

**“...yelling doesn't make a thing anymore possible.” Angie Sage**

## INTERNATIONAL AND BILATERAL

### KATHMANDU DECLARATION

The BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation) is a regional grouping comprising India, Bangladesh, Myanmar, Sri Lanka, Thailand, Bhutan and Nepal.

The regional grouping's Kathmandu Declaration focuses on backing of terror by state and non-state actors, apart from connectivity among the member nations.

Describing terrorism as a “great threat” to international peace and security, India and six other BIMSTEC nations called for identifying and holding accountable states and non-state entities that encourage, support or finance terrorism, provide sanctuaries to terrorists and falsely extol their virtues.

The Kathmandu Declaration deplored terror attacks in all parts of the world, including in BIMSTEC countries, and stressed that there could be no justification for any act of terrorism.

The declaration did not name any specific country, but Pakistan is often comes to light for providing safe havens to terrorists.

#### Other Details of the Declaration:

The declaration underlined the importance of multidimensional connectivity, which promotes synergy among connectivity frameworks in the region, as a key enabler to economic integration for shared prosperity.

The MoU signed provides for optimisation of using energy resources in the region & promotion of efficient & secure operation of power system.

### NEPAL, INDIA AGREE TO FINALIZE MOU ON RAXUAL-KATHMANDU RAILWAY LINE

A team of Indian authorities already conducted the first round of survey to connect the Indian rail with Kathmandu.

about the Chinese railway crossing the Himalayas to counter the Indian influence in Nepal.

The Chinese railway line has to cross the friction of two-highly sensitive Tibetan and Indian seismic plates to reach from Kerung to Kathmandu.

But the Indian railway was safe in this matter due to comfortable topography.

It is aimed to enhance people-to-people linkage and promote economic growth and development in the region.

Nepal too has expeditiously resolved all the outstanding issues including making available remaining land required for completion of the ongoing rail link projects.

Both sides also agreed to put concerted efforts for completion of the railway lines from Jayanagar to Janakpur-Kurtha and from Jogbani to Biratnagar Customs Yard by the October 2018.

Apart from Raxual-Kathmandu railway line, India has already started building five cross-border railway lines while another railway line – Jayanagar to Janakpur-Kurtha is about to complete within a year.

## NATIONAL

### CENSUS 2021 TO COLLECT OBC DATA, USE MAPS

The decennial exercise will involve 25 lakh trained enumerators and the use of maps/geo-referencing at the time of house listing is also under consideration.

The decision to count the OBCs in the next Census is to get a correct perspective on the social status in the country.

The enumerators will start “house listing” in 2020 and the headcount will begin from February 2021.

The 2011 caste data collected as part of the SECC is yet to be released by the Centre.

The National Commission for Backward Classes says there are 2,479 entries on the Central list of the OBCs.

The 2011 Census collected information in 29 categories that included a separate column for Scheduled Caste/Scheduled Tribes.

The OBCs would be an option in the column in 2021.

Presently, the “schedules” (a tabular form containing details of individuals), carried by enumerators to households was being stored in a physical form at government’s storehouse in Delhi.

It is based on these schedules that the relevant statistical information on population, language, occupation, etc, are sorted from and published.

The data collected during 2021 Census would be stored electronically, also a first.

### **Way Forward:**

The Home Minister emphasized the need for improvement in the Civil Registration System.

This was especially on registration of birth and death in remote areas, and strengthening sample registration system for estimating the data namely, infant mortality rate, maternal mortality ratio and fertility rates.

### **NO NEED FOR UNIFORM CIVIL CODE NOW, SAYS LAW PANEL**

The Law Commission of India said a Uniform Civil Code (UCC) is neither necessary nor desirable at this stage.

The commission said secularism cannot contradict the plurality prevalent in the country.

The commission argued that cultural diversity cannot be compromised to the extent that our urge for uniformity itself becomes a reason for threat to the territorial integrity of the nation.

A unified nation does not necessarily need to have “uniformity.”

Efforts have to be made to reconcile our diversity with universal and indisputable arguments on human rights, the commission said.

Difference does not always imply discrimination in a robust democracy, the

government’s topmost law advisory body said.

The term ‘secularism’ has meaning only if it assures the expression of any form of difference.

This diversity, both religious and regional, should not get subsumed under the louder voice of the majority, the commission said.

At the same time, it said, discriminatory practices within a religion should not hide behind the cloak of that faith to gain legitimacy.

It said the way forward may not be UCC, but the codification of all personal laws.

This will bring to light the prejudices and stereotypes in every one of them would come to light and can be tested on the anvil of fundamental rights of the Constitution.

By this, one can arrive at certain universal principles that prioritize equity rather than imposition of a Uniform Code, which would discourage many from using the law altogether.

It said that matters of marriage and divorce can also be settled extra-judicially.

It suggested certain measures in marriage and divorce which should be uniformly accepted in the personal laws of all religions.

### **Key Suggestions:**

The panel asked for amendments in personal laws includes fixing the marriageable age for boys and girls at 18 years.

This helps them marry as equals, making adultery a ground for divorce for men and women and to simplify divorce procedure.

The commission said the filing of Section 498A IPC (dowry harassment) cases is actually done by women wanting a quick exit from a difficult marriage.

It suggested that nikahnamas make it clear that polygamy is a criminal offence and this should apply to “all communities.

This is not recommended owing to merely a moral position on bigamy, or to glorify monogamy, but emanates from the fact that

only a man is permitted multiple wives, which is unfair.

**LAW COMMISSION SUBMITS REPORT ON WRONGFUL PROSECUTION (MISCARRIAGE OF JUSTICE)**

The Law Commission of India submitted its report titled 'Wrongful Prosecution (Miscarriage of Justice): Legal Remedies' to the Government of India.

The Delhi HC in its Order in the case of Babloo Chauhan expressed grave concern about the state of innocent persons being wrongfully prosecuted, incarcerated for crimes that they did not commit.

The Court highlighted the urgent need for a legislative framework for provided relief and rehabilitation to victims of wrongful prosecution, incarceration.

Internationally, the issue is identified as 'miscarriage of justice' that takes place after a person has been wrongfully convicted but is later found to be factually innocent basis a new fact / proof coming to light.

The International Covenant on Civil and Political Rights ('ICCPR', ratified by India) also creates an obligation on the State parties to enact a law to compensate the victims of such miscarriage of justice.

The panel recommended 'wrongful prosecution' to be the standards of miscarriage of justice, as against 'wrongful conviction' and 'wrongful incarceration'.

'Wrongful prosecution' would include cases where the accused and not guilty of the offence, and the police and / or the prosecution engaged in some form of misconduct in investigating and / or prosecuting the person.

It would include both the cases where the person spent time in prison as well as where he did not; and cases where the accused was found not guilty by the trial court or where the accused was convicted by one or more courts but was ultimately found to be not guilty by the Higher Court.

The Report gives an overview of the remedies available under the existing laws and discusses their inadequacies.

The panel recommends provision of relief to the victims of wrongful prosecution in terms of monetary and non-monetary compensation

This may include counseling, mental health services, vocational / employment skills development etc. within a statutory framework.

The Report enumerates the core principles of the recommended framework-

- defining 'wrongful prosecution' i.e., cases in which claim for compensation can be filed,
- designation of a Special Court to decide these claims of compensation,
- nature of proceedings – timeline for deciding the claim, etc.,
- financial and other factors to be considered while determining the compensation,
- provisions for interim compensation in certain cases,
- removal of disqualification on account of wrongful prosecution / conviction etc.

A draft Bill, articulating the aforesaid, is annexed with the Report as the Code of Criminal Procedure (Amendment) Bill, 2018.

**ENVIRONMENT MINISTER RELEASES INDIA'S NATIONAL REDD+ STRATEGY**

In simple terms, REDD+ means "Reducing Emissions from Deforestation and forest Degradation", conservation of forest carbon stocks, sustainable management of forests, and enhancement of forest carbon stocks in developing countries.

REDD+ aims to achieve climate change mitigation by incentivizing forest conservation.

The strategy seeks to address drivers of deforestation and forest degradation and also developing a roadmap for enhancement of forest carbon stocks and achieving sustainable management of forests through REDD+ actions.

The National REDD+ Strategy will soon be communicated to the UNFCCC.

MoEFCC has emphasized that the cooperation and involvement of the tribals, other forest dwelling people and the society as a whole, is crucial for the implementation of the REDD+ strategy.

India's National REDD+ strategy is one of the tools to achieve India's commitment to Paris Agreement.

The REDD+ strategy will help the country to fulfill its NDC commitments and will also contribute to the livelihood of the forest dependent population.

A National Governing Council of REDD+ chaired by the Union Environment Minister at the national level and two technical committees are being established for supporting the REDD+ implementation in the country.

The REDD+ actions at the State level will be coordinated by the committee headed by the Principal Chief Conservator of Forests (PCCF) & Head of Forest Force (HOFF) of the States.

Paris agreement on climate change also recognizes role of forests in climate change mitigation and calls upon country Parties to take action to implement and support REDD+.

India has communicated in its Nationally Determined Contribution under Paris Agreement, that it will capture 2.5 to 3 billion tonnes of Carbon dioxide through additional forest and tree cover by 2030.

India's first biennial update report to UNFCCC has revealed that forests in India capture about 12% of India's total GHG emissions.

Thus, forestry sector in India is making a positive cost effective contribution for climate change mitigation.

Complying with the UNFCCC decisions on REDD+, India has prepared its National REDD+ Strategy.

The strategy includes India's National Action Plan on Climate Change, Green India Mission and India's Nationally Determined Contribution (NDC) to UNFCCC.

Inland Waterways Authority of India (IWAI) made public 13 standardized state-of-the-art ship designs suitable for large barge haulage on river Ganga.

It will help overcome the unique navigation challenges river Ganga throws due to its complex river morphology, hydraulics, acute bends, shifting channels, meanders and current.

It will serve as an enabler for domestic shipbuilding industry working on inland vessels and open huge possibilities for cargo and passenger movement on National Waterway-1.

The Government is implementing Jal Marg Vikas Project (JMVP) for capacity augmentation of navigation on NW-1 (Varanasi-Haldia stretch) with the technical assistance and investment support of the World Bank.

The specially designed vessels will navigate on low drafts with high carrying capacity and at the same time, environment friendly. It is specialized in low draft and high carrying capacity vessels.

The new designs will obviate the dependence of Indian Ship builders on foreign ship designs for IWT and prove to be a boost to 'Make in India' initiative of the Government.

They will help shipyards build vessels of standardized dimensions and capacity and make them available off the shelf besides developing the 'sale and purchase' market for inland vessels.

The designs will lead to reduced fuel costs and in turn lesser logistics costs.

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**IWAI MAKES INDIA'S FIRST STANDARDIZED MODERN SHIP DESIGN FOR GANGA A REALITY**