

IMPORTANT NEWS

Understanding the Forest (Conservation) Amendment Act of 2023

Inside Story of the News:

The Forest Conservation Amendment Act of 2023 has received limited attention and little discussion about its impact on forests and its inhabitants.

- The community forest resource area refers to communal forest land traditionally safeguarded and preserved for sustainable use by a specific community.
- Each CFR area has customary boundaries with identifiable landmarks recognized by the community and neighboring villages.
- It may encompass forests of various categories, including revenue forests, classified and unclassified forests, deemed forests, DLC land, reserve forests, protected forests, sanctuaries, and national parks.
- Commonly known as the Forest Rights Act or FRA, the act came into effect in 2008.
- Forest Rights Act or the FRA provide for recognition of the right to “protect, regenerate or conserve or manage” the community forest resource.
- These rights empower the community to establish regulations for forest usage by both itself and others, fulfilling its responsibilities under the FRA.
- CFR rights, coupled with Community Rights (CRs) covering nistar rights and rights over non-timber forest products, contribute to the sustainable livelihoods of the community.
- Nistar rights grant villagers and agriculturists permission to extract forest produce from designated areas for genuine domestic use, excluding barter sale.
- Under this, Gram Sabha has the authority to adopt local traditional practices of forest conservation and management within the community forest resource boundary.
- The Indian Forest Act of 1927 was formulated with the aim of overseeing timber and other forest resources.

Key Features: Notable Aspects of the Bill:

- Land under the purview of the Act:
 - The legislation stipulates two categories of land fall under its jurisdiction:
 - Land declared as a forest under the Indian Forest Act, 1927, or any other law, and land declared as a forest on or after October 25, 1980, in a government record, is officially recognized as forested territory in India.
 - The classification encompasses both areas formally designated as forests and those identified as such in government records after the specified date.
- Exempted Categories of Land:

- Certain types of land are exempted from the Act's provisions, including forest land alongside a railway line or a public road maintained by the government.
- Assignment/Leasing of Foreign Land:
 - According to the Act, a state government needs prior approval from the central government to assign forest land to any entity not owned or controlled by the government.
 - The Bill extends this condition to all entities, even those owned and controlled by the government.
 - It also mandates that prior approval is subject to terms and conditions set by the central government.
- Permitted Activities in Forest Land:
 - The Act limits the de-reservation of forests or the use of forest land for non-forest purposes, with the possibility of lifting such restrictions through prior approval from the central government.
 - Non-forest purposes include activities like cultivating horticultural crops or any purpose other than reforestation.
- The Act outlines specific activities exempted from non-forest purposes.
 - The Bill expands this list to include activities like zoos and safaris under the Wildlife (Protection) Act, 1972 (government or authority-owned), ecotourism facilities, silvicultural operations (enhancing forest growth), and any other purpose specified by the central government.
- Power to Issue Directions:
 - The Bill introduces the provision that the central government may issue directions for the Act's implementation to any authority or organization under or recognized by the central, state, or union territory (UT).

Tunnel collapse in Uttarakhand

Inside Story of the News:

On November 12, an incident occurred in Uttarakhand where an under-construction tunnel structure collapsed, trapping approximately 40 workers inside. The tunnel is a crucial component of the **Char Dham all-weather road project**, which began in 2016. In response to this emergency, authorities have initiated a large-scale search and rescue operation to extricate the trapped workers and address the aftermath of the collapse.

Char Dham All-Weather Road Project Overview:

- The undertaking involves the expansion of hill roads spanning 889 km, aiming to **enhance connectivity and make the Char Dham circuit accessible in all weather conditions**.
- Envisioned in 2016, the project focuses on improving infrastructure around Uttarakhand's four significant shrines located in the upper Himalayas:
 - Badrinath,

- Kedarnath,
- Gangotri, and
- Yamunotri.

Silkyara Tunnel Incident in Uttarakhand:

- The tunnel, intended to link Silkyara to Dandalgaon in Uttarkashi district, spans a total length of 4.5 km.
- Positioned as one of the lengthiest tunnels within the Char Dham all-weather road project, this double-lane tunnel is designed to shorten the journey from Uttarkashi to Yamunotri Dham by 26 kilometers.
- Construction progress includes 2.3 km from the Silkyara side and 1.6 km from the Barkot end, leaving approximately a 400 m stretch yet to be completed.
- The incident occurred in the Silkyara Tunnel, situated on the Uttarkashi-Yamnotri Road, about 270 m from the Silkyara side entrance.
- Rescue operations involve **the National Disaster Response Force (NDRF)**, the State Disaster Relief Force (SDRF), and the police as key participants.
- Officials have reported that the trapped laborers are safe, receiving provisions of food, water, and oxygen.
- Communication with the trapped individuals via walkie-talkies revealed their well-being, and food was supplied through a compression pipe based on their request.
- The distance to reach those trapped is approximately 60 meters.

Digital India Bill

Inside Story of the News:

Under the forthcoming Digital India Bill, the Ministry of Electronics and Information Technology (MeitY) is contemplating issuing a directive to major technology companies, including Facebook, Google, and Amazon, **to share anonymized personal data they possess with a government-backed database.**

- The Bill is a crucial component of a comprehensive legal framework that encompasses various legislative measures.
- It includes the **recently-notified Digital Personal Data Protection Act 2023**, the **draft Indian Telecommunication Bill 2022**, and a **policy addressing the governance of non-personal data.**
- This legislation places a significant emphasis on online safety and trust, with a commitment to protecting citizens' rights in the digital realm.
- It is maintaining adaptability to shifting market dynamics and international legal principles.

Key Provisions of the Act:

- The Digital India Bill (DIA) prioritizes online safety and trust, aiming to protect citizens' rights in the digital space.
 - It also underscores adaptability to changing market dynamics and adherence to international legal principles.

- Recognizing the increasing significance of new-age technologies such as artificial intelligence and blockchain, the DIA provides guidelines for their responsible utilization.
- The legislation upholds the concept of an open internet.
 - It is aiming to strike a balance between accessibility and necessary regulations to maintain order and protect users.
- It mandates stringent Know Your Customer (KYC) requirements for wearable devices, backed by criminal law sanctions.
- The DIA contemplates a review of the "safe harbour" principle, currently shielding online platforms from liability related to user-generated content.
 - It is suggesting a potential shift in online accountability standards.

Importance of the Digital India Bill:

- The provisions within the proposed Digital India Bill underscore its commitment to addressing the complexities of the digital age. The objective is not only to encourage the adoption of new-age technologies but also to ensure that their deployment aligns with ethical-legal principles, data privacy standards, and mechanisms for accountability.

Challenges in Implementing the Digital India Bill:

- **Potential Impact on Innovation and Ease of Doing Business:**
 - Stricter regulations, especially in emerging technologies, may inadvertently impede entrepreneurial initiatives and discourage foreign investments.
- **Review of the "Safe Harbour" Principle:**
 - A re-evaluation of the "safe harbour" principle might induce a more cautious approach among online platforms, potentially affecting freedom of expression.
- **Balancing Stakeholder Interests:**
 - Balancing the interests of various stakeholders, including tech giants, is a significant challenge.
 - The aim is to ensure the protection of citizen rights in the implementation of the Digital India Bill.

Indo-Pacific Economic Framework (IPEF)

Inside Story of the News:

India, the United States, and 12 other members of the Indo-Pacific Economic Framework (IPEF) have joined forces to establish a supply chain resilience agreement. The primary objective of this agreement is **to reduce dependence on China and facilitate the relocation of the manufacturing of essential goods to member nations.**

- US President Biden first introduced the concept of the Indo-Pacific Economic Framework (IPEF) at the October 2021 East Asia Summit.
- During the summit, he expressed the United States' intention to collaborate with partners
 - In developing an Indo-Pacific economic framework,
 - outlining shared objectives in trade facilitation,

- standards for the digital economy and technology,
- supply chain resilience,
- decarbonization and
- clean energy, infrastructure, worker standards, and other areas of mutual interest.
- The IPEF does not include market access commitments, focusing more on being an administrative arrangement.
- Launched in Tokyo in May 2023, the IPEF seeks to enhance economic engagement among member countries to promote growth, peace, and prosperity in the region.
- According to an insight paper by the US Congressional Research Service, **the IPEF is unconventional and structured around four pillars covering various aspects.**
- The IPEF includes 14 partner countries:
Australia, Brunei, Fiji, India, Indonesia, Japan, Republic of Korea, Malaysia, New Zealand, Philippines, Singapore, Thailand, Vietnam, and the US.
- The framework is organized into four pillars:
 - Trade (Pillar I),
 - Supply Chains (Pillar II),
 - Clean Economy (Pillar III), and
 - Fair Economy (Pillar IV).
- **India is involved in Pillars II to IV of the IPEF and holds an observer status in Pillar I.**
- The 14-nation IPEF bloc is significant, accounting for approximately 40% of the world's GDP and 28% of global trade in goods and services.
- **In September 2022, India joined three pillars of the IPEF - supply chain, clean economy, and fair economy - while maintaining observer status in the trade pillar negotiations.**

Asia-Pacific Economic Cooperation (APEC)

Inside Story of the News:

The **Asia-Pacific Economic Cooperation (APEC)** grouping is convening in **San Francisco, United States.**

- Established in 1989, APEC is a regional economic forum with the primary goal of leveraging the growing interdependence of the Asia-Pacific region to foster greater prosperity through regional economic integration.
- APEC focuses on trade and economic matters, referring to its members as "economies.
- The forum operates on the basis of non-binding commitments, making decisions through consensus and commitments undertaken voluntarily.
- **APEC currently has 21 members**, with the criterion for membership being that each member must be an independent economic entity rather than a sovereign state.
- Members include **Australia, Brunei, Hong Kong, New Zealand, Papua New Guinea, the Philippines, Indonesia, China, Japan, South Korea, Russia, Canada, the United States, Mexico, Peru, Chile, Malaysia, Vietnam, Singapore, Thailand, and Taiwan.**
- A key focus of APEC has been advocating for the reduction of trade tariffs, free trade, and economic liberalization.
- During its first five years, APEC established core objectives, with the Seoul Declaration in 1991 proclaiming the creation of a liberalized free trade area around the Pacific Rim as the principal objective.
- APEC collectively accounts for nearly 62% of global GDP and nearly half of global trade.

Reasons for India's Non-membership in APEC:

- In 1991, India expressed its interest in joining the Asia-Pacific Economic Cooperation (APEC) grouping.
- **Despite support from many members, some opposed India's inclusion, citing concerns about the country's economic reforms and describing it as having 'protectionist instincts.**
- Opposition to India's membership has been fueled by participants critical of India's record on economic reforms and engagement with the World Trade Organization (WTO).
- They deem India's performance unsatisfactory for inclusion.
- An additional obstacle was a membership freeze imposed in 1997, which, however, was not extended in 2012.
- Granting India membership status is seen as a potential catalyst for trade reform among emerging economies.
- Member states also emphasize India's maritime strength and robust strategic relations with major powers in the region.
- These factors are seen as contributors to achieving a strategic balance within the grouping.

Merging of Sub-categories of Castes and Allocated Codes for Caste-Based Survey

Inside Story of the News:

The state government has implemented a "revolutionary" measure by **consolidating the sub-categories of a specific caste into a unified social entity**. This unified entity will be assigned a single numerical caste code for utilization during the month-long second phase of the caste-based headcount, scheduled from April 15 to May 15

- During an election rally in Telangana, Prime Minister Modi pledged to examine the sub-categorization of Scheduled Castes (SCs) to identify and assist the most backward among them.
- This move is seen as an effort by the ruling party to appeal to the Madiga community, the most populous among SC communities in the state.
- The Madigas have raised concerns that their representation share is being taken up by another SC community, the Malas.
- In response to Madiga agitation, the erstwhile Andhra Pradesh divided the state's scheduled caste quota into four categories in 1997.
- Over the last two decades, several states, including Punjab, Bihar, and Tamil Nadu, have attempted to introduce reservation laws at the state level to sub-categorize SCs.
- However, these plans are entangled in legal challenges as the Supreme Court establishes a larger Constitution Bench to make a definitive decision on the matter.
- In 2004, the 5-Judge Bench in E.V. Chinnaiah ruled that a community, once included in the Presidential List for Scheduled Castes under Article 341 of the Constitution, forms part of a single larger class for reservation purposes.
- This legal perspective emphasizes the unity of such communities in terms of reservation considerations.
- The Bench maintained that the State lacked the legislative authority to create sub-classifications within this single class, as it would violate the Right to Equality.

- The Union government established a National Commission to investigate the sub-categorization of SCs in Andhra Pradesh.
 - Then Cabinet recommended a constitutional amendment to facilitate it.
- However, both the National Commission for Scheduled Castes (NCSC) and the National Commission for Scheduled Tribes (NCST) opined that a constitutional amendment was unnecessary.
- They argued that Article 16(4) of the Constitution already empowered states to enact special laws for any backward classes they deemed under-represented.

Arguments Supporting Sub-Categorization within Scheduled Castes (SCs):

- Various commissions, including the Justice Raju Commission and the National Commission, have advocated for the sub-categorization of Scheduled Castes (SCs), with the primary argument being the existence of graded inequalities among SC communities.
- The Justice Raju Commission, formed by the Andhra Pradesh state government in 1996, was specifically established to examine this matter.
- The key premise of this argument is that within the marginalized SC communities, there exist varying levels of access to basic facilities.
- Consequently, the more forward communities within the SCs have consistently accessed benefits, potentially overshadowing the more backward ones.
- The proposed solution to address this disparity is to sub-categorize these communities and allocate separate reservations for the more backward communities within the overall reservation meant for SCs.

Arguments Opposing Sub-Categorization within Scheduled Castes (SCs):

- The Scheduled Castes (SC) and Scheduled Tribes (ST) Commissions have observed that allocating separate reservations within these categories may not effectively address the underlying issue.
- An internal note from the National Commission for Scheduled Tribes (NCST) emphasized that the most backward SCs lag significantly behind forward SC communities, and a separate quota might not be sufficient.
- The primary goal is to ensure representation at all levels.
- However, due to the existing disparity, even if reserved posts are available at higher levels, the most backward SCs may lack sufficient candidates to be considered.
- Both the National Commission for Scheduled Castes (NCSC) and the NCST have recommended that existing government schemes and benefits should reach these marginalized sections before considering sub-categorization.
- Legal experts have stressed the importance of concrete data to substantiate the need for sub-categorization.

Proposed India-UK Free Trade Agreement (FTA)

Inside Story of the News:

The External Affairs Minister (EAM) of India engaged in discussions with Britain's Prime Minister and Foreign Secretary regarding the India-UK Free Trade Agreement (FTA). This round of talks occurs against

the backdrop of bilateral trade between India and the U.K. rising to \$20.36 billion in 2022-23, up from \$17.5 billion in 2021-22.

- The External Affairs Minister (EAM) of India held discussions with Britain's Prime Minister and Foreign Secretary regarding the India-UK Free Trade Agreement (FTA).
- This comes as bilateral trade between India and the U.K. increased to \$20.36 billion in 2022-23 from \$17.5 billion in 2021-22.
- A potential immediate benefit for India involves urging the UK to issue priority visas for Indian professionals traveling to the UK for short-term assignments.
- Despite the advantages, obtaining a large number of short-duration business visas from the UK might face challenges, as visas are sometimes associated with immigration, a sensitive issue post-Brexit.
- The FTA negotiations focus on establishing rules of origin.
 - These rules aim to ensure that products from third countries receive FTA benefits only if they undergo significant transformation in the exporting country.
- India's preference for conservative rules of origin has resulted in prolonged discussions and negotiations.
 - Allowing UK producers access to India's government procurement sector would, in turn, place them on an equal footing with Indian firms.
- However, Indian companies encounter a competitive and restricted government procurement market in the UK, posing limited business prospects.
- Therefore, India needs to approach this aspect conservatively and cautiously.

Potential Gains for India and the UK in the India-UK Free Trade Agreement (FTA):

- India's **labour-intensive sectors such as apparel and gems and jewellery** have seen a **steep decline in market share** over the last five years.
- Indian textile exports face tariffs as high as 10% in the UK; a trade deal could put India on par with competition such as Bangladesh and revive textile exports.
- Notably, the average tariff on goods imported from India into the UK is 4.2%, while the average tariff in India on goods imported from the UK is 14.6%.
- British exports to India, including cars, Scotch whisky, and wines, face considerable tariffs ranging from 100-150%.
- Tariff reductions on these goods will potentially offer UK deeper access into Indian markets.

Challenges in the India-UK Free Trade Agreement (FTA):

- Simply eliminating duties does not guarantee an automatic increase in exports, as demonstrated by previous deals with Japan and ASEAN countries.
- Additionally, many Indian exports to the UK already benefit from low or zero tariffs.
- There is a warning from the British Parliament that providing zero-duty access to Indian textiles under the FTA could potentially strain Least Developed Countries, such as Bangladesh.
- Modern Free Trade Agreements (FTAs) extend beyond tariff reduction, presenting an opportunity for India to address Non-Tariff Barriers (NTBs).
 - That have historically concerned exporters, particularly in agriculture.
- NTBs often manifest as regulations, standards, testing, certification, or pre-shipment inspection measures aimed at safeguarding human, animal, or plant health and the environment.

- Similar to the European Union (EU), the UK is considering imposing a levy on metal imports based on carbon emissions.
- The implementation of an EU-style Carbon Border Adjustment Mechanism (CBAM) could impact India's exports to the UK, even if India achieves significant tariff removal.