

# IMPORTANT NEWS

## EC Begins Delimitation Process in Assam

### Inside Story of the News:

The Assam state Cabinet has recently given its approval for the amalgamation of four districts with their respective constituent districts. On 27th December, **the EC declared its plans to carry out the delimitation of Assembly and Parliamentary constituencies in Assam**, with the process relying on Census data from 2001.

- The Commission, led by Chief Election Commissioner Shri Rajiv Kumar and Election Commissioners Shri Anup Chandra Pandey and Shri Arun Goel, conducted hearings with representatives of political parties, civil society organizations, and members of the public regarding the draft Delimitation proposal.
- The Delimitation Commission is constituted by **the President of India** and operates in coordination with **the Election Commission of India**.
- The Commission comprises the following members: a **retired or serving Supreme Court Judge as the chairperson**, an **Election Commissioner**, and **State Election Commissioners** relevant to the concerned state.
- The Commission's orders are presented before the Lok Sabha and the respective legislative assemblies, but they do not have the authority to make any alterations to these orders.
- Assam currently has 14 Lok Sabha constituencies and 126 Assembly constituencies.
- Delimitation, in essence, refers to **the act or process of establishing boundaries or limits for territorial constituencies in a country to accurately reflect changes in population**.
- The Delimitation Commission is mandated to operate without any executive influence.
- Delimitation involves redrawing boundaries (using data from the latest Census) in a manner that strives to maintain equal population distribution among all constituencies throughout the State/Union Territory to the extent possible.
- The process ensures an equitable division of geographical areas, providing all political parties or candidates contesting elections with an equal opportunity in terms of the number of voters they represent.
- **Article 82** of the Constitution empowers the Parliament to readjust the allocation of seats in the Lok Sabha after each census, while **Article 170** provides the same authority for readjusting seats in the Legislative Assemblies of States.
- Moreover, **Article 330** and **Article 332** of the Constitution stipulate the re-fixing of the number of seats reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs) in the Lok Sabha and the Legislative Assemblies of the states, based on the 2001 census data.
- Parliament has passed the Delimitation Commission Acts in 1952, 1962, 1972, and 2002 for this objective. However, there were no Delimitation Commission Acts following the 1981 and 1991 census.
- The current delimitation of constituencies has been carried out using the 2001 census data, as per the provisions of the Delimitation Commission Act, 2002.

- The subsequent Delimitation Commission will be established post the year 2026.

## Rule 267 vs Rule 176 in Rajya Sabha

### Inside Story of the News:

The commencement of the Monsoon Session faced disruptions as there was a disagreement over the discussion format for the Manipur issue. The government consented to a short-duration discussion (under Rule 176), while the Opposition insisted on a Suo motu statement by the Prime Minister followed by a discussion under Rule 267.

- Under Rule 176, a Short-duration discussion, not exceeding two-and-a-half hours, is permitted to address matters of urgent public importance.
- According to the rule, any member who wishes to initiate a discussion on a matter of urgent public importance must provide a written notice to the Secretary-General, clearly and precisely stating the subject to be discussed.
- The Chairman assesses the admissibility of the notice by seeking necessary information from the MP who submitted it and the concerned Minister.
- In accordance with the Rules of Procedure and Conduct of Business in the Rajya Sabha, Rule 267 pertains to the suspension of rules.
- According to Rule 267, any member, with the Chairman's consent, can propose the suspension of any rule applicable to a motion related to the day's listed business in the Council. If the motion is approved, the rule in question will be suspended.
- Any member of the Rajya Sabha has the option to inform the Chairperson about a topic they wish to discuss.
- The authority to propose a motion for the suspension of a rule lies solely with the Chairman. Nevertheless, the decision on whether to suspend the rule rests with the other members of the House, who will vote on the matter.
- Rule 267 has become a matter of contention as the Opposition has raised concerns about their notices under this rule not being addressed or taken up.

### Manipur Issue:

- For over two months, Manipur has been engulfed in a state of turmoil due to deadly violence. Ongoing clashes between the Meitei and Kuki tribal communities have led to their complete segregation.
- The death toll has reached at least 130, and as a result of the violence, around 60,000 people have been displaced.
- The recent protests were sparked by the Manipur High Court's directive to the State, urging them to act on a decade-old recommendation to grant Scheduled Tribe (ST) status to the non-tribal Meitei community.
- The Court's order has intensified the longstanding tensions between the valley-dwelling Meitei community and the hill tribes of the state.

## Zero Fir: The Stir in Manipur

### Inside Story of the News:

The Manipur police are facing significant challenges, including the registration of hundreds of zero FIRs in various police stations across the state and the subsequent delays in conducting investigations, which have been widely reported in the news.

- In police regulations or rules, the First Information Report (FIR) is the information documented under **Section 154 of the Criminal Procedure Code (CrPC)**.
- The Indian Penal Code (IPC) is a comprehensive code designed to encompass all substantive aspects of criminal law. It was formulated based on the recommendations of the first law commission of India, which was established in 1834 under the Charter Act of 1833, with TB Macaulay as the chairman.
- The IPC was implemented in India during the British rule in 1862.
- **According to Section 154, any information about the commission of a cognizable offense, if provided orally to a police station's officer in charge, must be documented in writing. Additionally, a copy of the recorded information is to be provided to the informant free of cost.**
- **The three essential elements of an FIR are that it must pertain to the commission of a cognizable offense, it can be given either in writing or orally to the head of the police station, and it must be written down and signed by the informant. Moreover, its key points should be recorded in the police station's daily diary.**
- The victim can file a **zero FIR** in any Police Station, regardless of their residence or the location where the crime occurred.
- A police station that registers an FIR may then transfer it to the appropriate or relevant police station for further investigation.
- **No regular FIR number is assigned to the Zero FIR.** Upon receiving the Zero FIR, the relevant police station proceeds to register a fresh FIR and initiates the investigation.
- It was established following the recommendation in the report of the Justice Verma Committee, which was constituted after the 2012 Nirbhaya gang rape case, to propose amendments to the Criminal Law.
- The provision is intended to offer swift redressal to the victim, enabling timely action to be taken after the FIR is filed.

### Ongoing Manipur Issue:

- In the ongoing issue in Manipur, which has witnessed almost three months of violence, thousands of zero FIRs have been filed throughout the state.
- **Since the commencement of the violence, a total of 202 zero FIRs have been registered at Saikul police station, located in a foothill area bordering Meitei-dominated region.**
- Transferring cases to the appropriate police stations has been a challenge, given the deeply ingrained fault lines in the region.
- In the incident involving three Kuki-Zomi women being stripped and sexually assaulted in Meitei-dominated Thoubal district, a zero FIR was transferred to the relevant police station more than a month after the occurrence.

- Investigating cases of transferred FIRs presents a challenging process for the police, further complicated by the existing tensions in the state.
- As an illustration, police personnel (IO) from one community face restrictions in entering another community's area, making it difficult to proceed with the investigation without meeting the victim.

## MoSPI Formed new Standing Committee on SCos

### Inside Story of the News:

The Indian Government has recently constituted a panel, with **Pronab Sen, former Chief Statistician of India**, as the chairman, **to review the methodology used by the National Statistical Organisation (NSO)**. Additionally, the Ministry of Statistics and Programme Implementation (MoSPI) has established a new Standing Committee on Statistics (SCoS) **to provide advice on official data produced by the National Statistical Office (NSO)**. This new committee will replace the previously formed Standing Committee on Economic Statistics (SCES) which was created in 2019 to advise on economic data.

- The Standing Committee on Economic Statistics (SCES) was assigned the task of evaluating the framework for economic indicators, including those related to the industrial and services sectors, as well as labor force statistics.
- The committee's scope was confined to assessing high-frequency data such as **the Index of Industrial Production (IIP)** and **the Consumer Price Index (CPI)**, in addition to surveys and enumerations like the Economic Census, Annual Survey of Industries, and **Periodic Labour Force Survey**.
- **The Standing Committee on Statistics (SCoS) has broader terms of reference that empower it to advise the Ministry not only on all existing surveys and data sets but also to:**
  - Identify areas where data gaps exist,
  - Propose methods to address these gaps and conduct pilot surveys and studies,
  - Develop more refined approaches to capture improved data.
- The SCoS is smaller in size compared to the 28-member panel that was responsible for reviewing economic data.
- The need to review the methodology of the National Statistical Organisation (NSO) arises due to several reasons:
  - National level data is a crucial resource for research, policymaking, and development planning. It is essential to understand and analyse the data in the context of existing evidence.
  - The usage of outdated survey methodologies by national surveys, such as the National Sample Survey (NSS), National Family Health Survey (NFHS), and Periodic Labour Force Survey (PLFS), has led to systematic underestimation of India's development.
  - The archaic methodology employed by these surveys has proven inadequate in capturing the reality of the Indian economy, which has experienced significant dynamism over the past 30 years.
- The National Family Health Survey (NFHS) is conducted by the Ministry of Health and Family Welfare in collaboration with the International Institute of Population Sciences (IIPS) as the

nodal agency. However, it has a rural bias in terms of representation, leading to a systematic overestimation of the rural population when compared to World Bank data.

- To minimize errors in the survey methodology, certain methods can be adopted:
  - Appropriate assignment of sample weights, considering all potential sources of error, can significantly correct over/underrepresentation.
  - The Pronab Sen Committee should focus on addressing these concerns to ensure the sample is adequately representative, instead of opting for a complete overhaul of the survey methodology.

## Biological Diversity (Amendment) Bill 2021

### Inside Story of the News:

The Biological Diversity (Amendment) Bill, 2021 was **introduced in the Lok Sabha in December 2021** and **has now been passed by the same House**.

- Under the 1992 Convention on Biological Diversity (CBD), the Parliament passed the Biological Diversity Act, 2002.
- The CBD acknowledges the sovereign rights of countries over their biological resources and allows them to regulate access to these resources according to their national legislation.
- The Act governs the access to biological resources and related traditional knowledge through a three-tier structure.
- This structure includes a National Biodiversity Authority (NBA) at the national level, State Biodiversity Boards (SBBs) at the State level, and Biodiversity Management Committees (BMCs) at the local body levels.
- **The proposed amendments to the Biological Diversity Act, 2002, aim to achieve the following objectives:**
  - **Encourage the Indian system of medicine and the cultivation of wild medicinal plants.**
  - **Facilitate the expedited processes for research, patent applications, and the transfer of research results.**
  - **Decriminalize certain offenses related to biological resources.**
  - **Promote foreign investment in the sector.**

### Key Provisions of Biological Diversity (Amendment) Bill, 2021

- Regarding access to biological resources and associated knowledge, the Biological Diversity Act mandates **prior approval or intimation to the regulatory authority based on the origin of the entity seeking to obtain biological resources occurring in India or related knowledge**.
  - The proposed Bill seeks to amend the classification of entities, modify the list of activities requiring intimation, and introduce certain exemptions in this process.
- Under the current Act, obtaining approval from the National Biodiversity Authority (NBA) is necessary before applying for Intellectual Property Rights (IPR) involving biological resources obtained from India or before sealing a patent.
  - The proposed Bill suggests a modification to this process, requiring approval before the grant of IPR instead of before the application itself.

- Under the existing Act, various offences include the failure to obtain approval or provide prior intimation for certain activities, which are punishable with imprisonment of up to five years, a fine, or both.
  - The proposed Bill seeks to decriminalize these offences and instead imposes penalties ranging from one lakh rupees to Rs 50 lakh.

## 13<sup>th</sup> Amendment to The Constitution of Sri Lanka

### Inside Story of the News:

The **President of Sri Lanka is scheduled to convene an all-party meeting to address the matter of Tamil reconciliation and welfare**. This meeting comes shortly after his visit to India, during which the Indian Prime Minister expressed his **aspiration to implement the 13<sup>th</sup> Amendment to Sri Lanka's constitution**.

- The 13<sup>th</sup> Amendment was introduced under the 1978 constitution when Sri Lanka functioned as a unitary government, with all powers centralized at the Centre.
- During this time, the Tamil minority in Sri Lanka was primarily concentrated in the Northern and Eastern provinces, and their struggle for rights and greater autonomy sparked a civil war between the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan government.
- The 13<sup>th</sup> Amendment to Sri Lanka's Constitution was introduced following the signing of the Indo-Sri Lanka Accord between Prime Minister Rajiv Gandhi and President J R Jayewardene in 1987 in Colombo, Sri Lanka.
- The primary goal of the Accord was to amend the constitution and devolve certain powers, including those related to agriculture, health, etc., to the governments of Sri Lanka's nine provinces.
- It sought to find a constitutional resolution to the ongoing civil war in the country.
- The clauses of the Indo-Sri Lanka Accord included several provisions in addition to devolution of power:
  - Adoption of Tamil and English as official languages alongside Sinhala.
  - The lifting of the emergency in the Eastern and Northern Provinces by August 15, 1987.
  - Surrender of arms by militant groups.
  - Granting a general amnesty to political and other prisoners who were held in custody under the emergency laws.
- The Accord specifies that the Government of India will underwrite and guarantee the resolutions, and it will also cooperate in the implementation of these proposals.

### Effects of the implementation of the 13<sup>th</sup> Amendment to Sri Lanka's Constitution:

- Under the system established by the 13<sup>th</sup> Amendment, the Central government retains control over land and police powers, while the elected provincial councils (similar to state Assemblies in India) possess the authority to legislate on subjects such as agriculture, housing, road transport, education, health, and other related matters.
- The Sinhala nationalists are against the 13<sup>th</sup> Amendment, viewing it as an imposition by India.

- The Sinhala provinces experienced regular elections, and the political parties in these regions gained from the experience of grassroots politics.
- The North and Eastern regions remained under the control of the central government for an extended period.
- Provincial elections have been pending throughout Sri Lanka since 2014.
- The reason behind this delay is that Parliament is yet to amend a 2017 Act, which aims to reform the election process by introducing a hybrid system that combines first-past-the-post and proportional representation.
- Currently, the electoral system in place is solely based on proportional representation.

## Jan Vishwas (Amendment Of Provisions) Bill 2023

### Inside Story of the News:

The Jan Vishwas (Amendment of Provisions) Bill 2023 aims **to redefine the regulatory landscape of the country by decriminalizing minor offences under 42 Acts**. This move is intended to reduce the compliance burden and promote ease of living and doing business in the country. The Union Cabinet has approved most of the recommendations of the Joint Parliamentary Committee (JPC), paving the way for the bill's passage.

- The **proposals of the bill** encompass the following key points:
  - Decriminalization of 180 offences under 42 laws governing environment, agriculture, media, industry and trade, publication, etc.
  - Removal or replacement of imprisonment clauses with monetary fines, aiming to bolster the business ecosystem and enhance the well-being of the public.
  - Compounding of offences in some provisions.
  - Elimination of all offences and penalties under the Indian Post Office Act, 1898.
  - Modification of grievance redressal mechanisms and the appointment of one or more adjudicating officers for determining penalties.
  - A 10% increase in the minimum amount every three years for various offences specified in the Acts.
- The bill holds significant implications as it reduces the compliance burden, improves the ease of living for people, streamlines processes, and fosters smoother investment decisions, ultimately attracting more investment to the country.
- The Bill also aims to alleviate the judicial burden. According to the National Judicial Data Grid, out of a total of 4.4 crore pending cases, 3.3 crore cases are criminal proceedings.
- Settling a significant number of these issues through compounding methods, adjudication, and administrative mechanisms, without involving courts, will save time, energy, and resources.

## Stapled Visa for the Citizens of Arunachal Pradesh

### Inside Story of the News:

India decided to withdraw its 8-athlete wushu contingent from the Summer World University Games following China's issuance of stapled visas to 3 athletes from the team who are from Arunachal Pradesh.



- A stapled visa is **an unstamped piece of paper that is attached by a pin or staples to a page of the passport and can be easily torn off or detached.**
- In contrast, a regular visa is affixed to the passport by the issuing authority and stamped directly onto the passport pages.
- China has adopted a practice of issuing stapled visas to Indian nationals from Arunachal Pradesh and Jammu & Kashmir.
- Although China considers these stapled visas as valid documents, the Government of India has consistently rejected this stance.
- India maintains a firm and consistent position that the visa regime should not involve any discrimination or differential treatment based on domicile or ethnicity.
- China issues stapled visas to challenge India's clear and internationally recognized sovereignty over Arunachal Pradesh.
- Consequently, they began issuing these "stapled" visas to all Indian citizens from Arunachal Pradesh since around 2005-06.
- The practice of issuing stapled visas to residents of Jammu & Kashmir appears to have commenced around 2008-09.
- The history between both nations has been marked by significant conflicts, with China challenging the legal status of the McMahon Line, the boundary between Tibet and British India that was agreed upon during the Shimla Convention of 1914.
- This disagreement forms the core of Chinese claims regarding the position of the Line of Actual Control (LAC) and leads to repeated incursions into Indian territory, undermining India's sovereignty over certain parts of its territory.
- China asserts its claim over approximately 90,000 sq. km of Arunachal Pradesh, designating the region as "Zangnan" in the Chinese language and often referring to it as "South Tibet."
- On Chinese maps, Arunachal Pradesh is depicted as part of China.
- To prevent any further strain on future diplomatic relations, it is imperative to maintain open lines of communication between the two nations.
- The development and construction of border infrastructure, such as roads and bridges, can facilitate access to isolated areas for both countries and reduce the likelihood of confusion or conflicts.

## Scientists Hindered by Lack of Quality Research Equipment in GeM

### Inside Story of the News:

The Ministry of Science & Technology aims to revitalize research in India through the National Research Foundation Bill 2023. However, scientists have raised concerns about the mandatory procurement via GeM (Government e-Marketplace), which has become a significant stumbling block. This impedes their ability to acquire essential equipment and materials necessary for research.

- Government e-Marketplace (GeM) is an **online platform for public procurement, initiated in 2016 by the Ministry of Commerce and Industry (MoC&I), Government of India.**
- Its main objective is to establish an open and transparent procurement platform for government buyers, streamlining the process of online procurement of goods and services.



- The Ministry of Finance, under the General Financial Rules, 2017, has authorized and made it mandatory for government users to make purchases through GeM (Government e-Marketplace).
- The platform is owned by **GeM SPV (Special Purpose Vehicle)**, a 100% Government-owned, non-profit company under the Ministry of Commerce and Industry (MoC&I).
- The portal encompasses a wide range of offerings, including over 11,000 product categories with more than 29 lakh listed products, and over 270 service categories featuring more than 2.5 lakh service offerings.
- The Government e-Marketplace (GeM) boasts several key features:
  - It operates as a completely paperless, cashless, and system-driven e-marketplace.
  - The platform offers no entry barriers for genuine suppliers who seek to conduct business with the Government, as it is entirely open.
  - GeM provides unified processes and online time-bound payment systems, reducing administrative costs.
  - It has resulted in significant cost savings, having saved over ₹30,000 crore worth of public money, with a minimum savings of 10%.
  - The platform supports the government's Make in India initiative, providing Indian MSMEs (Micro, Small, and Medium Enterprises) with a competitive edge over foreign suppliers.
- The implementation of GeM began in 2017, but scientific organizations were exempted from the directive until 2019.
- This exemption allowed them to reach out to known suppliers to ensure the availability of specific items at the right time. However, this process often took several months to complete.
- After 2019, certain items or equipment with a value ranging from ₹5 lakh to ₹200 crore were mandated to be procured only through Indian registered companies.
- Unfortunately, this requirement has sometimes resulted in the acquisition of substandard quality products.
- The majority of research equipment falls within this price band, necessitating sourcing from international suppliers.
- This became problematic during the COVID-19 pandemic, leading the government to exempt about 2,000 products from this restriction.
- This situation has given rise to a new ecosystem of contractors and vendors, undermining the principle of Atmanirbharta (self-reliance).
- In an early draft of the proposed National Research Foundation Bill, it was suggested that the mandatory use of GeM by scientists be removed.
- Scientists should be held accountable for the quality of their research and not burdened with the responsibility of procuring equipment at the lowest cost.