

# **NEWS ALERT**

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# CIVIL AND POLITICAL RIGHTS

DECCAN HERALD, APR 7, 2019

## A-G instigates SC to opaqueness



Attorney General of India (A-G) KK Venugopal has wrongly framed the issue of the application of the Right to Information (RTI) Act to the Supreme Court by observing that transparency would adversely affect the independence of the judiciary. He told the court that disclosure of the deliberations of the court's collegium on appointment of judges would open a Pandora's box. This is an argument for secrecy and privilege in a key area of judicial functioning and can, contrary to the A-G's claim, only hurt the strength and independence of the judiciary. The disclosure does not involve breach of a fiduciary position of trust, as the A-G claimed, because the information is of public interest. Personal information, to the extent that it is relevant to the responsibilities that attach to a public office, is of public interest. The A-G also said that the collegium members performed a constitutional function and so their deliberations cannot be made public. But constitutional functions are not immune to public scrutiny.

## CIVIL AVIATION

TRIBUNE, APR 6, 2019

### **Pak partially opens airspace for West-bound flights from India**

Pakistan has opened one of its 11 air routes for West-bound flights from India and airlines such as Air India and Turkish Airlines have started using it, said a senior government official on Saturday.

“Pakistan has been opening its airspace in tranches. On Thursday, it opened one of the 11 routes for West-bound flights. Therefore, airlines such as Air India and Turkish Airlines have started using it,” he said.

Even though the route P518 was opened on Thursday evening, American airline company United Airlines announced on Friday its flight connecting Newark airport and Delhi airport has been suspended for two weeks.

Pakistan had kept its airspace fully closed after an Indian Air Force strike on a terror camp in Balakot on February 26.

However, Pakistan on March 27, opened its airspace for all flights except for Bangkok, New Delhi and Kuala Lumpur.

“Since the route P518 that has been opened passes over south Pakistan, the air travel time for west-bound flights from Delhi will not decrease substantially,” the official clarified.

Since February 26, many foreign airlines have decided to suspend their Delhi-bound flights as it was commercially unviable for them to take a longer route through Mumbai airspace.

The operating cost for Air India, which flies to destinations in Europe and the US, has increased significantly as it had to take longer routes due to closure of Pakistan airspace.

The Delhi-Washington and Delhi-Chicago flights of the national carrier had been making a stop at Mumbai and Vienna for refuelling and change of crew.

Air India had on March 15 requested its “inactive” crew members to “immediately” join work as the airline had been forced to cancel and reroute a number of the US and Europe-bound flights due to closure of Pakistan airspace.

The airline had on March 14 announced that it would combine the Mumbai-New York flight with its Mumbai-Newark flight from March 16 to May 31.

On March 13, it had announced the suspension of flights on the Delhi-Madrid and Delhi-Birmingham routes from March 16 “till further notice” due to “operational reasons”. PTI

# CONSUMERS

HINDUSTAN TIMES, APR 7, 2019

## **Regulators must check unethical clauses in consumer agreements**

*All the regulators in the country , including banking, insurance, health, transport and telecom, should also come up with stringent norms for preventing exploitative clauses in consumer agreements.*



Builders are notorious for drawing up unjust and inequitable contracts that are highly skewed against the consumer; contracts that put homebuyers at a great disadvantage, extinguish some of their rights and

cause them undue hardship, while granting unwarranted advantages to the builder.

Last week , the Supreme Court strongly censured such contracts and held them unenforceable, thereby strengthening the hands of consumers in general and home buyers in particular. Describing the contractual terms of the agreement between the builder and the consumer in this case as “one sided, unfair and unreasonable”, a bench of Justices U U Lalit and Indu Malhotra said: “A term of a contract will not be final and binding if it is shown that the flat purchasers had no option but to sign on the dotted line, on a contract framed by the builder”.

The Supreme Court held that incorporation of such one-sided clauses in an agreement is an ‘unfair trade practice’ as per Section 2 (r) of the Consumer Protection Act, 1986.

This view of the Apex Court widens the scope of ‘ unfair trade practice’ under the CP Act and opens the door for consumers to challenge unfair terms in contracts, as an unfair trade practice..

Since the Consumer Protection Act also gives the consumer the right to be protected against unfair trade practices and empowers the consumer courts to award compensation and even punitive damages for any loss or injury caused on account of such practices, the Supreme Court’s interpretation of an unfair contract as an unfair trade practice also gives consumers in general and homebuyers in particular, the right to seek damages for unfair terms in contracts too.

The April 2 order of the Supreme Court was in response to two appeals filed by the builder -- Pioneer Urban Land & Infrastructure Ltd --

challenging the decision of the National Consumer Disputes Redressal Commission (in two cases) holding certain terms of the agreement drawn up by the builder to be patently one-sided and unfair and therefore not binding on the consumer. The Commission had, therefore, directed the builder, who had failed to hand over possession of the flat within the stipulated time, to refund the entire amount paid by the consumers along with 10.7 per cent interest.

This was contested by the builder on the grounds that the refund as well as the rate of interest contravened the terms of the agreement and, therefore, needs to be set aside. However, on examination of the agreement, the Supreme court found “stark incongruities between the remedies available to both the parties”.

For example, while the buyer had to pay 18% interest on delayed payments, the builder had to pay only 6 or 9% on delayed handing over of the flat. On cancellation of the agreement, the consumer got no interest on the money paid by him, if the builder paid within the notice period of 90 days.

The Supreme Court order should prompt the state regulators in the real estate sector to draw up clear guidelines on what constitutes an unfair and an unequal clause in an agreement and direct all builders to keep out such clauses.

Any term that is discriminatory or prejudicial to consumer interest should automatically become void and invite stringent regulatory action. There are enough provisions in the Real Estate (Regulation and Development) Act and Rules to do so. The Union ministry of Housing

and Urban Affairs could actually prepare these guidelines, so as to ensure uniformity in all the States.

The exercise should of course not be restricted only to the real estate sector.

All the regulators in the country , including banking, insurance, health, transport and telecom, should also come up with stringent norms for preventing exploitative clauses in consumer agreements.

## **CORRUPTION**

PIONEER, APR 3, 2019

### **Elephant statues will of people: Maya to SC**

BSP supremo Mayawati told the Supreme Court on Tuesday that construction of her life-size statues and the party's symbol, elephant, at various places in Uttar Pradesh during her tenure as State's Chief Minister represents the "will of the people".

She drew the attention of the apex court that even the Congress Party in the past has installed statues of its leaders, including Pandit Jawaharlal Nehru, Indira Gandhi, Rajiv Gandhi and PV Narasimha Rao across the country.

She also referred to recent instances of installation of statues by State Governments, including the statue of Sardar Vallabhai Patel which is known as 'statue of unity' in Gujarat.

Besides, she said present BJP-ruled Uttar Pradesh Government has initiated construction of a 221 metre high Lord Rama statues in Ayodhya at the cost of State exchequer.

Thus, construction of memorials and installation of statues was not a "new phenomenon" in India, she said.

“Similarly, other political parties in power at both the Centre as well as state governments have also installed statues of various other leaders at public places at the cost of public exchequer from time to time but neither the media nor the petitioners have raised any questions with respect to them,” she said in an affidavit filed in the top court.

The Supreme Court is hearing a petition filed in 2009 by an advocate who had alleged that about Rs 2,000 crore was used from the state budget for 2008-09 and 2009-10, when Mayawati was the Chief Minister of Uttar Pradesh, for stalling her statues and BSP’s symbol at different places.

Mayawati said in her affidavit that construction of memorials and installation of statues in the state are intended to promote the values and ideals of social reformers and not to glorify herself or to promote her party’s symbol.

The BSP chief said she has dedicated her entire life for upliftment of downtrodden society and for achieving this, “I also took a decision to remain unmarried”.

Mayawati said that issues related to utilisation of funds for a particular public purpose by the State Government are “not justiciable” and funds for construction of these memorials and installation of statues were sanctioned through budgetary allocation after approval of budget by the state legislature.

The Dalit leader was responding to the notice and the oral observation of the apex court which had on February 8 observed that Mayawati should

deposit public money used for erecting statues of herself and the party's symbol to the state exchequer.

Mayawati sought dismissal of the plea, which has alleged that public fund was misused, saying it was "politically motivated" and is in gross abuse of the process of the court.

The BSP supremo said "some disgruntled elements could not digest" such an amount of respect for a Dalit woman leader and resorted to filing pleas in the apex court as well as high court.

## **DEFENCE**

PIONEER, APR 3, 2019

### **India, Australia 15-day joint naval exercise begins**

With the objective to enhance defence and strategic ties, India and Australia commenced 15-day long joint naval exercise off Visakhapatnam beginning Tuesday and ending April 16. It is third edition of AUSINDEX, an acronym for Australia-India exercise.

The complexity of the biennial maritime exercise over the past four years has steadily increased. The third edition will involve exercises in all three dimensions with focus on anti submarine warfare. The number of units being fielded by both navies in the bilateral exercise is the highest till date. The increased scale of participation signifies the importance attached to the exercise by both countries while the enhanced complexity is indicative of the interoperability between the two navies, officials said here on Tuesday.

Explaining the significance of the exercise, they also said the exercise underscores India's vision of Security and Growth for All in the Region(SAGAR) and shared objectives of the two countries towards ensuring good order in the maritime domain and solidarity with friendly and harmonious countries.

The Australian Navy has sent HMAS Canberra, a Landing Helicopter Dock, HMAS New Castle and HMAS Paramatta, both frigates, HMAS Collins, a conventional submarine and HMAS Success, a Durance-class multi-product replenishment oiler for the exercise. Nearly 1,000 Australian personnel from the navy, air force and army will take part in the exercise.

The aim of the exercise is to strengthen and enhance mutual cooperation and interoperability between the two navies, providing opportunities for interaction and exchange of professional views between the personnel of the two navies, officials said.

A sign of strengthening of bilateral and defence cooperation between the two countries as envisaged in the Framework for Security Cooperation (FSC) was announced by the Australian and Indian Prime Ministers in 2014. The maiden edition of the exercise was held in September 2015 at Visakhapatnam. Australia hosted the second edition of the exercise off Freemantle in June 2017, wherein ships of the Eastern Fleet of the Indian Navy exercised with Royal Australian Navy ships and submarines.

Building on a long history of cooperation - including the shared experiences in the trenches of World War I in Gallipoli and along the Western Front - Australia and India have a positive defence relationship, underpinned by the 2006 Memorandum of Defence Cooperation and 2009 Joint Declaration on Security Cooperation. However, post the 2014 bilateral FSC the cooperation on defence and security matters between the two countries has gained significant momentum thus, witnessing conscious and focused enhancements, they added.

## **ECONOMIC DEVELOPMENT**

TIMES OF INDIA, APR 7, 2019

### **India needs to sustain high level of growth in economy: Indian envoy**

WASHINGTON: India, which is now the fastest growing major economies of the world, needs to sustain a high-level growth to achieve a \$10 trillion economy in the next 10 years, India's envoy has said. India's Ambassador to the US Harsh Vardhan Shringla said on Saturday that India represents the dreams of more than a billion people and in the last five years it has emerged from being 11th largest world economy to the sixth largest. And this year, it will become the fifth largest economy of the world. "But in order to do that, we need to sustain a growth of eight-nine percent. In order to make sure that we are a \$5 trillion economy in the next five years, a USD10 trillion economy in the next 10 years, we need to sustain a very high level of growth," he said. Shringla was speaking at Celebrate India Festival on "India: Land of a Billion Dreams" organised by Detroit Institute of Arts (DIA) and Friends of Asian Arts and Cultures in Detroit, the auto capital of the world. The festival showcases the art and culture of India.

Observing that growth in India has to be inclusive and sustainable, the ambassador listed out some of the programs started by the Indian government to achieve this. The success of Indian American community,

their entrepreneurship, hard work and dedication to what they do have inspired people in India. The four million Indian American community is seen as a role model and inspiration by people back home, he said.

Speaking on the occasion, DIA Director Salvador Salort-Pons said, “This festival allows our visitors to expand their experience of India and Southeast Asian arts and culture.” “Our newly installed Robert and Katherine Jacobs Asian Wing shares histories and culture that can not be found in books or television. By celebrating India, we rejoice the cultural richness, the excellence in the arts and the extraordinary diversity of the communities that we are honoured to serve in the region,” he said.

## **EDUCATION**

PIONEER, APR 4, 2019

### **Centre, Delhi Govt lock horns over hiring in Central varsites**

A tussle has emerged between the Centre and Delhi Government over the recruitment process in Central universities regarding which the HRD Ministry has sought the Election Commission's nod to start process as the model code of conduct is in effect.

The Delhi government has objected to the Centre's request, saying the EC should not grant permission. In a letter to Chief Election Commissioner Sunil Arora, Delhi Deputy Chief Minister Manish Sisodia said that the AAP government does not agree to the proposal of MHRD for seeking permission to complete the recruitment process in the colleges of Delhi University in the midst of elections and when the poll code is in force. "I once again reiterate that Election Commission should not grant permission to such requests," Sisodia said in the letter.

In a letter to the poll panel, the ministry said, "In view of the UGC mandate to provide teaching and non-teaching faculty before start of new academic year in June, 2019, the Election Commission of India is requested to give its clearance/permission from Model Code of Conduct for starting/continuing the recruitment process for regular teaching and non-teaching vacant posts in central universities".

The appointments for teaching posts in central universities were put on hold in July last year in view of a judgement of the Allahabad High Court in April 2017. The court quashed the provisions of UGC guidelines which prescribed that the cadre or unit for determining reservation roster points should be ‘university/college’ and not ‘department’, a letter by ministry to the EC said. The letter was sent to the EC on April 1 and a reply is awaited.

Ministry officials said the EC has already given clearance to Indian Institutes of Science Education and Research (IISERs) and National Institutes of Technology to start recruitment process. The HC order was later upheld by the Supreme Court in July and a review petition filed by the government was rejected.

The government promulgated the Central Educational Institutions (Reservation in Teachers’ Cadre) Ordinance, 2019, to restore the earlier 200-point roster-based reservation system in Higher Educational Institutions (HEIs).

The new system will consider the university or college as one unit instead of treating department or subject as one unit. Due to the matter being sub-judice, many teaching positions have been lying vacant for a long time. “Out of total number of 17,425 sanctioned teaching posts in 40 central universities, 6,141 posts are lying vacant as on November 1, 2018.

“In order to improve the teaching standards of higher educational institutions and to ensure that studies of students are not affected, it is necessary to start the recruitment process immediately so that these

vacant teaching positions are filled before start of the new academic session,” the ministry said.

# ELECTION

PIONEER, APR 3, 2019

## **EC raps 2 Ministries for poll code violation**

The Election Commission (EC) on Tuesday flayed Ministries of Civil Aviation and Railways for noncompliance of its instructions and lackadaisical approach towards enforcing the model code of conduct’.

In a letter to the two Ministries , the EC has asked them why have the pictures of PM Modi not been removed from rail tickets and Air India boarding passes even after Model Code of Conduct had come into effect on March 27.

The EC called the Railways approach towards enforcing the model code of conduct “lackadaisical” after allegations that poll norms were violated with Prime Minister Narendra Modi’s picture on tickets and the slogan “Main Bhi Chowkidar” on tea cups.

The Commission has issued a notice to the railways, asking it to submit a report by last Thursday on the slogan on tea cups, so that it can take a call on whether it was a poll code violation. The issue came to the fore after a passenger on the Kathgodam Shatabdi tweeted a picture of tea cups with the slogan, the post went viral. The railways said its has withdrawn the cup and penalised the contractor.

“The Commission expresses its considered displeasure over the non-compliance of the commission’s instructions especially when the model code of conduct is in force and the lackadaisical approach towards enforcing the Code. “The commission has also decided that disciplinary action be taken against the officer incharge and a report be submitted to the Election Commission within a week,” it said. Sources in the railways, however, said the reply to the notice on the ticket issue had been sent to the EC on April 1 and it has complied with everything. “It was an inadvertent mistake,” a source said.

In another letter to Civil Aviation Secretary PS Kharola, the EC said that Air India has failed to respond to its notice despite lapse of deadline two days ago. “The Commission expresses its serious displeasure over the non-compliance of the Commission’s lawful instructions and lackadaisical approach towards enforcing the Model Code of Conduct,” the EC said in its letter dated April 2.

The EC said that its displeasure should also be conveyed to Chairman and Managing Director of Air India for “the lapse of the organization”. The strongly worded letter said, “The Commission has further directed that action taken against the officer incharge be reported to the Commission within a week.”

The Commission had on March 26 issued a show cause notice to the Civil Aviation Ministry over the use of Prime Minister’s pictures on Air India boarding pass as prima facie it violated the model code of conduct. The poll panel had said prima facie Air India has violated the model code of conduct, and referred to clause VII of the code which states that “issue of advertisement at the cost of public exchequer ... Regarding

achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided”. Former Punjab DGP Shashi Kant had on March 25 tweeted a photograph of his boarding pass issued at the New Delhi airport, questioning how pictures of the two leaders could be on it.

# EMPLOYMENT

HINDU, APR 4, 2019

## Draft employment report data shows that 12% of qualified people are without jobs



Data in the draft Periodic Labour Force Survey (PLFS) 2017-2018 reveals that the unemployment rate. was the highest for all demographics in the past three decades. The draft report, accessed by *The Hindu*, also shows that a section of those surveyed are unemployed despite their academic qualifications and vocational/technical training.

### **Sudden spike from 2011-12**

Unemployment among urban women saw the steepest climb (Over 5 percentage points), while the unemployment rate among urban and rural men rose by 4 percentage points

## **Education doesn't mean jobs**

Across all demographics (urban and rural women and men), those who had finished secondary school and above had the highest rate of unemployment. This was particularly pronounced among urban women (about 20%).

Traditionally, people who finish secondary education and above constitute the largest section of unemployed people, going by past surveys. However, the gap between this section and others was much wider in 2017-18.

## **IT, electronics boom**

About 20% of those who had received some formal vocational/technical training were trained in IT-related disciplines, while electrical and electronics came next.

## **Just over half employed**

Only about 5-6 persons out of 10 **who had received formal vocational/technical training were employed**. About 3 out of 10 people were not in the labour force during the survey.

In the report, unemployed rate is defined as the percentage of persons in the labour force. 'Employment' refers to people employed in the 'usual status' -- in this case, it refers to people who have engaged in any economic activity for 30 days or more in the past 365 days.

# ENERGY RESOURCES

STATESMAN, APR 1, 2019

## Energy for Renewal

*It hardly needs to be emphasised that water is a scarce and endangered resource with both rivers and groundwater in India running dry. Thus most atomic power stations are located near the sea, changing the ecology of the shoreline and also driving away fishermen.*

The news that India has signed up for the import of six nuclear reactors from the USA has been greeted with elation in certain quarters. Certainly, the USA has much to be satisfied about as its nuclear industry has been in the doldrums with a major player, Westinghouse, rendered bankrupt. What about the Indian scenario? This is being written on World Water Day. Mankind has lived for thousands of years without electricity, as indeed is still the case for 30 per cent of its villages, but no substitute has yet been found for water. Ground water, rivers and streams are in perilous condition with villagers in UP and Rajasthan having to walk many km to fetch drinking water.

Since the days of the Bhabha- Nehru bhai-bhai relationship, atomic energy and its offshoots have always occupied pride-of place in terms of funding. Most advisers to the Prime Minister are from the Department of

Atomic Energy and have his confidence. The AEC empire has enlarged to encompass a large number of scientific organisations, ranging from mathematics to high energy physics and consumes one-third of the R & D budget. In the early 1950s, energy from the atom was touted to produce “energy to cheap to monitor”. The Cold War and the competition in atomic stockpiles was a compelling incentive. Britain was a pioneer and later France and China also joined the race with reactors as well as demonstrable weapons. Seventy years, later atomic energy produces only 11 per cent of the world’s energy and in India it is stuck at 3 per cent. Why ? With centralized generation requiring extensive grid lines, it has left 30 per cent of India’s villages bereft of electricity in the 21st century. One can cite the low price of oil as one of the reasons, but like oil, Uranium is a limited resource and its reserves might run out by the end of the century. Nuclear reactors do not emit carbon dioxide, but with radioactive elements as an essential byproduct it can hardly be called ‘ clean’. Are we to leave tonnes of radioactive waste with “half-lives” of thousands of years around our plants as a legacy for generations to come ? No safe waste disposal process has been found till now. Thorium reactors depend on conversion of Thorium into U233 and are still in the R & D stage in India and may take decades to become viable. These are theorised to produce less radioactive waste.

Partha Sarathi Chakrabarti has made a strong plea which is simplistic in skipping over the major shortcomings. Nuclear energy is not cheap as claimed, but is rated at \$6000 / KW compared with \$1600/KW for wind, \$1800/ KW for fixed solar PV installations. Any cost comparison must take into account radioactive waste disposal / storage and de-commissioning of a nuclear plant. Recently this has been estimated at

\$20 billion for a nuclear plant in the UK. As is well-known Uranium occurs overwhelmingly as the isotope 238 with only 0.7 per cent being in the fissile form of U 235. Thus the essential process of enrichment is energy intensive and subject to global sanctions. This is the process that A Q Khan took from the Netherlands and started the nuclear weapons programme in Pakistan. Reactors need 3 – 5 per cent enrichment, whereas weapons require anything from 25 per cent upwards. The results of the fission reaction of U 235 are mainly elements in the middle of the Periodic Table such as Barium, Calcium. Plutonium is produced by occasional capture of slow neutrons by U238. There is no quantum mechanical magic in producing electricity from nuclear reactions ~ steam or water at high temperatures have to be produced to drive turbines. Therein lies the rub. A 1000 MW reactor requires 1 million gallons of cooling water per day to keep it running. It was this loss of coolant that produced the disaster at Fukushima. Writing on World Water Day, it hardly needs to be emphasised that water is a scarce and endangered resource with both rivers and ground water in India running dry. Thus most atomic power stations are located near the sea, changing the ecology of the shoreline and also driving away fishermen. With five Russian reactors already in the pipeline, location of new reactors can pose a major problem. Apart from the requirement of water, a radiation-protected safe zone is essential. It can also contain the buried radioactive waste. India does not have a large hinterland almost free of population such as the USA, China or Canada. Australia with its vast stock of minerals and coal including Uranium, runs no reactors and is increasingly dependent on renewable energy. Further nuclear plants take a decade or more to commission, whereas solar PV plants which are

modular in nature with similar capacity can be installed in a year or so. The Sagar island relied on diesel for decades as no grid line reached the place. Now solar PV, both rooftop and centralized, has changed the lifestyle of the inhabitants allowing children to study at night. The North-East with its difficult terrain for grid connection is also ideal for different types of renewable energy, including biomass. Similarly Andaman and Nicobar islands, with their strategic location, had depended on diesel ferried from the mainland at great cost. Now 2 solar PV plants with 25 MW & 20 MW capacity are set to reduce this dependence.

The one clear advantage of nuclear and other centralised plants such as coal and oil are their high load factor i.e. these can run at 80 – 90 per cent of the rated capacity whereas renewable sources such as wind and solar, due to their variable nature have capacities of 15 – 20 per cent. Here wind obviously scores over solar, which depends on hours of sunshine. Both are location specific and must be installed with the Wind and Solar Maps of India in mind. For example 2 wind turbines installed at the tip of Sagar island proved completely useless as there was hardly any wind except during the pre-monsoon season. While solar PV sets for irrigation requires no storage, for domestic and industrial use this is a must. The cost of battery storage is estimated at \$2000 / KW which still makes solar much less expensive than nuclear. Here there is much scope for alternative cheaper storage. As far as nuclear reactors are concerned, smaller types are being developed in the USA for possible installation on oceans or waterbodies. However the Fast Breeder Reactor, which produces Plutonium as a byproduct is beset with problems. It requires highly corrosive liquid sodium as a coolant at 4500 C. As such Japan

and even France have discarded their FBR projects and only Russia has a reactor running. India has an FBR programme with a prototype 500 MW due to go critical in 2019. It was expected to be commissioned in 2012. Unfortunately unlike ISRO, whose successes and failures are made public, the AEC keeps information under wraps. There has been leakage of radioactive water from reactors from time to time but these have been hushed up. Contract labourers have been sent in for clearing such waste, oblivious of the danger posed to these innocents. Scientists who have disclosed such incidents have become persona non grata. Uranium mining in Jadugoda is also a hazardous activity, despite denials. High incidence of cancer as revealed by impartial sources is testimony to these lapses.

It is strange that despite NPL in its initial days working on solar thermal processes, India with its vast exposure to solar energy had to rely on the energy crisis in the West in the 1970s to gear up its solar energy programme. With the commissioning of the Department of Non-conventional Energy under Prime Minister Indira Gandhi, an encouraging start was made in the 1980s with Central Electronics Ltd, Sahibabad playing a leading role. With fully indigenous technology PV cell production reached a few MW / year and waterpumping street-lighting installations were also carried out. However with limited vision of the bureaucrats at the helm of affairs, the programme lost momentum just as China was embarking on its ambitious programme to capture world markets. The advantages of solar energy are obvious ~ no fuel, minimum maintenance, no coolant water, installation in arid deserts, modular nature, rooftop or centralized, ideal for street lighting with low wattage LEDs. Unfortunately India produces no Polysilicon, the basic

material for solar PV, and as such has become totally dependent on imports from China and Taiwan. In the process PV companies in India have stopped cell fabrication and are only going in for assembly and packaging, which requires minimum investment. Thus the 'Make in India' programme certainly requires rejuvenation.

*(The writer is formerly Professor and Dean IIT Kharagpur and Professor, Indian Institute of Science, Bangalore)*

# ENVIRONMENT

BUSINESS STANDARD, APR 7, 2019

## **Inconvenient truth of climate change**

*What can we do as temperatures increase and weather changes to bring devastation in different parts of the world?*

BY SUNITA NARAIN



The question no longer is if climate change is real. The question is: What can we do as temperatures increase and weather changes to bring devastation in different parts of the world? This is where our conversation is struggling to keep pace with the scale of the energy transition that is required.

But there is some good news in terms of where the possible answers will lie. This is what we should discuss

## JUDICIARY

HINDUSTAN TIMES, APR 7, 2019

Of transparency in the judiciary

*Can there be different standards for transparency across different arms of the state?*

The issue of transparency has been a sticking point for the highest judiciary, especially with respect to the appointment of judges and administration of justice. The extraordinary January 2018 press conference by four seniormost judges of the Supreme Court (SC) was a result of this. Now a five-judge bench of the Supreme Court — chief justice of India, Ranjan Gogoi, and three future chief justices, Justice N V Ramana, Justice D Y Chandrachud and Justice Sanjiv Khanna along with Justice Deepak Gupta — are tackling the issue of whether all information on the appointment and assets of judges can be put out in the public domain.

It is telling that arguments on a petition by the SC defending its decision to not part with information on judicial appointments and assets of judges were made in the SC and before SC judges recently. So should the highest judiciary be blocking information in the name of judicial independence? After all, the SC imposes rigorous standards of

transparency on elected representatives while it seems decidedly reluctant to apply the same standards to itself. Last year, in a verdict dealing with the criminalisation of politics, it had made it compulsory for candidates and political parties to issue declarations in the media on their criminal antecedents, if any. The judicial opacity cleared up slightly in recent times with the decisions of the supreme collegium on appointments being put out on the SC website. But only seven of the 27 SC judges have put out their assets on the website, the proportion being less in high courts.

Justice Gogoi suggested that too much transparency could destroy the judiciary, while not defending opaqueness. Can there be different standards for transparency across different arms of the state? The usual argument is that transparency will undermine judicial independence but then again the public has the right to know as much as possible, without trespassing on privacy, about those who are in a position to determine their fates. The notion that negative information about certain judges may be an impediment to their progress is misguided. Those under a cloud should not be cleared to move into higher positions. The judiciary must be beyond reproach. This is something the judiciary itself must reflect and act on rather than be pushed on the matter by lawmakers and civil society.

## HEALTH SERVICES

HINDUSTAN TIMES, APR 4, 2019

### **India's public health centres need better water infrastructure**

*This is because sick people shed a lot more pathogens in their faeces, and, without toilets, staff and patients — this includes mothers and babies — are at much greater risk of diseases caused and spread through human waste, say experts.*



*A quarter of the world's health facilities lack basic water services, affecting two billion people, the United Nations said , warning that*

***unhygienic conditions could fuel the rise of deadly superbugs, a strain of bacteria that has become resistant to antibiotic drugs(AP)***

A quarter of the world's health facilities lack basic water services, affecting two billion people, the United Nations said on Wednesday, warning that unhygienic conditions could fuel the global rise of deadly superbugs, a strain of bacteria that has become resistant to antibiotic drugs. In the poorest countries, about half the facilities do not have basic water services, meaning water delivered by pipes or bore-holes that protect it from faeces. This puts birthing mothers and newborns in particular danger, new data showed. It would not be wrong to say that a health care facility without water is not a real health care facility at all. This is because sick people shed a lot more pathogens in their faeces, and, without toilets, staff and patients — this includes mothers and babies — are at much greater risk of diseases caused and spread through human waste, say experts.

While the report does not mention India separately, the warning is very much for the country as it is for other parts of the developing world. India's problem is actually two-pronged. One, its public health system is in a shambles with basic infrastructure and hygiene challenges. According to WaterAid India, one in five newborn deaths in the country can be prevented by ensuring access to clean water and by providing a clean birthing environment. With 167 maternal deaths per 1,00,000 live births and 28 newborn deaths per 1,000 live births, India has one of the highest rates of maternal and neonatal mortality in the world. Second, according to WaterAid, more than 163 million people in India do not

have access to clean water. That is the highest in the world. So the people are not just at risk when they are at the public health facilities but also outside it.

In the past five years, the National Democratic Alliance government has focused hugely on building toilets, but failed to invest equally in providing water connections. This discrepancy must be fixed soon. Otherwise, the long-term impact of the other investment (sanitation) will not have the desired result.

# POLLUTION

PIONEER, APR 4, 2019

## **12 lakh die of air pollution in India: Report**

Over 12 lakh people died in India due to air pollution in 2017, said a global report on air pollution.

As per the State of Global Air 2019, overall long-term exposure to outdoor and indoor air pollution contributed to nearly 50 lakh deaths from stroke, diabetes, heart attack, lung cancer, and chronic lung disease in 2017.

“Out of these, 30 lakh deaths are directly attributed to PM2.5, half of which is from India and China together. The analysis found that China and India together were responsible for over half of the total global attributable deaths, with each country facing over 12 lakh deaths from all air pollution in 2017,” the report said.

The report, which was released by US-based organisation Health Effects Institute (HEI) on Wednesday, said that air pollution is the third highest cause of death among all health risks in India, ranking just above smoking.

As per the report, the life of a South Asian child born today will be shortened by two years and six months growing up in current high levels of air pollution, while the global life expectancy loss is 20 months.

The institute said schemes initiated by the Indian government to address pollution like the Pradhan Mantri Ujjwala Yojana, Household LPG program, accelerated Bharat Stage 6/VI clean vehicle standards, and the new National Clean Air Programme can have significant health benefits in the coming years.

“These and future initiatives have the potential, if fully implemented as part of a sustained commitment to air quality, to result in significant health benefits in coming years,” said Robert O’Keefe, Vice President Health Effects Institute.

“Worldwide, air pollution is responsible for more deaths than many better-known risk factors such as malnutrition, alcohol use, and physical inactivity,” said the report.

“Each year, more people globally die from air pollution related disease than from road traffic injuries or malaria,” the study said.

# POVERTY

PIONEER, APR 1, 2019

## In the worst of times



*It is necessary for national governments to put in place safety measures so that vulnerable sections can be protected from the ill-effects of a downturn in economic activity*

When Charles Dickens wrote the following lines for his epic creation, *A Tale of Two Cities*, he obviously gave expression to the state of society as it existed in that period: “It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the

epoch of belief, it was the epoch of incredulity...”. If the same author were to write similar lines today, it is likely that he would drop the words “best of times”, given the extent of uncertainty and the lack of “feel good” that we see before us.

Perhaps every generation feels some helplessness at what they perceive as the decline in standards, opportunities — and most importantly, hope — in comparison with yesteryear. Yet, today, the confusion that defines global affairs and the state of the world seems more compelling in mapping the human condition as, say, in comparison with what existed just a few years ago. The global economy has reached unprecedented levels, which should normally have resulted in the elimination of poverty, hunger and malnutrition, and a reduction in inequalities but the growing difference between the richest members of society and those at the bottom rung has never been sharper than it is today.

Oxfam International highlights five shocking facts about extreme global inequality and mentions means by which it could even up this growing distortion, even though these appear largely impractical in today’s world. The first recommendation provided by Oxfam is to have world leaders tax the rich fairly and invest in vital public services that lift people out of poverty. It also states the fact that the wealth of the world’s billionaires increased \$ 900 billion in the last year, which is \$2.5 billion a day. As a result, 26 people own the same wealth as the 3.8 billion people, who make up the poorest half of humanity.

According to Oxfam, in some countries, the poorest 10 per cent are paying a higher proportion of their income in tax than the richest 10 per cent. Even in some of the most prosperous cities in the world, there are

alarming disparities across societies. For instance, the richest parts of São Paulo, Brazil, have a life expectancy of 79 years; while in the poorest areas of the city, it is only 54 years.

Overall, disparities are growing in almost every part of the world, and this leaves a large number of poor people extremely vulnerable to the adverse effects of economic recession, natural calamities and growing impacts of climate change, against which, it appears, the poor have neither the means, the infrastructure nor the skills to be able to adapt the risks associated with these impacts. The effects of economic recession always fall disproportionately on the poor of the world and the most vulnerable sections of society, including the elderly and the most dispossessed.

There is globally every reason to consider the possibility of recession occurring in 2019 or possibly by 2020 and, hence, efforts need to be made in advance for policies to protect these vulnerable sections of people everywhere. A recession is generally not easy to predict but several analysts and observers of current economic trends are expressing doubts on whether the growth achieved in the past seven or eight years would actually continue. If we look at the overall global and regional developments, the on-going trade wars between the US and China are clearly introducing a major area of uncertainty between the two countries, which would have profound effects on other economies across the globe. While the US economy appears to be doing well, there are signs of a slight downturn, which can become stronger with adverse monetary policies, which may be put in place in the next few months.

China's economic growth has been phenomenal and has added a substantial amount of goods and services not only for domestic consumption but for export to other nations as well. However, there are signs of a clear decline in China's economic growth, which could have adverse effects on the economies of other countries as well.

In the case of Europe, the confusion about Brexit leaves that continent in a state of uncertainty, which is in fact compounded by efforts on the part of some national Governments trying to defy overall EU policies, which were accepted by the members of the Union.

At the same time, there are, of course, hotspots across the world, which continue to see conflict that not only has direct local relevance but global implications as well. There is little that the world has been able to do to end conflicts such as in Syria, Eastern Ukraine and even Yemen, which continue to defy any rational basis for prolonging them. In our own neighbourhood, unacceptability and threats of terrorist violence remain alive, despite efforts by the international community to curb the universal dangers of providing sanctuary and encouragement to terrorists.

If on top of these troubled conditions, the world is to see another recession in the next nine to 18 months, it would leave several societies much worse off. Dealing with the situation would require a dialogue to be pursued among the major powers, who can influence overall global economic policy, but there is in evidence today much greater emphasis on bilateral negotiations and agreements, which could be counterproductive and harmful to the global economy.

At the same time, it is necessary for national Governments to put in place proper safety measures by which the most vulnerable sections of society could be protected from the serious ill effects of a downturn in economic activity. It is important for national Governments and those responsible for global policies to ensure that the lives of the underprivileged are protected and kept secure against the possibility of a recession which would add a further burden to their lives, who are impacted already by climate change and natural disasters of various forms.

Unfortunately, the most influential leaders in the world today lack the ability to assert moral leadership and qualify as global leaders with vision. The vacuum needs to be filled with leaders at the grassroots level, who are able to articulate the priorities that underline a safe and secure future for the most vulnerable people on planet Earth. The world today can create conditions for the best of times to follow.

**(The writer is former chairman, Intergovernmental Panel on Climate Change, 2002-15)**

## **SCIENCE AND TECHNOLOGY**

PIONEER, APR 6, 2019

### **Cooperation with ISRO remains intact: NASA chief**

The cooperation of NASA with ISRO remains intact, chief of the US space agency James Bridenstine has said, days after he criticised India and termed its anti-satellite weapon test a “terrible thing” for creating about 400 pieces of orbital debris.

In a letter to ISRO Chairman K Sivan, NASA Administrator Bridenstine said “based on the guidance received from the White House”, he looks forward continuing to work with ISRO on a host of issues, including human space flights. “As part of our partnership with you, we will continue to work on issues using the NASA-ISRO Human Space Flight Working Group, Planetary Science Working Group, US India Earth Science Working Group, and the Heliophysics Working Group,” Bridenstine said.

## TAXATION

TRIBUNE, APR 6, 2019

### **Directors, investors in unlisted firms can't file ITR Sahaj, Sugam**

The Income Tax Department has barred directors as well as those who have invested in unlisted companies from filing ITR forms Sahaj and Sugam in a bid to clamp down on shell companies and check routing of black money.

According to the new tax return forms for Assessment Year 2019-20 notified by the I-T department, the directors in both listed and unlisted companies will be required to file their returns in ITR-2 in which they will have to disclose details of Director Identification Number (DIN), Permanent Account Number (PAN), equity holding along with the names of the companies.

Similarly, investors in unlisted equity shares, too, will have to give details, like acquisition cost, sale consideration, date of purchase/sale, of holding of such shares at any time during the previous year.

ITR-1 can now only be filed by resident individuals having a total income of up to Rs 50 lakh, from salaries, one house property, other sources (interest), and agricultural income up to Rs 5,000; excluding those who are directors or have invested in unlisted companies.

Sugam or ITR-4 will be filed by individuals, HUFs and firms with a total income of up to Rs 50 lakh under the presumptive income scheme from business and profession, provided the assessee is neither a director nor have invested in any unlisted company.

This stipulation is aimed at tightening the noose on unlisted companies appointing dummy directors and use shell companies to round trip black money. — PTI

### **New forms notified**

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## **TERRORISM**

PIONEER, APR 4, 2019

### **NIA arrests man after being deported from UAE for attack on CRPF camp**

Nisar Ahmed Tantray, whose brother Noor Trali is believed to have helped revive the Jaish-e-Mohammed terror outfit in Jammu and Kashmir, has been arrested by the National Investigation Agency (NIA) after being deported from the United Arab Emirates in connection with an attack on a CRPF camp in South Kashmir in 2017, officials said here.

Nisar had shifted to the UAE recently and was believed to have been in constant touch with Mudasir Ahmed Khan, one of the main handlers of the February 14 attack on a CRPF convoy in Pulwama, in which 40 personnel were killed.

Tantray was produced before a special court which remanded him in NIA custody.

He was arrested in connection with the attack on the CRPF camp at Lethpora in South Kashmir on December 30 night in 2017, in which five personnel were killed. Three Jaish-e-Mohammed terrorists were killed during the 36-hour-long gunfight.

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