

CONSTITUTION AND POLITY**National Register of Citizens (NRC)**

The Supreme Court of India has held that a Foreigner Tribunal's order declaring a person as an illegal foreigner will be binding and will prevail over government decision to include or exclude name from National Register of Citizens (NRC) in Assam.

Review: The persons whose names are not included in NRC in Assam can produce documents including ones related to their family tree and thus seek review of tribunal's decision.

As per SC it cannot create an appellate forum for those, declared as illegal foreigners by the foreigners tribunal, by using its power under Article 142 of Indian Constitution.

What next?

- If the name of a person, included in NRC in Assam is deleted on ground that he was a foreigner, then principle of 'res-judicata' (a judicially decided issue cannot be re-agitated) would apply on decision taken by foreigners tribunal. Thus a person who has been declared an illegal immigrant cannot seek re-decision (right of appeal) against exclusion or dropping of his name in normal circumstances.

About foreigners tribunal:

- Established as per Foreigners (Tribunal) Order, 1964. The order was passed by Government of India (GoI) under section 3 of foreigners Act, 1946.
- The Centre can constitute foreigners tribunals whenever required to look into question of whether a person is or not a foreigner within the meaning of Foreigners Tribunals act, 1946.
- Composition: The Foreigners tribunal shall consist of persons having judicial experience as government may think fit to appoint.
- Powers: It has powers of a civil court while trying a suit under code of civil procedure, 1908. It includes summoning any person, requiring any document and issuing commissions for examination of any witness.

GOVERNANCE- WELFARE SCHEMES, E-GOVERNANCE, SERVICES ETC.**Power under pressure**

Launched in November 2015, the Ujwal DISCOM Assurance Yojana (UDAY) was designed to turn around the precarious financial position of state distribution companies. But as the NDA government ends its term, indications are that the turnaround hasn't materialised, with several targets being missed.

Background

- Broadly, the scheme had three critical components.
 - Takeover of discom debt by state governments, reduction in aggregate technical and commercial (AT&C) losses, timely tariff revisions and elimination of the gap between the average per unit cost of supply (ACS) and average revenue realised (ARR) by FY19.
1. **AT&C losses**
 - First, at the aggregate level, the AT&C losses for major states stood at 19.05 per cent as against the target of reducing them to 15 per cent by the end of FY19.
 - In the case of some states, especially in the northern and central parts of the country, the losses are of a much higher magnitude, suggesting that pilferage continues to be rampant.
 2. **ACS- ARR Gap**
 - While the ACS-ARR gap was supposed to be eliminated by FY19, it remains as high as Rs 0.25 per unit. In many states, the gap is even higher. Part of the problem can be traced to inadequate tariff hikes. While it is true that some states have aggressively raised tariffs, the median hike remains muted. This is where political compulsions overtake commercial decisions.
 3. **Power subsidy**
 - Then there's also the issue of whether the power subsidy released by state governments is adequate. As a result, discoms have reported financial losses to the tune of Rs 21,658 crore at the end of FY19, reversing the declining trend since the launch of UDAY, say reports.

Impact

- This deterioration in the financial position of discoms does not bode well for the entire power sector chain.
- Reports suggest that dues by state discoms to power generators have in fact risen.
- And though the recent CERC order on tariff relief for independent power producers is positive for producers, it runs the risk of timely realisation, as the financial position of discoms continues to be precarious.

Conclusion

Other Inefficiencies –

- Apart from these, there are several other operational efficiency targets under UDAY, such as feeder metering, smart metering and feeder segregation. Progress on these is mixed.
- For instance, not much progress has been made in the case of smart metering above 200 and upto 500 kwh and above 500 kwh.
- Need for quick action – These issues need to be addressed quickly or else discom losses will rise further to levels where talks of another bailout are likely to surface.
- More fiscal space with states – The only difference being that, this time around, state governments have little fiscal space to offer support.

INTERNATIONAL AFFAIRS- BILATERAL, GROUPINGS, ORGANISATIONS

The IBSA task list

Even as two member-states (India and South Africa) of the IBSA Dialogue Forum have been busy with national elections and the third (Brazil) is settling down after its recent presidential elections, their foreign policy mandarins met in Kochi, May 3-5. The central goal was to develop a blueprint to rejuvenate IBSA, widely viewed as a unique voice for the Global South. Will this endeavour succeed?

History of IBSA

- The idea of creating a grouping composed of major democracies of three continents, Asia, Africa and South America, emerged from the disarray at the end of the 20th century, and the perceived need for developing countries to forge decisive leadership.
- IBSA was launched through the Brasilia Declaration in 2003.
- Its summits, between 2006 and 2011, gave it a special global profile.

Downfall of IBSA

- But, 2011 onwards, BRICS, the larger group comprising IBSA countries, China and Russia, started to overshadow IBSA.
- IBSA has been unable, until now, to hold its sixth summit.
- Nevertheless, a series of events marking its 15th anniversary, held during 2018-19, have imparted new momentum to the endeavour to revitalise IBSA.

Importance of IBSA

- Solidarity among developing countries – Throughout the period of its marginalisation by BRICS, a strong body of officials and experts in the three countries has held the view that IBSA is the true inheritor of solidarity among developing countries, which was nurtured from the Bandung Conference (1955) through UNCTAD and G-77 to the BAPA+40 Declaration (2018).
- South – South Cooperation – It is the champion of South-South Cooperation, and the advocate of a coordinated response by developing economies to secure the Sustainable Development Goals (SDGs).
- Shared Values – The glue that binds IBSA countries together is their faith in democracy, diversity, plurality, inclusivity, human rights and rule of law. This was reiterated through the IBSA Declaration on South-South Cooperation, issued in Pretoria in June 2018.

Reforms in International Organisations –

- Notably IBSA remains determined to “step up advocacy for reforms of global governance institutions in multilateral fora”.
- In particular, it is strongly committed to the expansion of the UN Security Council.

- As Foreign Minister Sushma Swaraj put it, “We three have to ensure that our collective voice is heard clearly in BRICS and other groups on UN Security Council reforms, since if we do not speak for our own interests, no one else will.”

Kochi meeting

- The IBSA Academic Forum, comprising independent experts, held its sixth session in Kochi after a hiatus of over seven years.
- This forum hosted a candid and comprehensive exchange of views on the continuing relevance of IBSA; the need for a strategy to secure SDGs and cement South-South Cooperation; expanding trade cooperation; and the shared goal of enhancing academic collaboration on issues relating directly to the needs of democratic societies.

Revitalisation Of IBSA

- First, the three Foreign Ministers have been meeting regularly to provide coordinated leadership to the grouping.
- Second, while the India, Brazil and South Africa Facility for Poverty and Hunger Alleviation (IBSA Fund) is small in monetary terms, it has succeeded in implementing 31 development projects in diverse countries: Burundi, Guinea-Bissau, State of Palestine, Cambodia and Vietnam, among others.
- Third, India has been running an innovative IBSA Visiting Fellows Programme through the Delhi-based think tank, RIS or Research and Information System for Developing Countries.

India's response on alleged human rights violations in Jammu and Kashmir

The government's decision to shut down communication with UN Special Rapporteurs seeking to question India on alleged human rights violations in Jammu and Kashmir may appear extreme, but is in line with its reaction to such international reports over the last few years.

Background

- In a letter dated April 23, India's permanent mission to the UN in Geneva wrote to the Office of the High Commissioner for Human Rights rejecting any reference to the UN's original June 2018 report on J&K as well as Pakistan-occupied Kashmir, and refused to respond to questions about deaths of 69 civilians between 2016 and 2018 in violence in the Valley.
- In its objections, the government said the report was “false and motivated”, that its conclusions and recommendations were violative of India's sovereignty and territorial integrity, and accused the Special Rapporteurs preparing the report of “individual prejudices” against India.
- In addition, India drew notice to the Pulwama attack this year, calling terrorism the “grossest” violation of human rights, not the allegations against the security forces.
- As a result, the government has decided to treat all allegations made by the UN Special Rapporteurs as a “closed chapter” and will not engage further on it.

Objection to OHCHR report

Justified Objections

- India's objections to the OHCHR report, the first of its kind when it was released in 2018, and the follow-up this year are understandable, given the often selective nature of allegations raised by the UN body.
- It is also clear that demands for action against Indian officials and amendment of laws can cross the line on Indian sovereignty.
- The call by the previous HCHR that the UN Human Rights Council set up an independent and international tribunal to investigate India's record in Kashmir was seen to be invasive, and could be dismissed by New Delhi as well.

Question in need of answers

- However, the government cannot quell the troubling questions that the UN report and the Special Rapporteurs' submissions raise simply by rejecting them.
- To begin with, most of the sources for the OHCHR report are official Indian authorities, State and national human rights commissions, international human rights agencies as well as reputed Indian NGOs.

- This is therefore a view from within India, not some disengaged UN official, and must be taken very seriously.
- Two Kashmiri NGOs also released a report recently documenting 432 specific cases of alleged brutality by security forces in Kashmir, including electrocution, 'water-boarding' and sexual torture of civilians, of which only about 27 were taken up by the State Human Rights Commission.

Way Forward

- The government must press for due process and justice in each of these.
- Eventually, India will be judged not only by how close it stands to the world's most powerful countries, but how much the state extends itself to the most vulnerable within its own boundaries.

ENVIRONMENT- CONSERVATION, BIO-DIVERSITY AND ISSUES

Not all animals migrate by choice campaign launched

UN Environment India and Wildlife Crime Control Bureau (WCCB) of India have launched an awareness campaign 'Not all animals migrate by choice'.

About the campaign:

- The campaign aims at creating awareness and garnering public support for the protection and conservation of wildlife, prevention of smuggling and reduction in demand for wildlife products.
- The campaign also complements worldwide action on illegal trade in wildlife through UN Environment's global campaign, Wild for Life.
- In the first phase of the campaign, Tiger, Pangolin, Star Tortoise and Tokay Gecko have been chosen as they are highly endangered due to illegal trading in International markets.

Need: Illegal wildlife trade is driving species to the brink of extinction. A thriving industry with organized wildlife crime chains spreading across the world, in India, illegal trade in wildlife has seen a sharp rise. Therefore, there is an urgent need for awareness, action and stringent enforcement of laws to put an end to all illegal wildlife trade threatening biodiversity and conservation in the wild.

WCCB:

Wildlife Crime Control Bureau is a statutory multi-disciplinary body established by the Government of India under the Ministry of Environment and Forests, to combat organized wildlife crime in the country. Under Section 38 (Z) of the Wild Life (Protection) Act, 1972, it is mandated:

- to collect and collate intelligence related to organized wildlife crime activities and to disseminate the same to State and other enforcement agencies for immediate action so as to apprehend the criminals.
- to establish a centralized wildlife crime data bank.
- co-ordinate actions by various agencies in connection with the enforcement of the provisions of the Act.
- assist foreign authorities and international organization concerned to facilitate co-ordination and universal action for wildlife crime control.
- capacity building of the wildlife crime enforcement agencies for scientific and professional investigation into wildlife crimes and assist State Governments to ensure success in prosecutions related to wildlife crimes.
- advise the Government of India on issues relating to wildlife crimes having national and international ramifications, relevant policy and laws.
- Assist and advise the Customs authorities in inspection of the consignments of flora & fauna as per the provisions of Wild Life Protection Act, CITES and EXIM Policy governing such an item.

QUOTE OF THE DAY

Life is 10% what happens to you and 90% how you react to it.

DAILY ANSWER WRITING PRACTICE

Question: Is the Ujwal Discom Assurance Yojana (UDAY) an all-encompassing solution for power sector woes? Critically evaluate its performance.

Answer: The Ujwal DISCOM Assurance Yojana (UDAY) was designed to turn around the precarious financial position of state distribution companies. This deterioration in the financial position of Discoms does not bode well for the entire power sector chain. A few reports suggest that dues by state Discoms to power generators have in fact risen. And though the recent Central Electricity Regulatory Commission (CERC) order on tariff relief for independent power producers is positive for producers, it runs the risk of timely realisation, as the financial position of discoms continues to be precarious. Broadly, the scheme had three critical components.

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- For instance, not much progress has been made in the case of smart metering above 200 and upto 500 kwh and above 500 kwh.
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DAILY CURRENT AFFAIRS BASED MCQS

1. Which of the following statements about the National Register of Citizens (NRC) is correct?

1. The Centre can constitute foreigners tribunals whenever required to look into question of whether a person is foreigner.
2. It works as a quasi-judicial body trying a suit.
3. A recent Supreme Court Judgment laid down that Foreigner Tribunal's order declaring a person as an illegal foreigner will be binding and will prevail over government.

Select the correct answer from the codes given below:

- (a) 1 and 2
- (b) 1 and 2
- (c) 2 and 3

(d) All of the above

2. Consider the following statements w.r.t Ujwal DISCOM Assurance Yojana (UDAY).

1. It aims at financial turnaround and revival of Power Distribution companies and ensures a sustainable permanent solution.
2. It Improves operational efficiencies of DISCOMs, reduce of cost of power, reduce interest cost of DISCOMs

Which of the statements is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2**
- (d) Neither 1 nor 2

3. Consider the following statements w.r.t IBSA.

1. It is an international tripartite grouping for promoting international cooperation...
2. It was launched through the Brasilia Declaration in 2003.

Which of the statements is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2**
- (d) Neither 1 nor 2

4. Consider the following statements w.r.t the Office of the High Commissioner for Human Rights (OHCHR).

1. It has its headquarters in Geneva.

2. It promotes and protects for all people all the rights enshrined in the Charter of the UN.

Which of the statements is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2**
- (d) Neither 1 nor 2

5. Which of the following statements w.r.t the recently launched campaign called 'Not all animals migrate by choice' is/are correct?

1. It was launched by UN Environment India and Wildlife Crime Control Bureau (WCCB) and aims to preventing animal smuggling.
2. In the first phase of the campaign, Tiger, Pangolin, Star Tortoise and Tokay Gecko have been chosen as they are highly endangered.

Select the correct answer from the codes given below:

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2**
- (d) Neither 1 nor 2

6. Which of the following statements is/are correct about the Wildlife Crime Control Bureau (WCCB)?

1. It is a statutory body established by the under the Ministry of Environment and Forests, to combat organized wildlife crime in the country.
2. Recently it has launched a campaign called 'Not all animals migrate by choice' with association with the International Union for Conservation of Nature (IUCN).

Select the correct answer from the codes given below:

- (a) 1 only**
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2