

**“Stop blaming outside circumstances for your inside chaos.” Steve Maraboli**

**INTERNATIONAL AND BILATERAL**

**TARIFFS ON CHINESE SOLAR PANELS**

The government has imposed a safeguard duty (SGD) on solar cells and modules from China and Malaysia, effective from 30 July.

About 85% of India’s solar cells come from both these countries.

The argument for such a trade intervention is the rising “dependency” on China on one hand and economic and employment loss on the other.

**Tariffs counterproductive:**

From an environmental, economic as well as (energy) security standpoint, such tariffs are unfortunately counterproductive

India’s current production of solar cells and modules is much less sophisticated and not competitive enough to replace the Chinese product

Catching up with China would require tremendous capital investment—with no promise of return as the decreasing prices further reduce profit margins

China can offer low prices due to economies of scale

It has the same problem with another technology too

Today, nine out of 10 batteries are produced in China, South Korea or Japan

**Impact on employment:**

Import tariffs will raise the general price levels for solar cells and solar photovoltaic power plants, the number of installations will drop and employment will be affected.

Solar cell and module production is a highly automated process, which requires high-end precision machines rather than headcount

Higher energy prices drive costs while lower energy prices drive the economy

A growing economy increases energy demand—and prices if energy supply does not grow accordingly

An import tax on solar cells ironically undermines India’s own magic formula for the energy transition

India wants an effective carbon emissions reduction along with economic development and electrification of the country

**Imports can continue from China:**

Instead of a threat to India’s security and economy, China’s subsidized solar sector can be seen as a gift

China practically pays for India’s energy transition, which will help to end the dependency on fossil fuels and will reduce the effects on climate and public health in the long run

Given the chance to get the transition subsidized by another country, the Indian government’s introduction of the SGD seems irrational

It will increase solar power rates to around Rs. 3 per unit, diminish employment potential, reduce power supply, and drive up energy prices

**Way Forward:**

The ambitious target of 175GW renewable energy capacity by 2022—now raised to 227GW—could lead to a price drop in energy prices if realized

Coal, often pushed as the perfect energy source for India, will further lose its significance

This is why the energy transition is inevitable

**SC ALTERS LODHA’S BCCI PROPOSALS**

Recently, the Supreme Court has finalized the new Constitution for the Board of Control for Cricket in India (BCCI).

The apex court rejected the ‘one State-one vote’ recommendation of the Justice R.M. Lodha Committee.

Justice Lodha had suggested that the cooling-off period should kick in for a cricket administrator after his every tenure of three years in office.

The court said an administrator needs to “Cool-off” only after two consecutive terms of six years in office, whether in BCCI or a State association or a combination of both.

**SC/ST AMENDMENT BILL PASSED IN BOTH THE HOUSE**

Recently, the SC/ST amendment Bill overcomes the March 20 judgment of the Supreme Court by amending the 1989 Act to introduce Section 18A.

Recently, the Supreme Court gave verdict on the SC/ST (Prevention of Atrocities) Amendment Bill 2018.

The 2018 Bill overrides the apex court judgment, which restricted the powers of the police under the Code of Criminal Procedure to arrest a suspect.

**The court in its judgment held that:**

The court read down a specific bar in the Atrocities Act of 1989 against anticipatory bail.

Accused persons were not allowed to seek anticipatory bail to thwart arrest.

The arrest of the accused persons should be approved by the Senior Superintendent of Police concerned.

The judgment reasoned that following arguments for the same:

Many false cases are charged on innocent persons under the 1989 Act and fundamental rights of such persons to be protected.

For this, the court verdict that a Deputy Superintendent of Police should conduct a “preliminary inquiry” into every complaint of atrocity.

**The provision of the Bill highlights that:**

The provision of the Code of Criminal Procedure provide that information relating to commission of an offence should be recorded if the probe officer has “reason to suspect the commission of an offence”.

**New roadmap**  
The Supreme Court has approved BCCI's new draft constitution. Some key issues:



<p><b>Voting rights</b> <b>Lodha:</b> One State, one vote <b>SC verdict:</b> Not accepted. Associations based in Maharashtra and Gujarat will retain full membership</p> <p><b>Cooling-off period</b> <b>Lodha:</b> After one term <b>SC verdict:</b> After two consecutive terms</p> <p><b>Age cap   Lodha:</b> 70 years   <b>SC verdict:</b> Decision pending</p>	<p><b>Membership in BCCI</b> <b>Lodha:</b> No full membership to associations with no State entity <b>SC verdict:</b> Services, Railways &amp; Association of Indian Universities will have full membership</p> <p><b>Tenure of post</b> <b>Lodha:</b> Total of 9 years at the BCCI or State associations <b>SC verdict:</b> Decision pending</p>
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Justice Lodha Committee recommended that cricket could prosper only if the BCCI was represented by every State and UT.

Rejecting the Lodha Committee recommendations, the court held that:

The Court restored full BCCI membership to three associations in Gujarat and Maharashtra.

It includes Maharashtra, Mumbai and Vidarba cricket associations in the State of Maharashtra and the Baroda and Saurashtra cricket associations in the State of Gujarat.

The court agreed that the National Cricket Club and the Cricket Club of India did not deserve to be full members in BCCI.

The court gave Services (Sports Control Board, the Railways and the Association of Universities full membership in the BCCI.

In case of varsities, the court described them as “a nucleus for encouraging the game of cricket among players of the college-going generation”.

The court held that cricket administrators should undergo a “cooling off period” before contesting elections to BCCI or State associations. In this sense it supported Lodha Committee.

Cooling-off must be accepted as a means to prevent a few individuals from regarding the administration of cricket as a personal turf.

The investigating officer can arrest a person and there is no requirement of conducting a preliminary inquiry before recording information.

Section 41 of the CrPC implies that once the investigating officer has reasons to suspect that an offence has been committed, he can arrest an accused.

The Bill brings back the bar on accused seeking anticipatory bail.

The provisions of Section 438(anticipatory bail) of the Code shall not apply to a case under this Act, notwithstanding any judgment/order of any court.

7. The government moved the SC for reconsideration of its judgment because it led to widespread violence across the country.

**ARTICLE 35 A**

There are controversies involved with Article 35A of the Constitution and India's efforts to bring Kashmir into its fold.

**The critiques of Article 35A argued that :**

The Article affords Jammu and Kashmir undue power especially by preventing non-state residents to own land in the state.

The critiques said that media portrayed the debate as a question of "special status" of Jammu and Kashmir.

Critiques argued that the fundamental purpose of introducing article 35A was totally different. Instead of giving the state a "special status", it was designed to take autonomy away from it.

**Article 35A:**

It was introduced in 1954 as part of a Presidential Order.

The order was celebrated in India as a great step towards bringing Jammu and Kashmir closer into the Union of India.

The Hindu right-wing leaders had hailed it as a "Commendable step".

The controversial Instrument of Accession signed by Maharaja Hari Singh in 1947 brought

the State into the Union of India and gave New Delhi control over Kashmir's defence, foreign policy and communications.

On all other matters, the State government retained powers.

India's tenuous grasp over Jammu and Kashmir was further complicated by New Delhi's international commitment to hold a plebiscite in the State to decide its eventual fate.

The New Delhi's power over Jammu and Kashmir was defined more clearly after coming into effect of the Indian Constitution.

India's fundamental rights and directive principles were not applicable in Jammu and Kashmir at all.

**The Delhi Agreement:**

In 1952, Jawaharlal Nehru invites Abdullah to discuss how India and Jammu and Kashmir could be more closely integrated.

As a result, the 1952 Delhi Agreement came into existence.

The Delhi agreement did not finalise financial integration and required the fundamental rights and citizenship to be granted to the State's residents via the State Legislature.

Before the Delhi Agreement could be implemented, the situation was altered radically because of three factors :

Any plans for an immediate Plebiscite were abandoned in 1954, which strengthened New Delhi's hand.

In 1953, Nehru faced a nationwide campaign from the Hindu right-wing demanding greater integration of Kashmir.

In 1953, Abdullah was arrested and replaced by Bakshi Ghulam Mohammed, who was far more amenable to integration with India.

In 1954, New Delhi negotiated a new agreement with Bakshi, which was passed by the Kashmir Constituent Assembly. This still left the state with enormous autonomy.

All "residuary powers" rested with the State legislature. The state government could

detain people who did not enjoy the right to appeal to the Supreme Court.

Today's debate over the Article should be seen as part of this larger decades-long process of the State's integration into India.

#### **NOD FOR THREE CHANGES TO TRIPLE TALAQ BILL**

Recently, the Union Cabinet approved crucial amendments to the triple talaq Bill.

These amendments were proposed to the Muslim Women Protection of Rights on Marriage Bill.

The Bill makes instant triple talaq illegal and imposes a jail term of up to three years.

#### **Key changes proposed in the Bill:**

- Provisions for bail to an accused before the start of trial.
- Provision has been added to allow the magistrate to grant bail after hearing the wife.
- But the law will remain "non-bailable".
- The magistrate would ensure bail only after the husband agrees to pay compensation to the wife as provided in the Bill.
- Provision of registering FIRs became more stringent.
- The FIR will become cognizable if and only if when FIR is filed by victim wife or the blood relations by marriage.
- The amendment makes the offence of instant tribal talaq "compoundable".
- Under compoundable offence, both parties have the liberty of withdrawing the case.
- Now, a magistrate can use his powers to settle the dispute between a husband and his wife.

#### **"PARIVESH" – AN ENVIRONMENTAL SINGLE WINDOW HUB FOR ENVIRONMENT, FOREST, WILDLIFE AND CRZ CLEARANCES LAUNCHED**

It is a Single-Window Integrated Environmental Management System which stands for Pro-Active and Responsive

facilitation by Interactive, Virtuous and Environmental Single-window H

It is a workflow based application and portal, based on the concept of web architecture.

The system has been designed, developed and hosted by the Ministry of Environment, Forest and Climate Change, with technical support from National Informatics Centre, (NIC).

It automates the entire process of submitting the application and tracking the status of such proposals at each stage of processing.

It facilitates for online submission, monitoring and management of proposals submitted by Project Proponents to the MOEFCC, as well as to the State Level Environmental Impact Assessment Authorities (SEIAA).

It will also help seek various types of clearances (e.g. Environment, Forest, Wildlife and Coastal Regulation Zone Clearances) from Central, State and district-level authorities.

The main highlights of PARIVESH include -

- single registration and single sign-in for all types of clearances (i.e. Environment, Forest, Wildlife and CRZ),
- unique-ID for all types of clearances required for a particular project and
- single Window interface for the proponent to submit applications for getting all types of clearances (i.e. Environment, Forests, Wildlife and CRZ clearances)

The facility of Geographic Information System (GIS) interface will help them in analyzing the proposal efficiently, automatic alerts (via SMS and emails) at important stages to the concerned officers, committee members and higher authorities to check the delays if any.

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