government to withdraw the bill.

The FRDI Bill sought to make an enabling law for creation of an independent Resolution Corporation to carry out speedy and efficient resolution of financial firms in distress, providing deposit insurance to consumers of certain categories, monitoring of the systemically important financial institutions and protecting the consumers to the extent possible.

The bill created lot of controversies as some experts felt that the 'bail-in' clause had the potential to harm deposits in savings bank accounts.

As per the report, the committee sought views of several stakeholders, including the RBI and industry bodies.

While briefing the panel, RBI Governor Urjit Patel had expressed concerns with regard various provision of the bill related to criteria for risk classification, information sharing between regulators and Resolution Corporation, among others

## **BORDER SECURITY**

**ASIAN AGE AUG 2, 2018**

### **New gates to be installed at Attari-Wagah border**

India and Pakistan are set to install new gates at the Attari- Wagah border, where people from both sides throng every evening to watch the lowering of the national flags.

Amritsar, Aug. 1: India and Pakistan are set to install new gates at the Attari- Wagah border, where people from both sides throng every evening to watch the lowering of the national flags.

The daily Beating Retreat drill involves the Border Security Force (BSF) and the Pakistan Rangers clanging shut the gates for the night at the joint check post about 30 km from here, amid a synchronised display of aggression.

The new gates, which are likely to be put up by the end of the month, will let the audience get a better view of the daily spectacle.

BSF Deputy Inspector General R. S. Kataria on Wednesday said the decision to install new gates was taken during the last Director General-level meeting in Delhi by the two border- guarding forces. A BSF official said the design of the new gates will allow people to look across them to the other side even when they are closed.

The gates on both sides will be almost identical, barring the emblems the two nations choose to put on them. New matching pillars will also come up.

On the Indian side, a new U- shaped viewing gallery is also likely to be inaugurated soon. Built at a cost of ` 33 crore, the gallery can seat up to 25,000 visitors.

## **BREXIT**

**TELEGRAPH AUG 1, 2018**

### **Brexit raises fears of food shortage**

Trucks parked along freeways or stuck in gridlocked ports. Food disappearing from supermarket shelves and stocks of medicines under strain. The military on standby, ready to step in to avert crisis. For a British public that has often tuned out from the mind-numbing complexities of Britain's withdrawal from the EU, recent government statements, amplified by raucous newspaper headlines, have finally become comprehensible - and alarming. For days, talk has swirled about government preparations for a disruptive departure from the EU without any agreement - a scenario that could mean new border checks, log-jammed ports, marooned trucks, and food, drugs and other essential supplies drying up. The speculation was prompted by a government promise to prepare for all eventualities, including the extreme one of a "no deal" departure from the EU, or Brexit. But even before the first of around 70 official "no deal" warning documents for businesses and consumers was published, they had - through the filter of the British news media - started to sound ominously reminiscent of rationing and other preparations during World War II. On Monday, the government insisted that it had "no plans" to involve the army and was backpedaling over the timing of the 70 warning notices. They were originally scheduled to appear regularly throughout the summer, something that would have generated maximum publicity. Now, the documents are expected in August and early September, probably in two batches. Already, however, efforts to prepare for the possibility of a "no-deal" Brexit have backfired by drawing attention to the extreme consequences Britain might face, and to the fact that it might not be able to do much to mitigate them.

## **BUREAUCRACY**

**HINDUSTAN TIMES AUG 3, 2018**

**HC says bureaucrats not officials of L-G; pulls up govt lawyer**

Bureaucrats are not the officers of the Lieutenant Governor (L-G), the Delhi High Court remarked on Thursday, when the lawyer appearing for the Delhi government informed the court that notification of the new jail manual is getting delayed since senior bureaucrats are sitting on the files.

A bench of acting Chief Justice Gita Mittal and Justice C Hari Shankar was hearing an argument made by standing counsel for the Delhi government, Rahul Mehra, who said people of the city are suffering because of these officers. The bench was hearing a PIL that it had itself initiated after several prisoners had written to the high court complaining about the inhuman conditions and lack of medical and employment facilities at Mandoli Jail.

The remark — “officers are not the officers of the L-G” — came after Mehra told the court that the amended jail manual will be notified through the L-G and after intimating him. To this, the bench said, “This is not how a government works. The legislature decides and the executive orders. Please read the law”.

Following this, Mehra alleged, “Secretary of law, home and the chief secretary are sitting on the file. They are behaving as if they are above the minister. The people of Delhi are suffering due to these officers.”

However, this did not go down well with the bench, which came down heavily on Mehra and remarked: “You are making it a political platform.”

Justice C Hari Shankar also expressed his displeasure at the pitch at which Mehra argued. He said: “There is a decorum. This is not the way a counsel of your seniority should argue. We find it really disturbing. Every time this case comes, your pitch is entirely different.”

Following this, Mehra apologised for his conduct, and said certain remarks had hurt him.

On the last date of hearing in the case, advocate Sumer Kumar Sethi, the amicus curiae appointed by the court, had informed the bench about the quantity of food available at the jail. Sethi had suggested that CCTVs should be installed in the kitchen to know the reason behind the lack of food. He also drew the court’s attention to the poor air quality around the jail premises due to burning of tyres and illegal industries.

The court will now hear the matter on September 14.

## **CITIZENSHIP**

**HINDU AUG 3, 2018**

**Home ministry plans hearings**

The applicants left out of the National Register of Citizens can be given personal hearings under a standard operating procedure (SOP) being devised by the Union Home Ministry. Registrar-General of India Sailesh and the Ministry are considering several options to give adequate opportunity to the 40 lakh people left out of the final draft published on July 30. Mr. Sailesh said the SOP must ensure that filing of claims and objections should be a fair and credible process.

**TRIBUNE AUG 1, 2018**

**No action against 40 lakh, says SC**

Amid an uproar over the draft National Register of Citizens (NRC) in Assam that excluded 40 lakh people, the Supreme Court on Tuesday made it clear that “it can’t form the basis for any action”, as it was only a draft NRC.

A Bench of Justices Ranjan Gogoi and Rohinton F Nariman asked the Centre to prepare a standard operating procedure (SOP) for deciding claims and objections against exclusions and inclusions by August 16, the next date of hearing.

It said the process adopted had to be fair and every affected person must be given proper opportunity to be heard before their claims and objections were disposed of.

The final draft NRC excluded 12 per cent of Assam’s population in a Supreme Court-monitored exercise to identify genuine Indian nationals living in the state.

To be recognised as citizens, all residents had to produce documents proving that they or their families lived in India before March 24, 1971. The Bench said once the SOP was prepared, it would approve it if the process adopted was fair.

Attorney General KK Venugopal said no coercive action would be taken against anyone until the claims and objections were disposed of.

Assam NRC coordinator Prateek Hajela told the Bench that affected persons can go to NRC Sewa Kendras and local registrars up to August 7 to find out why their names did not figure.

Hajela said people can file their claims and objections between August 30 and September 28 before 2,500 local registrars, who would be gazetted officers.

On the date for publication of the final draft NRC, Hajela said it would be done only after approval of the court.

Venugopal said the government wanted to collect bio-metric details of the 40 lakh people excluded from NRC as they might shift to other states. The Bench said, “At the moment, we will not express any opinion... Our silence is neither consent, nor agreement or assurance.”

The AG said the government was extremely concerned about what will happen in the next few days. He wanted the Bench to give an assurance to the people that it was only a draft NRC.

“We don’t give assurance... We issue only orders,” said the Bench. After the court dictated its order, a transgenders body urged it to give a second chance to around 20,000 persons, of whom only 2,000 had applied and just a few got included in the final draft NRC.

“You missed the bus,” said the Bench. However, it kept their plea pending.

## CIVIL SERVICE

**ASIAN AGE AUG 1, 2018**

### **UP faces shortage of IAS officers**

.” Uttar Pradesh is facing a shortage of senior IAS officers which is now reflecting directly on the governance, rather lack of it, in the state.

The result is that senior officers have been saddled with more than one department and they are unable to give the time and energy needed to focus on the departments they are assigned.

For instance, deputy chief minister Keshav Maurya heads the PWD while deputy chief minister Dinesh Sharma holds charge of secondary and higher education. Both the ministers share one additional chief secretary, Sanjay Agarwal, who looks after all three departments and juggles his time and priorities between them.

Similarly, the agriculture production commissioner Prabhat Kumar looks after 20 departments along with basic education while principal secretary information Avanish Awasthi juggles between information, tourism, UP Expressways Industrial Development Authority and now has been given charge of the home department as well.

Talking about the situation, a Cabinet minister said, “Whenever I want to discuss some issue related to my department with the principal secretary, he sends me a text message that he is with the chief minister, who heads one of the departments he holds charge of. As a result, I am unable to work with the speed I would like to and several decisions are left pending”.

Some other officers holding charge of more than one important department are Kalpana Awasthi (excise and environment), Renuka

Kumar (Women welfare, revenue. mining) , Alok Sinha (commerce, IT and electronics) and Alok Kumar (power and chairman of Power Corporation)

Even the UP chief secretary Anup Chandra Pandey is holding additional charge of the industrial development commissioner because the state government has not found a replacement after he became chief secretary last month.

## **HINDU AUG 7, 2018**

### **An IAS officer who quit to reform governance**

Vijay Maruti Pingale, a 2004 batch officer of the Tamil Nadu cadre, joined the civil services because he wanted to reform governance from within the system. But after 14 years of trying, the civil servant, who holds an MBBS degree, has decided to throw in the towel. He submitted his resignation some days ago and hopes to pursue his goal of governance reform by joining an NGO. The State government, however, is yet to accept his resignation.

Dr. Pingale first came under the spotlight in 2013 when, as Deputy Commissioner (Works), Chennai Corporation, he introduced advanced technology to fix responsibility for shoddy work on civic infrastructure projects such as roads, bridges, streetlights, and pedestrian facilities.

It was during his tenure that for the first time contractors who re-laid roads without adhering to norms began to be regularly penalised, winning him much support among the public. He involved IT companies in develop a digital dashboard for monitoring all civic projects on a real-time basis at the field level.

A special team of engineers that he had formed to track the quality of the roads had found that more than 30% of the roads re-laid in Chennai lasted less than a year.

Dr.Pingale had also unearthed a scam in the maintenance of public toilets in Chennai and initiated action against those who had illegally collected money from residents. Surprisingly, or perhaps expectedly, after just 16 months in the Greater Chennai Corporation, Dr. Pingale was shifted to the Industries Department. According to sources, this was done under pressure from the contractors whom he had penalised.

As Joint Secretary, Industries Department, Dr. Pingale organised the Global Investors Meet in Chennai. With his resignation as yet unaccepted, he remains with the department, under the Union Ministry of Commerce in Delhi. According to sources close to him, Dr. Pingale, is all set to join a NGO involved in an issue close to his heart – the use of technology to improve governance.

“With his departure, Tamil Nadu would lose a very good IAS officer,” said R.A. Israel Jebasingh, his batchmate.

## **STATESMAN AUG 5, 2018**

### **Delhi transport minister ‘rebukes’ IAS officer**

New Delhi, Aug 4 (PTI) Strained relations between the AAP dispensation and bureaucrats surfaced again with Transport Minister Kailash Gahlot allegedly "rebuking" senior IAS officer and transport secretary Varsha Joshi during a meeting, sources said today.

Joshi, who had been at the centre of a similar confrontation earlier, faced Gahlot's ire during the meeting yesterday to review replies to be given to

transport department-related questions of MLAs in the monsoon session of the Delhi Assembly beginning August 6.

Joshi refused to comment on the matter when contacted. Efforts to seek Gahlot's version of the matter elicited no response.

The forum of transport department associations accused Gahlot of "misbehaving" with Joshi and sought his apology in a statement.

"The officers and staff of transport department are pained at the misbehaviour of Transport Minister Kailash Gahlot with secretary-cum-commissioner (transport) Varsha Joshi. The minister not only misbehaved with an upright and honest woman officer but also insulted her in the presence of 30 other officials in the meeting," it said.

## **HINDUSTAN TIMES AUG 3, 2018**

### **MEA reshuffle: Varma to be India's envoy to Russia**

Major changes in the external affairs ministry, including top ambassadorial postings, are on the cards, people familiar with the developments said. D Bala Venkatesh Varma, a 1988 batch Indian Foreign Service (IFS) officer, is set to become India's envoy to Russia.

He will replace Pankaj Saran, who has been appointed as a deputy national security adviser. Ruchi Ghanashyam, secretary (west) at the headquarters and a 1982 batch officer, is likely to be next Indian high commissioner to the UK in place of Y K Sinha. Varma is a Russian speaker and has served the Indian embassy in Moscow as third secretary, second secretary as well as counselor (political). An expert on disarmament issues, Varma was the first recipient in 2010 of the SK Singh Award for Excellence in the IFS for the role he played in civil nuclear deals India has signed with other countries.

Sanjay Verma, a 1990 batch officer, is set to become India's next envoy to Spain in place of Bala Venkatesh Varma. The people familiar with the developments said Indian envoy in Beijing, Gautam Bambawale, who is retiring soon, could get an extension. The 1984 batch officer is a Mandarin speaker with long experience in dealing with China at a time when the reset in the ties is working as per the script. These factors could work in Bambawale's favour. He served in Hong Kong and Beijing between 1985 and 1991. Bambawale then served as deputy chief of mission, besides heading East Asia desk in the ministry. He also served as envoy to Bhutan. India's ambassador and permanent representative to the Conference on Disarmament in Geneva Amandeep Gill, a 1992 batch IFS officer, is taking a break. Gill is joining a United Nations task force on digital cooperation as an executive director. The task force has been set up for a "safe and inclusive digital future of the world". But it is unclear whether the vacancy will be filled as Gill will be away only for a year. The MEA has internally advertised for the post, the people said.

The extended term of India's envoy to Washington, Navtej Sarna, will end in December. Harsh Vardhan Shringla, a 1984 batch officer and envoy in Bangladesh, could be one of the main choices for Washington.

Shringla has won much acclaim for his deft handling of ties with Dhaka.

He has vast experience in handling various diplomatic issues in his 33-year-old service. Shringla will be busy ahead of crucial elections in Bangladesh as Prime Minister Narendra Modi attaches high-level importance to the ties with Dhaka. The permanent representative to the UN, Syed Akbaruddin, is another senior diplomat likely to get a big posting. Vijaya Singh Thakur, a 1985 batch officer, will take over as secretary (East) next month following the retirement of incumbent Preeti Saran.

**TIMES OF INDIA AUG 4, 2018**

**U’Khand govt staff can get maternity leave for 3<sup>rd</sup> child**

Uttarakhand high court has struck down a state government rule denying leave to women employees for the birth of their third child as “unconstitutional”. The court said the guidelines went against the “letter and spirit” of the Constitution. The order by the single bench of Justice Rajiv Sharma said that the second provision of Fundamental Rule 153 of the Uttar Pradesh Fundamental Rules, as adopted by Uttarakhand, goes against a central act as well as Article 42 of the Constitution, which provides for “just and humane conditions of work and maternity relief”. The court said that the rule was against the Maternity Benefit Act, 1961 which does not prohibit, in any manner, grant of maternity leave to a woman government servant who already has two children. The Maternity Benefit Act, 1961, is applicable to all private and government establishments, employing 10 or more people. In 2017, an amendment to the Maternity Benefit Act, 1961, increased the duration of paid maternity leave available for women employees from 12 weeks to 26 weeks and in case of women expecting their third child, the duration was fixed at 12 weeks. The court directed the government that Haldwani-resident Urmila Masih be paid the salary for the leave she had availed in 2015, when maternity leave was denied to her.

## DATA PROTECTION

**BUSINESS LINE AUG 3, 2018**

**Govt. can relax data localisation conditions based on criticality of info: Srikrishna**

The government has the authority to relax conditions on local storage of data based on the criticality of information, said former Supreme Court Judge BN Srikrishna.

This comes in the backdrop of the Justice Srikrishna Committee report on Personal Data Protection, which has recommended that every data fiduciary should store one live, serving copy of personal data in India.

This, in industry parlance, is called data localisation, which businesses believe would impose additional costs. “The government has the authority to relax conditions based on the criticality of information and the situation,” Srikrishna told *BusinessLine* through email. He added that the government may alter the settings as things progress.

Data Protection Bill

On July 27, the Srikrishna committee released a draft Bill setting the framework for India’s first comprehensive law on privacy and data protection. The Committee’s recommendations came almost a year after the Supreme Court recognised privacy as a fundamental right guaranteed by the Constitution. These recommendations will be discussed before the Bill is moved in Parliament.

These recommendations have the potential to reshape the users, the industry and the government deal with data. The Committee has recommended setting up a Data Protection Authority (DPA) which will be responsible for monitoring, enforcement, standard setting, awareness creation and grievance handling.

But it is the data localisation part that has rattled the industry. Industry body Nasscom along with the Data Security Council of India (DSCI) pointed out that mandating localisation of all personal data, as proposed in the draft Bill, can become a trade barrier in key markets.

Srikrishna is of the view that the country needs to take the middle path, thereby balancing interests of both the people and businesses. Globally, a debate has been raging on use of people's data by companies such as Google, Facebook, and Amazon, without clearly stating the purpose. In India, too, there have been widespread debates around Aadhaar and the fact that information can be hacked.

“When this collision happens, rights of the citizen must always prevail as it is for the sake of a citizen that business exists and not the other way,” said Srikrishna. He also said that no business or industry can ever be totally free of monitoring. In any new legislation, there are concerns as to how it affects any section of society but as people get used to the new legislation, such fears subside.

Nasscom-DSCI, however, pointed out that policies that govern data protection, storage and classification need to be carefully crafted given the global footprint of the IT-BPM sector. Service providers in India process financial, healthcare and other data from all over the globe. India is also the destination for R&D, product development, analytics and shared services, they said in a statement.

## **BUSINESS LINE AUG 1, 2018**

### **Too nationalist about digital economy**

If you expect a healthy dose of nationalism in policy-making ahead of 2019, you won't be disappointed. Still trying to digest last week's

Personal Data Protection Bill draft and 213-page report, I found in my inbox an undated 19-page ‘E-Commerce Draft National Policy Framework’, marked ‘strictly confidential’.

Data is the oil of the digital economy, it said. And that data from e-commerce platforms, social media, search engines...should be stored exclusively in India. And be ‘shared’ with the government. And RuPay, the Indian government’s alternative to Visa and Mastercard, should be promoted strongly.

Think about that. If this Commerce Ministry draft became law, Google, Facebook, Twitter, Amazon...they’d all need to isolate and store user data in India for all services.

But back to last week’s highlight: the Friday release of the much-awaited report of the Justice Srikrishna Committee of Experts on Data Protection, along with the draft Personal Data Protection (PDP) Bill.

Not everyone had waited patiently for this draft.

TRAI had jumped the gun with its ‘Recommendations on Privacy, Security and Ownership of Data in the Telecom Sector’ released on July 16, with the Srikrishna Report weeks away. Side note: telecom is the biggest data player. The mobile (a billion of them) is the real on-ground identity. It’s also central to Aadhaar, bank account, wallets, everything.

And the RBI had issued a terse circular in April, directing all payments providers to store their data only in India — with six months for compliance. This was a high-voltage shock to payment firms such as Visa and Mastercard, and a nice fillip for NPCI (and its RuPay) and Paytm, which discovered nationalist nirvana.

Despite global criticism and representations by payments firms and trade bodies such as USISPF and NASSCOM, the RBI dug in its heels. Its public response was to issue a letter demanding a compliance update.

And now, the draft PDP Bill of July 27 goes further than even the RBI in placing pre-Internet-era restrictions on cross-border flow of data.

First, the draft PDP Bill classifies all financial data, even passwords, as ‘sensitive’, something that should really be used for data that can harm people, such as by profiling and discrimination, as committee member Rama Vedashree wrote in her dissent note towards the end of the report.

### Balkanizing the Internet

Second, the draft Bill restricts cross-border flow of sensitive data. Such data would have to be mirrored in India, for government access. If it’s further classified as ‘critical’, then it would have to be stored only in India.

The RBI folks are jumping with joy. For not only does the draft PDP Bill back their stance, it extends it to all financial providers, including banks, and not just payments firms.

Wait. This is 2018. The Internet is a global network. Cloud-based systems are global. Your Gmail isn’t stored in one box in California. If you balkanize the internet and isolate it into boxes separated by borders, you begin to destroy the foundation of the internet.

Payment providers use their own secure global networks. And global platforms, tools and data-sets for fraud mitigation, anti-money laundering, customer safety and service. Add AI and machine learning, and you have a system that depends on global tools and third-party service providers.

Example: three point-of-sale payments happen on one card in quick succession in three malls in Milan. It’s borderline, but the third transaction is blocked and a message goes to the user. The user calls, says she is not in Milan. Her card is blocked. Machine learning kicks in: the system learns this was the right call for this pattern, and shares this

learning globally. The next day a similar pattern is detected and blocked in Pune.

Machine learning algorithms also forage the internet for recent online activities: social media, payment patterns, IP location, device activity, billing address. The more data points algorithms gather for you, the better they can detect pattern violations — and lower risk for you.

Now, the RBI says: keep customer data only in India. Even if it allows live processing outside, that does not let AI or machine learning draw on global datasets. That reduces security. Apart from the cost of replicating those global platforms in India. There's also reciprocity. If the global networks aren't allowed access to Indian dataset archives, why should Indian networks be allowed global data access? And then there's a world beyond financial data that harsh data localisation will impact. The local password What happens to email? While it hasn't been explicitly mentioned, the draft PDP Bill says passwords are sensitive personal data. They must thus be stored in India, at least as a mirror. Does that mean all passwords for all services — email, Facebook, Twitter, every online service in the world? Subscribe to NYT or Playboy and your password should be in India!

This is bizarre. It's a deal-breaker for every global online service. Let's start with Google, which does not segregate Gmail users by their home address, and so has no easy way of isolating 'Indian' users. Even if it did, there's no way it's going to move data, or passwords, of 'Indian' users of Gmail to India. The same applies for Facebook, or Yahoo, or any other global online service.

Let's talk reciprocity. If India goes extremist on data localisation, inspired by China (and Europe), why would the West not strike back? Starting with that fount of new-found nationalism, Trump's America? Our software and BPM services export revenue of \$126 billion is

predicated on free cross-border flow of data. India processes the Western world's financial data. Even if the RBI hasn't asked to block real-time global processing of financial data, there's no guarantee of precise eye-for-eye reaction. If the Trump administration strikes back with 'no processing of US sensitive data in India', there goes much of India's BPM exports. There's still hope: there will be stakeholder consultations, as the IT minister has committed. And of course, enacting this Bill into law is a long way away, though the RBI could well go ahead with its harsh data localisation demands, striking at Visa, Mastercard and others.

But I'm not holding my breath on the stakeholder consultation. The *swadeshi*wave is rising. The connected, global digital economy of 2018 may need to give way to the realpolitik of 2019.

## **FINANCIAL CHRONICLE AUG 3, 2018**

### **Srikrishna defends data safety draft amid rising criticism**

Justice BN Srikrishna has said the committee headed by him on data protection took a 'fairly balanced' call after hearing all stakeholders, including the industry. Some industry stakeholders have sought clarity on the issue of sharing data with third parties claiming that the committee's report did not include their inputs and a lot of are-as had gone unaddressed.

Srikrishna said an industry representative and an academician had expressed their reservations during the deliberations. "No industry ever wants any restrictions on any of its operations and no country ever allows any industry to operate without no restrictions whatsoever. There was a representative of industry who vigorously advocated their viewpoints and an academician, both of whom have given their

reservations. But, the committee has ultimately taken the call which, in my view, is fairly balanced,” he told.

He also said every time any legislation affecting industry was passed, concerns were raised that it would increase the cost of operations. It was to be true, all industries should be making losses, but on the contrary most of them were making profits.

Finally, the data protection authority can always deal with marginal entities and give them suitable exemptions, Srikrishna said.

The committee submitted its report to the government on July 27 suggesting steps for safeguarding personal information, defining obligations of data processors as also rights of individuals, and mooted penalties for violation. On imposing “undue restrictions” on transferring personal data outside India by businesses, Srikrishna said it was a matter of perspective. The panel had taken a middle path, unlike China and Russia, which make localisation absolute, he added.

“There have been extreme views on this like those in China and Russia which make localisation absolute and in other countries, where cross border transfer is allowed totally without restriction. We have taken a middle path as you will see from the report and bill,” he said.

**TIMES OF INDIA AUG 4, 2018**

**UIDAI helpline no. pops up in phones, sparks privacy row**

Nobody knew where it came from, but there it was. Millions of mobile phone users found an unexpected intruder in their phone contact list on Friday — an invalid Unique Identification Authority of India (UIDAI) toll-free number. Late at night, Google issued a statement saying that an internal review had revealed that the number, 18003001947, and the distress helpline number 112, were inadvertently coded Google’s

statement put to rest a fresh controversy that had erupted involving Aadhaar, with Android phone users wondering how a number could enter their phone book without their consent 31 8/9/2018 UIDAI in contact list: UIDAI helpline no. pops up in phones, courtesy Google - Times of India <https://timesofindia.indiatimes.com/business/india-business/uidai-helpline-no-pops-up-in-phone-books-sparks-row/articleshow/65264883.cms> 4/43 Late at night, Google issued a statement saying that an internal review had revealed that the number, 18003001947, and the distress helpline number 112, were “inadvertently coded into the SetUp wizard of the Android release given to OEMs for use in India and remained there since”. Users can manually delete the number, it added. Google’s statement put to rest a fresh controversy 8/9/2018 UIDAI in contact list: UIDAI helpline no. pops up in phones, courtesy Google - Times of India <https://timesofindia.indiatimes.com/business/india-business/uidai-helpline-no-pops-up-in-phone-books-sparks-row/articleshow/65264883.cms> 5/43 Interview: ‘Vigilante hacker’ of Paytm, Aadhaar fame may reveal himself As the controversy raged, UIDAI and telecom operators denied any role in the matter. Sources in Apple and Google, the companies that own Android and iOS — the two most widely used mobile operating systems — denied any role and promised a probe. After the initial denial, Google’s review solved the mystery. 8/9/2018 UIDAI in contact list: UIDAI helpline no. pops up in phones, courtesy Google - Times of India <https://timesofindia.indiatimes.com/business/india-business/uidai-helpline-no-pops-up-in-phone-books-sparks-row/articleshow/65264883.cms> 6/43 The issue first came to light on Friday when several mobile phone users uploaded images of UIDAI’s defunct toll-free helpline (18003001947) in their contact list on social media. Amidst fresh privacy concerns, the government swung into

action with IT minister Ravi Shankar Prasad convening a review meeting. Will work to fix issue, says Google As outrage and criticism built up on Friday, UIDAI denied reports that it had issued any instruction to add this number to mobile phones. It termed the number appearing on the contact list as “invalid”, saying its tollfree number is ‘1947’ and not the one on their phone book. “UIDAI has not asked or communicated to any manufacturer or service provider for providing any such facility. Some vested interests are trying to create unwarranted confusion in the public,” it said. “UIDAI has reiterated it hasn’t asked or advised anyone, including any telecom service providers or mobile makers or Android, to include 18003001947 or 1947 in the default list of public service numbers,” the statement said. Aadhaar CEO Ajay Bhushan Pandey told TOI that the Indian Computer Emergency Response Team (CERT-In) had started an investigation into the issue. “I made over \$1,000 in just a few trades”.

## DEFENCE

**HINDUSTAN TIMES AUG 1, 2018**

### **Govt sets up panel to speed up defence purchases**

The defence ministry has issued orders for constituting a previously announced 11-member advisory committee to speed up the purchase of weapons and systems to sharpen the military's capabilities, two people familiar with the move said on the condition of anonymity.

The ministry announced the setting up of a 13-member committee, the Raksha Mantri's Advisory Committee on Ministry of Defence Capital Projects, almost six months ago, but the orders passed on July 23 reveal that the panel will have 11 members and two special invitees, said one of the persons cited above.

According to a government statement issued on February 7 when the committee was announced, the panel's terms of reference include undertaking "independent review and status check" of critical ongoing capital projects worth more than Rs 500 crore.

The advisory panel has also been tasked with assessing the "physical and financial progress" of the programmes reviewed by it, apart from identifying reasons causing delay and recommending the way forward, that statement added.

The panel's term will end in February 2019, said the second official cited above. He added the committee would be required to submit a preliminary status report by August 31. Two follow-up corrective reports would have to be submitted by October 30, 2018 and January 31,

2019. The committee members include former higher education secretary Vinay Sheel Oberoi and former chief of Hindustan Aeronautics Limited RK Tyagi.

The special invitees are from private consultancy firms KPMG and E&Y. “It’s good to know that the panel is in place. We hope it adheres to the timelines and its inputs help accelerate critical projects,” said Lieutenant General (retd) Sanjeev Madhok , who heads defence business at Dynamatic Technologies.

The panel is one of the many steps taken by the government to energise the defence sector.

## **EDUCATION**

**TIMES OF INDIA AUG 1, 2018**

**Record 55,000 clear UGC-NET; results out in just 3 weeks**

Over 55,000 candidates have cleared the University Grants Commission-National Eligibility Test (UGC-NET 2018) to qualify as assistant professor and get the grant for Junior Research Fellowship (JRF). This is the highest-ever number of candidates to have passed the exam. Last year the number was around 38,000. This time, the Central Board of Secondary Education (CBSE) announced these results in a record three-week time. The exam was conducted on July 8 and the results were announced by the board on Tuesday. So far, the board used to take at least three months to do the same. Although 11.48 lakh candidates had registered, 8.59 lakh appeared for the exam, around 6.5% of whom finally made the cut. For the first time, it was made into a two-paper exam (one general, meant for all candidates, and a subject paper) from the earlier three-paper one. The exam was conducted for 84 different subjects. This year, the numbers of candidates registered (11,48,235) and appeared (8,59,498) are also the highest ever for the exam

**INDIAN EXPRESS AUG 3, 2018**

**UGC recommends deemed university status for IIMC**

The Indian Institute of Mass Communication (IIMC) moved a step closer to becoming a deemed university on Thursday with the University Grants Commission (UGC) advising the government to issue a Letter of Intent (LoI) to the journalism school under the 'De Novo' category.

According to the UGC regulations on deemed-to-be universities, ‘De Novo’ refers to an institution which focuses on teaching and research in “emerging areas of knowledge”.

The LoI, The Indian Express has learnt, will be issued on five conditions, fulfilling which IIMC will be declared a deemed university.

Currently, IIMC offers eight one-year postgraduate diploma programmes at six of its campuses across the country. The deemed university status will allow the institution to award degrees instead of diplomas.

The I&B Ministry had given IIMC an approval to apply for deemed university status last year. The proposal was sent to the HRD Ministry on June 8, 2017. The UGC then set up an expert committee to examine the plan and also sent teams to visit the IIMC campuses in Delhi and Dhenkanal

According to sources, the first committee of experts recommended deemed university status for the institute. The inspection team also supported the proposal, but on a few conditions. First, the journalism school should prepare a detailed syllabus of the five new programmes it proposed to offer. Second, it should appoint faculty and upgrade infrastructure as per UGC norms. Lastly, the its Memorandum of Association or Rules should also be in accordance with UGC regulations.

## **HINDUSTAN TIMES AUG 4, 2018**

### **IIMs set to admit graduates directly in PHD**

In a move that will benefit thousands of students, the human resource development (HRD) ministry is likely to allow the elite Indian Institutes of Management (IIMs) to admit students directly to their PhD

programmes after completion of a four-year Bachelors degree or professional courses.

A number of IIMs have raised the matter with the government, which also received a proposal from IIM-Bangalore to allow the B-schools to admit students directly to PhD programmes after they graduate, like the Indian Institutes of Technology are allowed to do.

“We have sent a proposal to the HRD ministry to allow direct admission of students to the PhD programme after completing their four-year graduation or their CA/ICAI/CS, apart from those having a Masters,” IIM-Bangalore director G Raghuram said, adding, “We already admit such candidates to our fellow programmes, but are not able to grant them a PhD degree. Now that the IIM Act is in place, the government should allow us to grant them a degree.”

CA and CS are short for chartered accountancy and company secretaryship. ICAI stands for the Institute of Cost Accountants of India, previously known as the Institute of Cost and Works Accountants of India (ICWAI).

There are 20 IIMs in the country and all are likely to benefit from the move. Earlier, the IIMs were being asked to adhere to the University Grants Commission’s (UGC) norms on award of PhD degrees. As per the commission’s, notification, only people with a master’s degree are eligible to pursue PhD.

According to a senior HRD official, who spoke on condition of anonymity, the issue raised by the IIMs was examined in light of the PhD programmes conducted by some IITs, which are also institutes of national Importance and are empowered to award degrees. IIMs too have been allowed to award degrees under the IIM Act, 2017.

However, the ministry has also pointed out that IIT-Delhi, for instance, has prescribed a minimum period of three years for PhD for scholars having a degree other than a Masters or equivalent.

“For students with a four-year graduation, the minimum duration would be three years. The duration for completing PhD for those having a Masters degree is two years so similar rules have to be followed by IIMs,” said a second HRD ministry official.

The ministry has proposed that in case the minimum entry qualification is a Masters degree or professional qualification of CA/ICWA/CS or post graduate diploma of two years’ duration, the minimum course duration would be two years or four semesters. In case of a four-year or more Bachelors degree, the minimum duration would be three years or six semesters.

The Indian Institutes of Management Bill, 2017, which was passed on December 20, 2017 and came into effect from January 31, 2018, empowers IIMs “to grant degrees, diplomas and other academic distinctions or titles and to institute and award fellowships, scholarships, prizes and medals, honorary awards and other distinctions”.

“There is a certain rigor that is required in PhD programmes and hence fundamentally it is not a great idea, but having said, that it also depends on the four-year programmes that students undertake before they enroll for a PhD programme. For instance, if that programme has taken into account initiating the students into research then it does make sense,” said SS Mantha, an academician and former chairman of the All India Council for Technical Education (AICTE)

## **ELECTIONS**

**DECCAN HERALD AUG 3, 2018**

**Elections TO 105 Urban local bodies on Aug 29**

Elections to the Shivamogga, Mysuru and Tumakuru city corporations have been deferred as a matter is pending before the Karnataka High Court. The election notification will be issued on August 10, and the last date for candidates to file nominations is August 17. Votes polled will be counted on September 1. As many as 208 ULBs went to polls in 2013. Their term will end between September 2018 and March 2019. “Therefore, the polls will be held in two phases,” Sreenivasachari said. In the first phase, 29 city municipalities, 53 town municipalities and 23 town panchayats will go to polls on August 29. There are totally 36.03 lakh voters across the 105 ULBs wh for the first time, will get to choose the None of the Above (NOTA) option, Sreenivasachari said.

## **EMPLOYMENT**

**TIMES OF INDIA AUG 5, 2018**

**Govt. sit on 24 lakh vacancies amid debate over job drought**

In time of a raging debate over jobless growth, nearly 24 lakh posts are lying vacant with the central and state governments, data compiled from answers to various questions in Parliament show. A Rajya Sabha question answered on February 8 shows that the largest chunk is the over 10 lakh vacant positions for teachers in elementary (9 lakh) and secondary schools (1.1 lakh). Apart from the vacancies in the centrally sponsored Sarva Shiksha Abhiyan, which provides assistance to states and Union territories to maintain the desired pupil-teacher ratio under right to education norms, the bulk of these vacancies are in the domain of the states and Union territory administrations. About 24 lakh posts are lying vacant with the central and state governments, data compiled from answers to various questions in Parliament show. A Rajya Sabha question answered on February 8 shows that the largest chunk is the over 10 lakh vacant positions for teachers in elementary (9 lakh) and secondary schools (1.1 lakh). 8/9/2018 Sarva Shiksha Abhiyan: Central and state governments sit over 24 lakh vacancies amid debate over job drought | A Lok Sabha question answered on March 27 quoting figures from the Bureau of Police Research & Development stated that there are 4.4 lakh vacancies in civil and district armed police. The same source showed that an additional 90,000-odd positions vacant in state armed police, taking the total vacancy in police forces to 5.4 lakh across the country. Law and order being a state subject, these positions are primarily under the state governments. Railways has 2.5L vacancies

among non-gazetted staff Incidentally, among major economies, India has one of the lowest police-to-population ratios. This is often held to be a major factor in larger law-and-justice issues like pendency of cases and lower conviction rates because of slapdash investigations done by overburdened police. It is not surprising that the judiciary, with crores of pending cases, is also running well below full strength. A Lok Sabha question answered on July 18 points at over 5,800 vacancies in courts. Answers to Rajya Sabha questions on March 14 and 19 and a Lok Sabha question on April 4 showed that there are over 1.2 lakh vacant positions in the defence services and paramilitary forces. Over 61,000 of these are in paramilitary forces while the aggregate figure for the three defence forces is over 62,000.

## **ENERGY RESOURCES**

**BUSINESS STANDARD AUG 1, 2018**

**RIL wins arbitration case against govt**

In a major blow to the government in the gas migration dispute between Reliance Industries (RIL) and state-owned ONGC, an international arbitration tribunal on Tuesday ruled in favour of a consortium led by the Mukesh Ambani-led conglomerate.

The tribunal rejected the government's claim of illegal gas production by the consortium from the neighbouring block of ONGC in the Krishna-Godavari (KG) basin. In addition, it awarded costs of \$8.3 million (Rs 564.40 million), to be paid by the government to the consortium.

The arbitration was over a dispute regarding a penalty of \$1.55 billion slapped by the government on RIL and its partners, BP Plc and Niko Resources, for allegedly drawing gas from ONGC's block. The three-member tribunal, led by Singapore-based arbitration chambers' head Lawrence Boo, rejected the government claim by a majority of two votes to one. The other two members in the panel were government representative and former Supreme Court Judge G S Singhvi and RIL arbitrator former English High Court Justice Bernard Eder.

The penalty was slapped on the companies by the government in November 2016. This was based on the findings of the US-based consultant DeGolyer and MacNaughton (D&M), which submitted its report in November 2015.

The report stated that 11.122 billion cubic metres of natural gas had migrated from ONGC's 98/2 area to RIL's adjoining KG-D6 block from April 2009 to March 2015.

After this, Reliance had come out with a statement that the contractor's liability had not been established by any process known to law and the quantification of the purported claim was without any basis.

Later, a single-member panel of Justice A P Shah, set up under the guidance of the Delhi High Court, said the company got "unjust" benefit from the migration of gas. Shah also suggested that the compensation should go to the government and not ONGC, as the government was the owner of all unproduced natural resources.

## **ENVIRONMENT**

**TIMES OF INDIA AUG 3, 2018**

### **Green tribunal asks NCR states to report on air pollution fight**

National Green Tribunal (NGT) has directed the states in the national capital region (NCR) to file reports on compliance to the graded response action plan (GRAP) notified by the Centre. While disposing of a four-year-old case on air pollution in Delhi filed by advocate Vardhaman Kaushik, NGT also directed Central Pollution Control Board (CPCB), Delhi Pollution Control Committee (DPCC) and other NCR state pollution control boards to file air quality status in the region every month. 28 8/8/2018 Green tribunal asks NCR states to report on air pollution fight

The NGT bench, headed by chairperson Justice Adarsh Kumar Goel, reiterated that a ban on more than 10-year-old diesel vehicles would continue in Delhi and the rest of NCR. Citing NGT's order of December 11, 2015 prohibiting registration of new diesel vehicles except ones for essential services, the current bench maintained the status quo. Amazon-Its where you shop for businessAmazon SME Protect yourself against cardiac riskHDFC Life Recommended By Colombia The GRAP designed by NGT in December 2017 should also be integrated into the Centre's GRAP that was notified following a Supreme Court order, the tribunal said. Last year, an NGT bench, headed by former chairperson Swatanter Kumar, said the GRAP notified by the Centre had failed to prevent smog episodes in Delhi. "An approach has to be adopted that is precautionary and preventive rather than curative," it pointed out. Following this, the current bench has also said NGT's modifications to

GRAP should be implemented. “We are of the view that there is a need for change in the procedure earlier laid down to the effect that the GRAP already notified with further modifications in the light of orders of this tribunal needs to be fully implemented,” the order stated. 8/8/2018 Green tribunal asks NCR states to report on air pollution fight | Delhi News - Times of India NGT also clarified that a monitoring committee set up by it on November 11, 2016 would check compliance to these orders. The committee comprises of, among others, the Union environment secretary, chief secretaries of Punjab, Uttar Pradesh, Haryana, Rajasthan and Delhi, the member-secretaries of CPCB and state pollution control boards, and IIT-Delhi professor Mukesh Khare. “NGT disposed of the matter by reiterating the implementation of earlier orders on controlling air pollution. The bench also recalled SC’s orders on the issue like the 1% pollution charge on diesel SUVs,” said Sanjay Upadhyay, advocate representing Kaushik

## **STATESMAN AUG 1, 2018**

### **Polythene ban in U’Khand from today**

After providing adequate time to traders, Uttarakhand government is all set to impose complete ban on polythene in the hill state from 1 August. The state government had made the announcement in June and asked the polythene wholesalers to finish their stock within the allotted time.

Uttarakhand Chief Minister Trivendra Singh Rawat has requested the people of the state not to use polythene. The CM said, “Polythene use pollutes our environment and it also causes immense harm to the agriculture, animals and birds. The state government has decided to get

strict on the use of polythene from August 1, so that the state could be made clean.”

After making the announcement on polythene ban, the state government was to host public awareness programme. But little was done on this front and the deadline for the traders concluded on Tuesday.

The state government is aiming to make Uttarakhand a polythene free state. Chief Minister Trivendra Rawat said, “Prime Minister Narendra Modi has made cleanliness a mass movement. By stopping the use of polythene, the people should extend their support in this cleanliness campaign.”

## GOVERNOR

**STATESMAN AUG 1, 2018**

### **Rajiv Mehrishi likely to be new governor of J&K**

A former bureaucrat, Rajiv Mehrishi, is likely to be appointed as the new governor of Jammu and Kashmir in place of NN Vohra within a few days when the Amarnath pilgrimage concludes. He is currently the Comptroller and Auditor General of India. Vohra, who was appointed Governor during the UPA government, continued to hold the office for two terms even after the Modi government came to power in 2014. He had held the important positions of home and defence secretaries.

Name of Mehrishi for the post was in circulation as he is considered close to Prime Minister Narendra Modi and also has in-depth knowledge of Kashmir affairs as he held the post of home secretary at the Centre for nearly two years after the NDA government came to power.

Reports of change of the governor were circulating since this morning with Mehrishi as the frontrunner. He belonged to the Rajasthan cadre and was chief secretary before the Modi government brought him to New Delhi as finance secretary. However, after his retirement in 2015, he was given charge of home secretary for a period of two years and thereafter was appointed Comptroller and Auditor General of India (CAG). Vohra had some time ago requested Home Minister Rajnath Singh to relieve him from the post but he was reportedly asked to continue till some suitable substitute was found.

A retired Army general, Ata Hasnain, was earlier in the race for the post of governor, but he has now been appointed chancellor of the Central University of Kashmir.

## GST

**BUSINESS STANDARD AUG 3, 2018**

### **Cashbacks for GST e-payment on cards**

The recommendations of the Group of Ministers (GoM) will now be placed before the GST Council on Saturday.

Briefing reporters after the meeting, Modi said the move to provide cashbacks to users of Rupay and BHIM is intended to encourage use of digital mode of payment, especially in semi-urban and rural areas.

The move will have a revenue impact of Rs 1,000 crore annually, to be shared equally between the Centre and states.

Asked by when the cashback would be credited to the bank account, the Bihar deputy chief minister said the detailed modalities will be worked out once the GST Council clears the proposal.

He said based on the success of this move, the incentives will be extended to users of all card holders at a later date.

The Council had in its meeting on July 21 tasked the GoM to work out modalities for incentivising digital payments under Goods and Services Tax (GST) for users of Rupay and BHIM.

All Jan-Dhan account holders have Rupay cards, which has been launched by the National Payments Corporation of India (NPCI).

BHIM, a mobile app developed by NPCI, is based on United Payment Interface (UPI) for cashless payments.

The GoM had last month decided to defer by a year the proposal to incentivise digital payments under GST citing revenue implications of doling out concessional tax rate.

At that time, the GoM was looking at incentivising digital payments using all modes of online payments.

However, the GST Council, chaired by Union Finance Minister Piyush Goyal, at its latest meeting on July 21, asked the GoM to have a re-look at the possibility of early introduction of concessions for digital payments.

To incentivise digital transactions, the GST Council in its last meeting in May had discussed giving a concession of 2 per cent in GST rate (where the tax rate is 3 per cent or more) to consumers making payment through cheque or digital mode.

The discount would be capped at Rs 100 per transaction.

The five-member GoM on incentivising digital transaction includes Gujarat Deputy Chief Minister Nitinbhai Patel, West Bengal Finance Minister Amit Mitra, Haryana Excise and Taxation Minister Capt Abhimanyu and Punjab Finance Minister Manpreet Singh Badal.

## HOUSING

**TIMES OF INDIA AUG 5, 2018**

### **Panel to check if builders can keep unspent money**

The National Consumer Disputes Redressal Commission has agreed to examine whether a developer could refuse to part with the unspent money collected for a housing project in the name of maintenance after the formation of residents' welfare association, entrusted with the task of upkeep of the premises. A bench of Anup K Thakur and C Viswanath issued notice to Kolkatabased real estate company, ABA Corporation, on a plea of a group of flat owners of its Ghaziabad housing project, who filed complaint alleging that the builder was not handing over Rs 7.16 crore to their registered association. The amount was collected from 868 apartment-owners in the name of IFMS (Interest-Free Maintenance Security) and club security. The petition, filed through advocate Nikhi Jain, contended that as per law, the management and maintenance of the housing society got transferred to flat owners' association after its registration and the builders must hand over unspent amount collected under the head of maintenance. The petitioners are flat-owners in 'Olive County' housing project which is located at Vasundhara in Ghaziabad. Their association was registered in 2013 and is governed by a Board of Management comprising members elected from among the apartment owners. Maintenance of the project was handed over by the promoters in 2016 but petitioners alleged that the company had not transferred the money to the association till date. They contended that the promoter was required to transfer the deposited amount in favour of the association at the time of handing over the management of the building. 8/9/2018

Panel to check if builders can keep unspent money - Times of India  
<https://timesofindia.indiatimes.com/city/delhi/panel-to-check-if-builders-can-keep-unspent-money/articleshowprint/65275008.cms> 2/2

Referring to section 14(5) of the Uttar Pradesh Apartment Act, they contended that on formation of the association of the apartment owners, the management of the affairs of the apartments regarding their common areas and facilities, shall be deemed to be transferred from the promoter to the association which shall thereupon maintain them. They said as per the Act, the amount collected by the promoter towards interest-free maintenance security shall also be transferred to the association. “The promoter collected IFMS from each apartment owner @ Rs 30 per sq ft of super area and also Rs 30,000/- per apartment as club security. The total amount of both of these securities comes to around Rs 7.16 crore. This amount was to be handed over to the RWA upon its formation,” the petition said

## **FINANCIAL EXPRESS AUG 1, 2018**

### **LS passes insolvency code amendment Bill**

The Lok Sabha on Tuesday passed the Insolvency and Bankruptcy Code (Second Amendment) Bill, 2018 that recognises homebuyers as financial creditors to real estate developers. The bill also proposes a special dispensation for small sector enterprises. The IBC Amendment Bill now requires clearance from Rajya Sabha to replace the June 6 ordinance that sought to put these amendments into force to aid quick resolution of several bankrupt firms. Moving the bill in Lok Sabha, interim finance minister Piyush Goyal said, “We want to address concerns expressed by the MSME sector and homebuyers. We have learnt from two years of implementation of IBC, and through the amendments, we want to strengthen IBC Bill.” The minister also said that the objective of the bill was not to liquidate the companies but to save jobs in those companies. “After years of lethargy in recovering bank loans, finally we now have a new law — the Insolvency and Bankruptcy Code 2016, which has

started bringing big bank defaulters to the book and made banks recover loans from them,” the minister tweeted. Goyal also rejected Opposition’s charge that the government has come out with an ordinance to amend the code to favour a big corporate house. The bill says that homebuyers will get due representation in the committee of creditors (CoC) that takes a call on resolution proposals, making them an integral part of the decisionmaking process.

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Comments (0) Add Your Comments It also provides some reliefs for micro, small and medium enterprises (MSMEs). It does not disqualify promoter of an MSME firm from bidding for his enterprise undergoing corporate insolvency resolution process (CIRP), provided he is not a wilful defaulter and does not attract other disqualifications not related to default. According to the bill, lenders will need to seek the prior approval of the competition regulator before finalising resolution plans. The measure seeks to prevent litigation that can derail the resolution process at a later stage. Currently, the winning bidder approaches Competition Commission of India (CCI) for clearance before formally taking over the asset. The amended code allows withdrawal of a

resolution application with the approval of 90% members of the CoC. However, such withdrawal will only be permissible before publication of notice inviting expressions of interest (EoI). This means there can be no withdrawal once the commercial process of EoIs and bids starts

## **INSURANCE**

### **BUSINESS LINE AUG 3, 2018**

#### **Soon, fitness bands, IOT devices may decide insurance premium**

Smart devices, or IoT-enabled devices such as fitness bands that monitor your daily activity and speed trackers in vehicles, could soon play a part in deciding your insurance premium.

A report by a working group set up by the Insurance Regulatory and Development Authority of India (IRDAI) has batted for the use of wearable devices for life insurance and health insurance policies as they can provide a regular stream of data about the policy holder.

“Insurers may develop frameworks/models using wearable data throughout the life cycle of the insured and help in building attractive product propositions, and also monitor experience throughout the policy term,” the report noted, adding that for health insurance such devices can play an equally crucial role as insurers, at present, only have a point in time data through medical tests or self disclosures.

The working group to examine innovations in insurance involving wearable or portable devices was set up in January this year, and has examined a range of devices, including fitness bands, skin patch sensors, smart contact lenses, medical e-textiles and even implantable devices.

Similarly for non-life insurance, such as motor cover, the report noted that the use of IoT devices and Artificial Intelligence would not only help improve assessment of underwriting risk by tracking the driving habits of the insured, but can also lower fraud risk and improve claim

handling. Accidents, burglaries Movement sensors and IoT devices can also be used for home insurance to track accidents and burglaries.

It has suggested that life insurance companies may consider launching specific products where pricing may be decided on the basis of wearables and data generated from them, or can enable an option in their products to have premiums linked with the dataset or outputs from technologies such as wearables. Insurers can even partner with device manufacturers, and customers can buy their own devices based on the policy specification.

The report has, however, noted challenges for data mining as well as data protection.

“The critical piece of the wearables puzzle is linking wearable metrics to claims experience. To derive any meaningful correlation between these two pieces would require substantial data points,” it said, adding that the services of third party or reinsurers would be required. Data privacy regulations for wearable devices would have to address the issues of consent, usage, customer access and disclosure, the report further said, adding that the consent of the customer to share data is a must for participation in such product.

## **INTEREST RATES**

**BUSINESS STANDARD AUG 3, 2018**

**RBI policy move: deposit rates to go up gradually**

While the Reserve Bank of India (RBI) has hiked the repo rate by 25 basis points (bps) for a second time this year, banks are expected to raise term deposit rates only gradually as liquidity in the system is fairly adequate. Deposit rates might rise by about 10 bps this quarter, said bankers.

Mortgage lender Housing Development Finance Corporation (HDFC), meanwhile, hiked home loan rates by 20 basis points. Women can take a loan up to Rs 3 million at an interest rate of 8.70 per cent, while other borrowers can avail of loans at 8.75 per cent. For loans above Rs 3 million, the revised rate is 8.80 per cent for women borrowers and 8.85 per cent for others. The new rates are effective from August 1.

Referring to the impact of RBI's decision on liability side, Rajkiran Rai G, managing director at Union Bank of India, said interest rates on deposits were firming up, though gradually. The bank will decide on a revision in two weeks. Credit demand growth is in double-digit and banks need resources to finance loans.

The rise in deposits in the near future will be unlike the sharp rise seen in the second and third quarters of the past financial year. At the turn of the interest rate cycle, deposit rates went up by 25-50 bps in one go, public sector bank executives said. Total bank deposits grew by 8 per cent to Rs 114.4 trillion in July from Rs 105.8 trillion in June 2017,

according to RBI data. If credit demand gathers further steam in the financial year's second half, banks might have to respond with hikes in response to the competition for raising of resources. Also, lending rates are likely to go up.

“Banks have been raising rates since January-February, even before the RBI hiked its rate, as a response to improving business conditions and growth in credit demand. This policy's current rate hike was already factored into our evaluation of deposit rates and there would no such immediate reaction to it,” said Rajeev Ahuja, executive director, RBL Bank.

### **Deposit rates vs lending rates**

A CARE Ratings report says banks react faster on lending rates, compared with deposit rates, in a rising interest rate scenario. It has also been observed that the degree of transmission of the lending rate is more than that of the deposit rates. However, RBI's rate hike of 25 bps in June saw deposit rates increasing on an average by 13 bps, while the Marginal Cost of Lending Rate (MCLR) increased by 5 bps. This quicker transmission in the deposit rate could be partly attributed to the reversal of the interest rate regime witnessed in recent months, said CARE. The strain on banks' performance and margins would not only delay but also moderate the transmission of the recent rate hike into higher deposit rates. Decreased competition is also a key factor for the stickiness.

Most public sector banks are under RBI's prompt corrective action (PCA) framework, due to a rise in stressed loans beyond a point. Hence, they are unable to disburse new loans. Given low competition from PCA banks, other PSBs, which can grow their loan book, might not be willing to increase their deposit rates, says ratings agency ICRA. While private banks want to take further market share, they still hold only a small part

of the country's deposits, despite offering somewhat higher deposit rates than PSBs.

“An increase in deposit rates by private banks might not necessarily result in a meaningful gain in their share in deposits. Hence, they are likely to undertake only modest and calibrated hikes in their deposit rates in the immediate term,” it adds.

HDFC Bank raised rates for deposits above Rs 50 million to a range of 4.25-7 per cent, effective Thursday. Axis Bank had also raised its bulk deposit rates to a range of 5.75-7 per cent the previous year. On the first day of the three-day meeting of RBI's Monetary Policy Committee, State Bank of India had raised its long-term deposit rates, albeit marginally. The repo rate hike is not the only factor influencing deposit rates. A lot will depend on the flow of deposits and demand for credit. Higher growth in credit would make banks increase their deposit rates, said CARE. “RBL Bank has been nudging deposit rates up for the past three to six months, due to rising market yields and greater demand for loans,” said Ahuja. Banks are likely to reap the benefit of quicker transmission of lending rates than deposit rates in an increasing interest scenario.

## **BUSINESS LINE AUG 3, 2018**

### **Bank of England raises interest rates despite Brexit worries**

The Bank of England raised its main interest rate on Thursday for only the second time since the 2008 financial crisis, as it weighed a strong jobs market and high inflation against growing concerns about Brexit.

The bank's nine-member Monetary Policy Committee voted unanimously to raise the rate from 0.50 per cent to 0.75 per cent, the

highest level since March 2009. Economists had been expecting the move but believe the central bank will be more cautious about further increases in coming months as Britain's Brexit talks with the EU enter a crucial phase and uncertainty about the future heightens.

Britain's economy is sending mixed signals. Unemployment is at the lowest since the 1970s and inflation is above the 2 per cent target at 2.4 per cent. But growth has been weak so far this year, people are not spending much and Mark Carney, Governor,

Bank of England, speaks at the central bank's news conference in the City of London on Thursday companies are worried about the lack of progress in Brexit talks, which could see Britain crash out of the European Union without a deal on trade and business ties.

The increase was only the second in more than 10 years, following a hike in November. But while the US and eurozone economies have seen strong growth in the past year, the British economy has wilted under the uncertainties of Brexit. A deal is needed by October so that Britain and the EU have new trade rules in place by March next year, when Brexit actually happens. Both Britain and the EU have hardened their negotiating positions, and companies are worried. Major manufacturers such as Airbus have warned they could pull their operations out of the country, and drug maker Sanofi sees it stockpiling more medicines in Britain in case of customs trouble during Brexit.

And more broadly, trade disputes between the US and major powers are casting a shadow over the world economy's outlook.

George Brown, an economist at Investec, expects Thursday's rate increase to be the only one this year, as the Bank of England takes a cautious approach.

"We think the bank wants to raise rates in a gradual way, and that would be consistent with the next one in February," said Brown.

## **JUDICIARY**

**HINDU AUG 7, 2018**

### **CJI raises justice Joseph issue with Attorney-general**

Chief Justice of India Dipak Misra on Monday met Attorney-General K.K. Venugopal on the issue of the government altering the seniority of Justice K.M. Joseph, who is scheduled to take oath on Tuesday morning as a Supreme Court judge after Justices Indira Banerjee and Vineet Saran.

Earlier, highly placed sources in the court said the Chief Justice assured senior Supreme Court judges who met him that he would take up the issue with the government and meet the Attorney-General.

#### **Unilateral move**

The sources said “all the available senior Supreme Court judges” met the Chief Justice in the morning to convey their dissatisfaction over the government’s unilateral decision. Justice Ranjan Gogoi, who is next in line to be Chief Justice, was on leave.

Justices Banerjee, Saran and Joseph are scheduled to be sworn in at the CJI’s courtroom. The sources said it is now unlikely that there would be a change in the swearing-in schedule as an oath ceremony circular has already been issued.

Though the Supreme Court collegium of Chief Justice Misra, Justices Gogoi, Madan B. Lokur, Kurian Joseph and A.K. Sikri had on July 16 separately reiterated Justice Joseph’s name as Supreme Court judge, an August 3, 2018 communication from the Department of Justice to the Secretary General of the Supreme Court said the President has directed

that the oath of affirmation should be administered first to Justice Banerjee, then Justice Saran and finally to Justice Joseph.

The circular issued by the Supreme Court complies with the President's direction. Legal experts ask why the court did not seek a clarification from the government before issuing the circular.

The collegium, which had separately reiterated Justice Joseph's name and done so before recommending the names of Justices Banerjee and Saran, had made its intention clear that it wanted Justice Joseph to be ranked senior in the Supreme Court to the other two judges

## **HINDU AUG 6, 2018**

### **SC judges upset at change in justice Joseph's seniority**

A few Supreme Court judges intend to meet Chief Justice of India (CJI) Dipak Misra on Monday to express dissatisfaction over the government altering Justice K.M. Joseph's seniority, making him junior to Justices Indira Banerjee and Vineet Saran in the court.

According to highly placed sources in the court, the judges are "upset and agitated" by the way the government seemed to have overlooked the fact that the collegium had "separately reiterated" Justice Joseph's name to the government on July 16, before recommending Justices Banerjee and Saran. The names of the latter two judges were recommended as a separate batch on the same day (July 16).

### **Swearing-in on Tuesday**

The three judges – Justices Banerjee, Saran and Joseph — are scheduled to be sworn in on August 7 as Supreme Court judges. Justice Joseph is to be sworn in third following Justices Banerjee and Saran "in precedence on the Bench of the Supreme Court."

“Obviously when Justice Joseph’s name is considered and reiterated separately, the collegium intended Justice Joseph to be ranked senior to the other two [Justices Banerjee and Saran]. But it appears that it has been altered at the executive stage. The collegium was very clear in its mind that Justice Joseph must rank senior... This is very strange in a way,” former Chief Justice of India R.M. Lodha told The Hindu on Sunday over phone.

“It depends on the Chief Justice of India... how he wants to handle it. Unless the matter is taken up immediately by the CJI, nothing is going to happen,” he said.

Justice Lodha explained that the oath ceremony circular — which mentions Justice Joseph third in the numerical order behind Justices Banerjee and Saran — would reflect the government’s communication to the Secretary General, Supreme Court, stating the President’s direction of which judge should have precedence over the other while taking their oath of affirmation.

Justice Lodha mused how this “alteration” would have had a dire effect in the case of a future Chief Justice of India. Justice Joseph is, however, not in line to be CJI, though he would rise in the hierarchy to preside over court number three before retiring on June 16, 2023. Both Justices Banerjee and Saran would retire in 2022.

The collegium had initially recommended Justice Joseph, who was Uttarakhand Chief Justice and author of the judgment that quashed President’s rule in the State, on January 10 this year.

The Centre sat on the file for months before sending it back to the collegium in April. But not before it unilaterally bifurcated Justice Joseph’s name and cleared Justice Indu Malhotra, whose name was recommended by the collegium along with Justice Joseph.

As a sitting Chief Justice of a High Court, Justice Joseph was then senior to Justice Malhotra, who was a direct appointment from the Bar.

On July 16, after the court's summer vacations, the collegium reiterated the name of Justice Joseph, recording that it had carefully considered the letters of the Union Law Minister on April 26 and 28 and found "nothing adverse regarding suitability of Justice K.M. Joseph."

## **INDIAN EXPRESS AUG 3, 2018**

### **Deadlock set to end, Govt clears supreme court collegium's move to elevate justice K M Joseph**

Putting an end to the protracted deadlock with the judiciary, the Government has agreed to the Supreme Court Collegium's decision reiterating its recommendation to elevate Uttarakhand High Court Chief Justice K M Joseph to the Supreme Court along with the elevation of Madras High Court Chief Justice Indira Banerjee and Orissa High Court Chief Justice Vineet Saran to the Supreme Court.

The process towards the issuance of presidential warrants for their appointment to the Supreme Court has been set in motion, sources confirmed to *The Indian Express*.

This move assumes significance in the wake of the public standoff between the Government and judiciary over the issue of appointments in the higher judiciary. Justice K M Joseph's name was recommended by the Supreme Court Collegium on January 10 this year along with the name of senior counsel Indu Malhotra.

However, the government while agreeing to the elevation of Malhotra to the Supreme Court, returned the Justice Joseph recommendation on April 26. In a letter to Chief Justice of India Dipak Misra in April, Law Minister Ravi Shankar Prasad cited Justice Joseph's standing in the all-India seniority list of High Court judges, adequate representation for the Kerala High Court — which is his parent High Court — in the apex court,

and lack of representation of some other High Courts to request for reconsideration of the recommendation of Justice K M Joseph's elevation.

“The collegium, in a way, acknowledged the points flagged by Law Minister Ravi Shankar Prasad,” said the source. “In fact, by naming Justice Vineet Saran (parent High Court Allahabad) and Justice Indira Banerjee (parent HC Calcutta), the Collegium sought to address the seniority and regional representation concerns.”

It has been learnt that the Government has also decided to go ahead with the Collegium's recommendation for appointment of Chief Justices of several other High Courts across the country.

The delay in processing the appointment of Justice K M Joseph to the Supreme Court had set off a protracted stand-off between the judiciary and the government. Four most senior judges of the Supreme Court — Justice (now retired) J Chelameswar, Justices Ranjan Gogoi, Madan B Lokur and Kurian Joseph — had addressed a press conference on January 12 warning against the dangers of alleged executive interference in the judiciary and raising questions over the functioning of CJI Misra. Their press conference also suggested a divided judiciary in the face of a full-majority government at the Centre.

Subsequently, the delay in clearing the names of Malhotra and Justice K M Joseph simmered with Justice J Chelameswar writing on March 21 to all judges of the Supreme Court, asking CJI Dipak Misra to call a full court to discuss the issue of alleged government interference in the appointment of judges.

On April 9, Justice Kurian Joseph, another member of the Collegium, wrote a strongly worded letter to CJI Misra and all judges asking him to set up a bench of seven most senior judges to hear the matter of

government's silence over the recommendations of the collegium for appointment of Justice Joseph and Indu Malhotra.

“Failure to discharge their duty by sitting over on the recommendations of the Collegium doing nothing, in administrative law, is abuse of power. More than anything else, it sends a wrong message which is loud and clear to all Judges down the line not to cause any displeasure to the Executive lest they should suffer. Is this not a threat to the independence of the judiciary?”, Justice Joseph wrote then.

Subsequently, two other members of the Collegium, Justices Ranjan Gogoi and Madan Lokur also wrote to the CJI demanding that he call a “full court” to discuss “institutional issues” and the “future” of the court. The first meeting of the Collegium after the reconsideration request of Justice Joseph's name on May 2 had “deferred” the matter. Nine days later, the Collegium decided to reiterate its recommendation but also agreed to consider few more names for elevation to the Supreme Court. The Collegium which met again on May 16 decided to hold “further deliberation and broad-based consideration of the names of the Chief Justices as well as Judges of the High Courts which are at present not represented in the Supreme Court” before re-sending Justice K M Joseph's name to the government. However, the Collegium could not meet until July 16 — by then Justice J Chelameswar had retired — when it decided to reiterate Justice K M Joseph's name. Moreover, it decided to recommend Justice Banerjee and Justice Saran for elevation to the Supreme Court.

Alongside their elevation to the Supreme Court, the Government is all set to agree to Supreme Court Collegium's May 16 decision to recommend Delhi High Court Acting Chief Justice Gita Mittal as Chief Justice of Jammu & Kashmir High Court; acting Chief Justice of Kerala High Court Hrishikesh Roy as Chief Justice of the same High Court; Rajasthan High Court judge Justice K S Jhaveri as Chief Justice of

Orissa High Court and Gujarat High Court judge Justice M R Shah as Chief Justice of Patna High Court. Current Chief Justice of Patna High Court Justice Rajendra Menon will move to Delhi High Court while Calcutta High Court judge Justice Aniruddha Bose will take over as Chief Justice of Jharkhand High Court.

## **INDIAN EXPRESS AUG 3, 2018**

### **Appoint MBAs to manage courts efficiently, says SC**

Court managers with MBA degrees will now help courts across the country manage themselves more efficiently.

The Supreme Court on Thursday ordered that “professionally qualified court managers, preferably with an MBA degree, must also be appointed to render assistance in performing the court administration”.

A bench of Chief Justice of India Dipak Misra and Justices A M Khanwilkar and D Chandrachud ordered that the post of Court Managers must be created in each judicial district for assisting Principal District and Sessions Judges. The apex court was hearing a 2011 plea related to infrastructure of subordinate courts across the country.

“Such Court Managers,” it said, “would enable the District Judges to devote more time to their core work, that is, judicial functions” and in turn enhance the efficiency of the District Judicial System”.

The court directed that the managers will also help in identifying weaknesses in the court management systems and recommending workable steps under the supervision of their respective judges for rectifying the same.

It also called upon state governments to regularise the services of any person already working as Court Manager in any district as they are needed for proper administration.

The bench also issued a series of other directions on improving the infrastructure of courts, saying this was the need of the hour. This includes installation of CCTV cameras and providing videoconferencing facilities. It noted that “a sound infrastructure is the linchpin of a strong and stable judicial system”.

## **INDIAN EXPRESS AUG 4, 2018**

### **Govt notifies appointments of Kerala, Patna HC CJs**

The Centre Friday notified the appointments of Chief Justices of Kerala and Patna High Courts. The Acting Chief Justice of Kerala High Court Justice Hrishikesh Roy has been appointed as CJ of Kerala High Court, while Justice M R Shah of the Gujarat High Court has been appointed as CJ of Patna High Court.

Justice Roy’s name was recommended for transfer from the Gauhati High Court to Kerala High Court in January this year. Two months after assuming charge as Acting CJ of the Kerala HC, Justice Roy will now take charge as CJ of the HC. Justice Roy was designated as senior advocate December 2004. He was later elevated as a permanent judge of the Gauhati HC on 15 July, 2008.

On July 16, the SC Collegium recommended the elevation of Justice Shah to be appointed as CJ of Patna HC, after Justice Rajendra Menon, the CJ of Patna HC, was recommended to be transferred to the Delhi HC.

## **LABOUR**

**HINDU AUG 7, 2018**

### **Rebooting the system for a skills upgrade**

Small shops, basements, tin sheds and godowns. These are not random workplaces but places where private Industrial Training Institutes (ITIs) are running in the country. Disturbing facts such as these come from the report of the Standing Committee on Labour (2017-18) headed by Bharatiya Janata Party MP Kirit Somaiya, on the “Industrial Training Institutes (ITIs) and Skill Development Initiative Scheme” of the Ministry of Skill Development and Entrepreneurship (MSDE). It was submitted to Parliament few months ago.

### **Explaining the scale-up**

The ITIs were initiated in the 1950s. In a span of 60 years, until 2007, around 1,896 public and 2,000 private ITIs were set up. However, in a 10-year period from 2007, more than 9,000 additional private ITIs were accredited.

What explains this huge private sector scale-up? The committee says that it is not efficiency but a disregard for norms and standards. However, the ITIs are not alone. The National Skill Development Corporation (NSDC) today has more than 6,000 private training centres. Since it has short-term courses and its centres open and close frequently, it is all the more prone to a dilution of standards. Private training partners have mushroomed at the rate of five a day (mostly with government support) and it is clear that the government has been unable to regulate private institutions for quality. Private sector engagement in skill development has been taken up by standalone private training

partners and not employers. The latter could have made the system demand-driven. Meanwhile, the lack of a regulator for skill development, with teeth, has led to poor quality affiliation, assessment and certification.

The Somaiya committee report is scathing in its tone and specific in details. It outlines instances of responsibility outsourcing, no oversight, connivance and an ownership tussle between the Central and State governments.

Private-ITI accreditation troubles started when the Quality Council of India (QCI), a private body, was hired due to “high workload of affiliation and shortage of [government] staff”. The QCI did not follow accreditation norms created by the National Council for Vocational Training (NCVT) and it appears that neither scale nor standard was achieved, but only speed. ‘Speed’ now risks the future of 13.8 lakh students (on an average, 206 students per ITI) studying in these substandard ITIs, which can be closed any time.

The ITIs have a unique functioning set-up. While they were formed under the government’s Craftsman Training Scheme scheme, their day-to-day administration, finances and admissions are with State governments. The NCVT performs an advisory role. The ITIs often run into issues with no one to take ownership. A case in point is the examination process — the question paper is prepared by the NCVT, but administered and evaluated by instructors of the State Councils for VT. The NCVT is just a stamp with no role in actually assessing quality. How can quality outcomes be expected without quality assessments?

The parliamentary committee has shed light on the ITIs. If the same exercise were extended to other skill development schemes, the picture would be grimmer. There are 183 cases pending in High Courts on non-

compliance of norms by the ITIs. However, the short-term training programmes of the Ministry evade any scrutiny and action. For example, the Standard Training Assessment and Reward scheme spent ₹850 crore in 2013-14 with no norms for quality. There were no Aadhaar checks, attendance requirements and batch size limitations. Private training operators have made a profit with no court cases.

The report also reinforces disturbing findings of a national survey by the research institute (NILERD) of the Planning Commission in 2011 about private ITIs: they offered training in less than five trades (in government ITIs it is less than 10); had fewer classrooms and workshops for practice; and their teachers were very poorly paid.

### **A starting point**

So what can we do systemically? A good point to start would be the Sharda Prasad Committee recommendations.

We need better oversight, with a national board for all skill development programmes. The core work (accreditation, assessment, certification and course standards) cannot be outsourced. Like every other education board (such as the CBSE), a board is required in vocational training that is accountable. Since we have the NCVT as a legacy, it should be used as a kernel to constitute the board. We should also have a mandatory rating system for the ITIs that is published periodically. A ranking of the ITIs on several parameters such as the one done by the National Assessment and Accreditation Council in tertiary education can be replicated.

There should be one system, with one law and one national vocational education and training system. The silos in which vocational training happens in India is unfortunate. We need to create a unified national vocational system where the ITIs, NSDC private vocational trainers and

vocational education in schools, and the other Central ministries conducting training gel seamlessly and can learn from, and work with each other. A unified legal framework can facilitate such a unification. The absence of a law has only weakened regulation and monitoring. What we need is a national vocational act that replaces all scattered regulations — recommended in the 12th Five Year Plan.

### **Micro-institutional reforms**

The ITIs have many internal issues such as staffing and salaries that need attention, as the NILERD nationwide survey in 2011 had found. There is also a critical need to reskill ITI teachers and maintain the student-teacher ratio. Since technology obsolescence is a continuous challenge, financial support envisaged through the NSDC should be extended to the ITIs.

The primary reason for hiring the QCI and the mess that followed was this: “huge workload of affiliation and shortage of staff”. This is true even today. It is unlikely that without fixing this, the QCI mistake will not be repeated. There has been a tremendous push by the government for private sector talent in government; perhaps it is worth considering talent from the open market to fill up higher posts in skill development.

Institutional reforms such as moving the office of the Directorate General of Employment (the arm that has all data on employment) from the Ministry of Labour to the MSDE would help. It would also complement the Directorate General of Training already under MSDE.

### **Employers and financing**

This is the last but perennial challenge. Given the scale of our demographic challenge, a belief that financing from corporate social responsibility, multilateral organisations such as the World Bank, and

the government will meet the financial needs for skill development is wishful thinking.

The only way to mobilise adequate resources the right way is to do skills training, and have equipment and tools that keep pace with changing needs and ensure that employers have skin in the game. This is possible through a reimbursable industry contribution (RIC) — a 1-2% payroll tax that will be reimbursed when employers train using public/private infrastructure and provide data. RIC, which is implemented in 62 other countries, was recommended in the 12th Plan and is an idea whose time has come. An estimate by the first author of this article indicated that such a tax would generate ₹17,000 crore per annum for skilling in India — which is several multiples of State/Union governments' current annual budget for skilling.

Finally, while there is so much talk of skills for the future and the impact of artificial intelligence and automation, data show that 13.8 lakh students in the ITIs are suffering due to poor institutional accreditation. Placement in NSDC training has been less than 15%. Maybe if we take care of the present, we will be better prepared for the future.

## **MONEY LAUNDERING**

**BUSINESS STANDARD AUG 1, 2018**

**Make master list of economic offenders: Govt to agencies**

The government has asked all major federal investigative agencies to work together and create a master list of economic offenders in the country.

The move, which comes against the backdrop of high-profile financial scams and fraud cases, is expected to help the government crack down on economic offenders such as Nirav Modi, Mehul Choksi and Vijay Mallya, who have fled the country.

It is learnt that the Central Economic Intelligence Bureau (CEIB) will be making the list, with inputs from agencies such as the Enforcement Directorate, Directorate of Revenue Intelligence, Central Bureau of Investigation, tax and customs departments, and the Security and Exchange Board of India. The CEIB comes under the revenue department in the Finance Ministry.

Officials say that such a list, to be updated on a real-time basis, will serve as a ready reckoner in identifying those committing multiple economic offences. The government hopes that this will also lead to greater coordination among federal bodies which tend to work in silos. If any agency is investigating a person or entity, the list will help determine if another agency has also shown interest in the entity. For example, the DRI and the tax department had already been looking into

fugitive diamantaire Nirav Modi's affairs since 2014 and 2017, respectively, much before he fled.

A threshold has been set for each agency and cases registered that involve amounts above that limit will be reported to CEIB. For example, customs will report cases registered for duty evasion of above Rs 10 million. In the case of the tax department, only raids conducted or authorised by the Central Board of Direct Taxes will be taken into account by CEIB.

The list of offences that make a person an economic offender include violations of laws such as the Central Excise Act, Customs Act, Prevention of Money Laundering Act, Negotiable Instruments Act, the Reserve Bank of India Act, Prohibition of Benami Property Transactions Act and, of course, provisions of the Indian Penal Code.

## PARLIAMENT

**HINDUSTAN TIMES AUG 5, 2018**

**Appoint RS dy chief in this session, Naidu urges govt**

Rajya Sabha chairman M Venkaiah Naidu has conveyed to the ruling dispensation that the House deputy chairman's election process should be expedited and if possible, be held during the current monsoon session of Parliament, which is due to end less than a week later.

A top leader from the ruling National Democratic Alliance (NDA) met Naidu last week and during their conversation, Naidu spoke about the need to appoint a new deputy chairman early, a political functionary said on condition of anonymity. The ongoing session of Parliament, which opened on July 18, ends on August 10.

An official considered close to Naidu pointed out that the Rajya Sabha chairman had been working long hours; although there exists a panel of presiding officers, a deputy chairperson would be able to ease his workload.

"He also told the leader that it would take just two days to finish the entire process of election," said the functionary cited above.

RS deputy chairman PJ Kurien of the Congress retired last month, necessitating the election that is decided by a simple majority. The Opposition has 113 members to the NDA'S 95, but the result will depend on how 32 fence sitters vote.

"By Monday it will be possibly clear whether the election will be held in this session or not," a Rajya Sabha official said on condition of anonymity.

The arithmetic of the house is such that neither the BJP nor the Congress is in a position to elect a leader from its fold.

The names of Naresh Gujral from the Shiromani Akali Dal, a part of the NDA, and the Biju Janata Dal's Prasanna Acharya are doing the rounds

as possible candidates for the post. Both these leaders have an excellent equation with Naidu and with leaders cutting across political lines, a politician said.

When reached for comment, Gujral said: “I will be honoured if I am elected to the post but I will contest only if I am a consensus candidate. I feel that the person in the deputy chairman’s post must carry the entire house with him.”

Acharya was not available for comment.

A senior opposition leader said that although the Telugu Desam Party (TDP) had pulled out of the NDA, its leaders had signalled that if Gujral becomes a candidate, the party may back him because of TDP boss N Chandrababu Naidu’s association with Gujral’s father, the late former prime minister IK Gujral.

## **THE TIMES OF INDIA AUG 9, 2018**

### **BJP-led NDA candidate Harivansh Narayan Singh elected new Rajya Sabha deputy chairman**

BJP-led NDA candidate Harivansh Narayan Singh elected new Rajya Sabha deputy chairman [TIMESOFINDIA.COM](http://TIMESOFINDIA.COM) | Aug 9, 2018, 11.42 AM IST Printed from NEW DELHI: The BJP-led NDA's candidate Harivansh Narayan Singh was on Thursday elected new Rajya Sabha (RS) deputy chairman with 125 votes. The UPA's candidate, Congress MP BK Hariprasad, got 105 votes. "I congratulate Harivansh ji on behalf of the whole house. He has been blessed with the talent of writing. He was also a favourite of former PM Chandra Shekhar ji," said PM Narendra Modi, right after the results. Harivansh is a JD(U) Parliamentarian from Bihar and a former journalist. Hariprasad is Congress MP from Karnataka. The RS deputy chairman post fell vacant after the retirement of Congress' PJ Kurien on July 1. Following the

failed no-confidence motion against the government in the Lok Sabha last month, the contest for the post of RS deputy chairman was being seen as the next big test of opposition unity. In nominating a JD(U) candidate, the BJP was attempting to reach out to its allies who have been complaining about being left out. Now, we're all 'Hari bhavose': PM Modi on Harivansh Narayan Singh ALSO READ 8/9/2018 BJP-led NDA candidate Harivansh Narayan Singh elected new Rajya Sabha deputy chairman - Times of India <https://timesofindia.indiatimes.com/articleshowprint/65333569.cms> 2/2 out. The lack of majority in the Rajya Sabha has been a big problem for the BJP. Now, of course, it's advantageous for the BJP to have its candidate win because the chairman (Venkaiah Naidu) and his deputy in the RS will both be its choices. The BJD (with nine seats) on Wednesday threw its weight behind BJP-led NDA in the election for the deputy chairperson of Rajya Sabha giving the ruling coalition a clear edge. "BJD is supporting JD(U) since JD (U) and BJD have similar ideological origins-emerging from Jay Prakash Narayan movement. Congress candidate was AICC in-charge of Odisha till recently and was vitriolic in his statements against BJD and state," said the BJD in a statement to news agency ANI, just before voting began in the RS. On Wednesday, BJP national chief Amit Shah, Sanjay Raut, leader of BJP's restive ally Shiv Sena, Akali Dal's S S Dhindsa and JD (U)'s RCP Singh submitted four sets of papers in support of Harivansh. \*Congress MP Hariprasad's candidature, on the other hand, was backed by BSP's Satish Mishra, NCP's Vandana Chavan, Congress's Anand Sharma, Samajwadi Party's Ram Gopal Yadav and RJD's Misa Bharati.

## **SCHEDULED CASTE AND SCHEDULED TRIBES**

**HINDUSTAN TIMES AUG 4, 2018**

### **Govt makes pitch for SC/ST quota in job promotions**

In a bid to buttress its pro- Dalit image ahead of the 2019 elections, the Centre on Friday made a strong pitch for reservation to SC/ST government staff in promotion and urged the Supreme Court to re-visit a 12-year-old verdict. The 2006 verdict had ruled against quotas in promotions for the creamy layer and that employees belonging to SC/ST could get guaranteed promotions only if the government comes up with hard data to justify the quota.

Attorney General K K Venugopal urged the Constitution bench comprising Chief Justice Dipak Misra, Justices Kurian Joseph, Rohinton Nariman, Sanjay Kishan Kaul and Indu Malhotra to review the Nagaraj verdict which had imposed three conditions — identification of backwardness, compelling reasons, and inadequate representation for grant of quota for SC/ST in promotions.

“There was no need for testing backwardness of SC/ ST employees while granting promotion as the apex court itself in Indra Sawhney case had said test of backwardness does not apply to SC and STs as they are presumed to be backward,” the AG said adding that the verdict was virtually stopping reservation in promotion for SC/ST staff and it was unimplementable. Venugopal also informed the court that the government wants 22.5 per cent reservation (15 per cent SC + 7.5 per cent ST) for SC and ST candidates. Senior counsel Rajeev Dhavan, appearing for parties opposing reservation in promotions, said such a system was anti-equality. The arguments will continue on August 16.

## **SEXUAL ABUSE**

**HINDUSTAN TIMES AUG 1,2018**

### **5-member HC panel to review new law on death for child rape**

The Delhi high court Tuesday constituted a five-member committee to examine the punishment and death sentencing in sexual assault cases against women and children, and suggest preventive measures.

A bench of acting chief justice Gita Mittal and justice C Hari Shankar said that the committee would look into the issue and suggest preventive measures to control such crimes and appropriate sentencing for the convicts. It said there was an urgent need to prevent sexual violence as it remarked: “reformation of convicts is the need of the society”.

The court’s order and remarks comes while hearing two pleas by an NGO challenging the Criminal Laws (Amendment), 2018, which provides for death penalty for rapists of girls below 12 years of age, and others stringent panel provisions for rape.

The committee will comprise of advocate Vrinda Bhandari, Vidya Reddy from TULIR, which is an organisation working in the field of child sexual abuse in India, Swagata Raha from Centre for Child and Law, NLSIU. All these persons are experts in their field and have been working on the ground level.

The names were accepted by the court after they were suggested by the court appointed amicus curiae Aparna Chandra. Besides, the court also appointed Charu Wali Khanna, counsel for the petitioner as the convener of the committee. It directed the counsel for the centre to consider the remuneration for the members of the committee.

The pleas had claimed that the Justice J S Verma Committee, set up after the Nirbhaya gangrape case, had said death penalty would be a regressive step.

“Capital punishment is neither solution nor deterrence for in a plethora of judgements the Supreme Court has commuted death penalty to lower sentence on grounds of age and circumstances,” the plea had contended. The matter would be now heard on August 16.

## **SOCIAL MEDIA**

**BUSINESS STANDARD AUG 3, 2018**

### **Facebook's next privacy challenge**

Facebook Inc's FB — 0.54 per cent advertisers in Europe are on the front lines of its efforts to tighten privacy practices, and their frustrations help explain why the social-media giant's troubles are far from over.

Facebook said Europe's new privacy law — General Data Protection Regulation, or GDPR — contributed to slowing revenue growth in its quarterly earnings report on Wednesday, which sent its shares plunging nearly 20 per cent over Thursday and Friday. Some advertisers say another looming privacy change at the Silicon Valley giant could amplify that effect.

Under pressure from the GDPR and the scandals over its handling of personal information, Facebook earlier this year said it would shut down ad tools called "Partner Categories" powered by outside data brokers. Those tools let Facebook advertisers target ads at people based on third-party data such as their offline purchasing history.

Facebook eliminated Partner Categories in Germany, France and the UK on May 24, the day before the GDPR went into effect. By October 1, Facebook plans to stop showing ads based on Partner Categories globally. This means advertisers will have access only to their own data and data Facebook collects itself.

Some large advertisers, including beer maker Heineken NV, say ending a major way to target ads using information gathered by outside companies could have a significant effect on them.

“It’s going to have an impact for us because a good chunk of our spend uses non-Facebook targeting” from outside firms, said Ron Amram, global head of media for Heineken, which says Facebook is the largest recipient of its ad dollars. Amram said he is “optimistic” Facebook will find a solution to allow the targeting to continue before October.

A Facebook spokesman said such targeting in Partner Categories is “common industry practice,” but that the company shut down the feature “to help improve people’s privacy on Facebook.”

Facebook’s deep stores of data on its 2.23 billion monthly users have put it on track to win nearly 18 per cent of the world’s digital ad market in 2018, second to 31 per cent for Alphabet Inc’s Google, according to eMarketer. Facebook uses data it collects about users through its app and like buttons to target ads at individuals based on everything from which stores they have recently been near to whether their web browsing reveals an interest in salsa music.

The reliance on personal information is now also a potential weakness. The GDPR limits how companies can use individuals’ data, leading Facebook to let users opt out of some types of targeted advertising. Revelations that personal information on up to 87 million Facebook users was improperly obtained by Cambridge Analytica, a data firm that worked for President Trump’s 2016 campaign, added pressure on Facebook.

On Wednesday, Facebook said European revenue in the second quarter grew 47 per cent from a year earlier — still rapid but well below the 59 per cent of the prior quarter.

Facebook said its number of daily active users in Europe shrank by 3 million to 279 million at the end of the second quarter from the end of

the first quarter, a period during which users were asked to agree to its new terms of service ahead of the GDPR. Among the users who remained, a minority opted out of certain types of targeted ads, the company said. And Facebook warned that its stricter privacy practices would continue dragging on growth for the rest of the year.

Privacy changes also affected some advertisers. One executive at a major advertising company said confusion over how to certify to Facebook that their own customer data was GDPR-compliant led to pauses in advertising spending.

The GDPR also complicated budget planning for some advertisers, because Facebook stopped providing estimates of how many users would be selected by specified targeting criteria, said Simon Vreeman, growth marketing manager for VanMoof BV, an Amsterdam-based smart-bicycle company that spends 60 per cent to 70 per cent of its ad budget on Facebook.

“You don’t get this data anymore which makes it harder to plan your advertising or plan your budget,” Vreeman said.

VanMoof and some other advertisers said that they hadn’t noticed significant declines in the clicks on their Facebook ads, and hadn’t changed their spending patterns significantly. But several pointed to longer-term trends of slowing user growth and declining engagement — leading to fewer clicks and likes on their ads, and higher costs per click.

Labfresh BV, an online clothing label that spends €50,000 (about \$58,000) a month on ads, has gone to spending about 55 per cent of that on Facebook, down from 90 per cent six months ago, said Kasper Brandi Petersen, Labfresh’s founder and CEO.

For Facebook, GDPR is “a nice boogeyman to have,” Petersen said. “The real problem is falling engagement.”

The silver lining for Facebook: Labfresh is spending the difference on ads in Facebook’s photo-sharing service, Instagram. But Instagram generally is far less lucrative for Facebook than its main app.

The decision to remove Partner Categories targeting options already has hit some Facebook advertisers.

French business-analytics startup Toucan Toco was forced to stop using those targeting categories to show its ads to people with job titles indicating they might be interested in its product, according to Adrien Wiesenbach, who runs the company’s ad buying. He can still use those categories in the US for now, but Facebook will start phasing out that ability beginning in August.

“I’d be willing to spend more money for better targeting,” said Wiesenbach, who spends about a third of his €300,000 annual ad budget on Facebook. “But the targeting in Europe has gotten less granular.

## TAXATION

**DECCAN HERALD AUG 1, 2018**

### **Tax on gram panchayat properties to go up**

The Bengaluru Urban district has 95 gram panchayats that are empowered to levy taxes on residential, commercial, industrial properties as well as vacant plots, hoardings, mobile towers among others. Several commercial and industrial establishments, including IT services major Infosys, fall under gram panchayat limits. The government has taken serious exception to the fact that 71 out of 95 gram panchayats in the city district have not revised their tax rates for the past four years, whereas they are required to revise rates once in two years. Also, gram panchayats in Bengaluru Urban achieved a tax collection efficiency of just 49% — authorities collected only Rs 92.9 crore against a total demand of Rs 189.61 crore. “Committees were formed under the chief executive officer to guide every gram panchayat on tax revision and collection. Still, tax collection is lagging. The government is of the opinion that this is because of the inefficiency of the officials,” Rural Development and Panchayat Raj (RDPR) principal secretary L K Atheeque has stated in his letter to all gram panchayat chief executive officers. The annual tax rate levied is up to 0.10% of a residential property’s original value, 0.20% of a commercial property’s value, up to 1% of an industrial property’s value and so on. A gram panchayat is also allowed to collect cess on the total tax collected — education (10%), health (15%), library (6%) and beggary (3%). Karnataka has 6,024 gram panchayats, of which only 1,421 had revised tax rates once every two years, a recent review found. “This is a top priority for us. We want gram panchayats to raise their own resources,” RDPR Minister Krishna Byre Gowda told DH.

## **FINANCIAL CHRONICLE AUG 3, 2018**

### **More tax relief women on cards**

If all go well, women may enjoy afresh perk from income-tax department as the finance ministry is considering a suggestion from the women and child development ministry to exclude them from tax ambit for the income arise from the assets transferred for an inadequate consideration by an individual to his spouse or son's wife.

Minister of state for women and child development Virendra Kumar said the request to carry out amendment in the Income Tax Act was under the consideration of the finance ministry, as he said in the Rajya Sabha.

Earlier JD(S) member D Kupendra Reddy had sought to know whether the government had recieved requests from women for exempting them from taxes on gifts from their near and close relatives. The minister replied in affirmative and said the finance ministry is considering the matter.

A request has been sent and often such decisions are taken around the budget time, Kumar said.

## WAGES

**HINDUSTAN TIMES AUG 5, 2018**

### **Court quashes Delhi govt order on minimum wages**

In a blow to Arvind Kejriwal's Aam Aadmi Party (AAP) government, the Delhi high court on Saturday quashed a notification fixing higher minimum wages for unskilled, semi-skilled and skilled workers in the city on grounds that it was unconstitutional.

A bench comprising acting chief justice Gita Mittal and justice C Hari Shankar also said that the notification stemmed from "non-application of mind, is based on no material and is in contravention of principles of natural justice". The verdict noted that the decision was made without consultations with either employees or employers. "The non-application of mind by the committee and the respondents, to the relevant material considerations, offends Article 14 of the Constitution of India," the court said. Article 14 deals with equality before law.

The Delhi legislative assembly had initially passed The Minimum Wages (Delhi) Amendment Act in 2016 but it was returned by the Centre, which suggested some changes. The Bill was reintroduced in August 2017. Lieutenant governor Anil Baijal approved a provision to hike the minimum wages of unskilled, semi-skilled and skilled workers by 37% to the highest in the country.

The minimum wages of unskilled workers increased from Rs 9,724 to Rs 13,350 per month, for semi-skilled workers from Rs 10,764 to Rs 14,698 and for skilled labourers from Rs 11,830 to Rs 16,182. The Act stipulated fines ranging from Rs 20,000-50,000 and a jail term of one to three years for employers who did not pay the minimum wage to their employees.

Saturday's verdict said: "The notification dated March 3, 2017 issued by the respondents revising minimum rates of wages for all classes of workmen/employees in all scheduled employments is ultra vires Article 14 of the Constitution of India; of Section 3 & Section 5(2) of the Minimum Wages Act, 1948, of Rule 20 of the Minimum Wages (Central) Rules; appears from non-application of mind, is based on no material and is in contravention of principles of Natural Justice and is hereby declared invalid and quashed."

The court also said that the constitution of a committee that recommended the wages was flawed. The committee's report was not based on relevant material and denied fair representation to the employers well as the employees, it said. "The government decision based on such advice in violation of express statutory provision and principles of natural justice as well as to the prejudice of employers as well as employees is unsustainable," it said.

Reacting to the judgment, Delhi chief minister Arvind Kejriwal said his government had provided relief to poor labourers from inflation by hiking minimum wages. "The court has quashed our decision. We will decide the next course of action after analyzing the judgment. We (Delhi govt) are committed to give relief to the poor," he tweeted.

Delhi's labour minister Gopal Rai also tweeted that the government's fight for the poor would continue.

The court's judgment came on a batch of petitions by traders, dealers and restaurateurs, among others, who had challenged the notification fixing minimum wages for workers in the national capital.

The pleas had also challenged the constitution of the committee which had fixed the minimum wages raising questions on the procedure adopted and its recommendations.

According to Ramesh Singh, standing counsel for the Delhi government, the city is home to around 5.5 million unskilled, semi-skilled and skilled workers in the national capital.

The court questioned the decision to fix uniform minimum wages for workers in all areas of the city, noting that market prices of goods may be different in different area of Delhi.

“The respondents have, by complete non-application of mind, issued the impugned notification for all scheduled employments and treating all workers alike. The respondents have failed to make any classification at all, let alone a reasonable classification while issuing the omnibus notification, which impacts workmen in different industries and workmen working in different scheduled employment,” it said.

Quoting a line from Lewis Carroll’s *Alice in Wonderland* — “The hurrier I go, the behinder I get” — the court said that the decision of the Delhi government was “hurried” and would lead to a setback for the entire workforce of the city.

“This quote, from the classic literary work *Alice in Wonderland* from the year 1865, appropriately manifests the manner in which the hurried actions of the respondents would set back the entire work force of the city,” the court said

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**For Limited Circulation**

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