

● POLITY

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POLITY AND GOVERNANCE

MHA SEEKS TO PACIFY TRUCKERS PROTESTING NEW HIT-AND-RUN LAW

CONTEXT: The Union Ministry of Home Affairs (MHA) convened a meeting with the All-India Motor Transport Congress on Tuesday as transporters across the country struck work to protest the increase in punishment in hit-and-run cases in the yet-to-be-implemented Bharatiya Nyaya Sanhita (BNS).



Section 106 of the Bharatiya Nyaya Sanhita (BNS) deals with the offence of causing death by rash or negligent act. The section provides that whoever causes death of any person by doing any rash or negligent act not amounting to culpable homicide, shall be punished with imprisonment of either description for a term which may extend to five years.

Key elements of the offence under Section 106:

1. Death of a person: The offence can only be committed if the act of rashness or negligence causes the death of a person.
2. Rash or negligent act: The act must be rash or negligent. Rashness means doing an act without due care and attention. Negligence means omitting to do something which a reasonable person would do, or doing something which a reasonable person would not do.
3. Act not amounting to culpable homicide: The act must not amount to culpable homicide. Culpable homicide is the unlawful killing of a human being with the intention of causing death, or with the knowledge that death is likely to be caused.

Section 106(1) of the BNS provides for a punishment of "0-5 years", while Section 106(2) provides for a punishment of "0-10 years" in "hit and run" cases. If a person immediately reports to a police officer or magistrate about the accident caused by reckless driving, the individual will not be charged under subsection 106(2).

INTERNAL SECURITY

FREE MOVEMENT REGIME AT MYANMAR BORDER TO END SOON, ENTRY INTO INDIA WILL NEED VISA

CONTEXT: The Union government is all set to scrap the Free Movement Regime (FMR) along the Myanmar border, a senior government official said on Tuesday. People living in border areas, who could cross over to India, will soon require visas.



India and Myanmar share an unfenced border, and people on either side have familial and ethnic ties, which prompted the arrangement in the 1970s. It was last revised in 2016. The official said that around 300 km of the border will be fenced and a tender will be issued in the next few days. A survey of the border areas with the help of drones has been completed.

Under the FMR, every member of the hill tribes, who is either a citizen of India or a citizen of Myanmar, and who resides within 16 km on either side of the border, can cross the border on production of a border pass, usually valid for a year, and can stay for up to two weeks per visit. The Manipur government has suspended the FMR since 2020, following the COVID-19 pandemic.

Manipur Chief Minister N. Biren Singh has urged the Ministry of Home Affairs (MHA) to cancel the FMR along the India-Myanmar border and complete its fencing. He attributed the ongoing ethnic violence in the State to the free movement of people from across the border. After a military coup in Myanmar in February 2021, over 40,000 refugees took shelter in Mizoram, and around 4,000 refugees are said to have entered Manipur.

"Intelligence plus character-that is the goal of true education. — Martin Luther King Jr.



POLITY AND GOVERNANCE

'CAA RULES MAY BE NOTIFIED BEFORE LOK SABHA ELECTION'

CONTEXT: The rules of the Citizenship Amendment Act (CAA) are likely to be notified before the announcement of the next Lok Sabha election.



Members of the Pakistani Hindu community who entered India legally but their documents expired while awaiting citizenship will also be eligible to apply online under the CAA. The CAA, which was passed by Parliament in December 2019, is yet to be implemented. It is only after the rules are notified that the Act will come into force.

The legislation facilitates citizenship to undocumented people, who entered illegally without visas and passports, belonging to six non-Muslim communities from Pakistan, Bangladesh and Afghanistan. The CAA fast-tracks citizenship to people belonging to the Hindu, Sikh, Buddhist, Parsi, Christian, and Jain communities from the three neighbouring countries who entered India on or before December 31, 2014. The Act reduces the requirement of aggregate stay in India for applicants from the six communities seeking citizenship from 11 years to six years.

The 2014 cut-off can be extended by bringing in necessary legal changes. The total number of undocumented people, particularly in West Bengal and Assam, who will get citizenship under the CAA has not been specified by the Ministry.

Hindu Singh Sodha, president of Seemant Lok Sangathan, a group that advocates for the rights of Pakistani minority migrants in India, said around 80,000 applications of Hindus from Pakistan were pending with the authorities. In Rajasthan, there are 35,000 people whose citizenship applications are pending. All these people came on valid papers and visa post-2010. They have been waiting for citizenship for more than 10 years.

The Union Home Ministry in 2018 made the citizenship process online for such applicants. Over the years, it has empowered and delegated powers to District Collectors of 31 districts and Home Secretaries to accept online applications to grant citizenship to applicants belonging to the six communities under Section 5 (registration) and Section 6 (naturalisation) of the Citizenship Act, 1955.

Despite an online process in place, the portal does not accept expired Pakistani passports, forcing people to apply to the Pakistan High Commission in Delhi to get their passports renewed for a hefty sum. Most Pakistani Hindus and Sikhs came to the country either on long-term visas (LTV) or pilgrim visas.

POLITY AND GOVERNANCE

ROLL-OUT SCHEDULE OF 3 NEW CRIMINAL CODES WILL BE NOTIFIED BY JANUARY 26

CONTEXT: The date of implementation of the three criminal codes that were passed by the Parliament in December 2023 will be notified before January 26. It will take nine months to a year for the three criminal laws to be implemented across the country, and a pilot project is all set to begin in Ahmedabad in the next two months.

Around 3,000 master trainers will train the police personnel who will work in a pyramid set-up percolating to each district in the next few months. A task force has been constituted under the Bureau of Police Research and Development to oversee the training. The National Crime Records Bureau will coordinate the integration of the other wings of the criminal justice system, including the Interoperable Criminal Justice System, the National Automated Fingerprint Identification System, the Adjourment Alert Module, and the Crime and Criminal Tracking Network and System.

The integration would result in a faster justice system, in tune with the new laws. Chandigarh will be the first to see the integration and implementation of all platforms. The data will be stored in the cloud. The thrust is on scientific investigation and to promote forensics-based investigation.

Nine hundred mobile vans will be sent to 885 districts at a cost of ₹55 lakh each, [with] 25% cost to be borne by the States. The entire criminal justice process, including the judiciary, will soon be online. The post of a separate Director of Prosecution in each district would be created. This will give the power to challenge acquittal of an accused in any case to the victim. They will not be at the mercy of the Public Prosecutor or the police.

The Bharatiya Nyaya Sanhita (BNS), which replaces the IPC, 1860; the Bharatiya Sakshya (BS), which replaces the Indian Evidence Act, 1872; and the Bharatiya Nagarik Suraksha Sanhita (BNSS), which replaces the Cr.PC, 1898 were notified in the Gazette of India on December 25, 2023. The official added that though cases against fugitives and those wanted in terror cases have been registered under the IPC in the past, their trial-in-absentia could be held under the BNSS. "Irrespective of when the case was registered, the judicial trial can be held under the new laws. Many economic offenders sitting in foreign countries take the plea that they have not been convicted by any court here.



"Education is the ability to listen to almost anything without losing your temper or your self-confidence." - Robert Frost

INTERNAL SECURITY

STICK TO PROCEDURE IN COUNTER-TERROR OPERATIONS: SHAH

CONTEXT: Union Home Minister Amit Shah on Tuesday said that all due procedures should be adopted while dealing with counter-terror operations in Jammu and Kashmir. He underlined the importance of further strengthening the local intelligence network.



Mr. Shah reviewed the security situation in Jammu and Kashmir on Tuesday. This was the first meeting after the December 21 terror attack in the Poonch-Rajouri area of Jammu when unidentified terrorists killed four soldiers in an ambush. The following day, four men from a nearby village whom the Army picked up for questioning were found dead with multiple injuries. A video of their alleged torture in the Army's custody went viral on social media.

Lieutenant Governor Manoj Sinha, National Security Adviser Ajit Doval, Union Home Secretary Ajay Kumar Bhalla, Chief of Army Staff Manoj Pande, Intelligence Bureau Director Tapan Deka and other senior officials attended the meeting.

During the meeting, Mr. Shah reviewed the area domination plan of security agencies in the Union Territory to eliminate the threat of terrorism. The Minister instructed officials to strengthen the counter-terrorism operations.

INTERNATIONAL RELATIONS

AN 'INDIA OUT' PLAN THAT COULD IMPACT THE MALDIVES

CONTEXT: The recent decision by the Maldives to revoke an agreement with India for joint hydrographic surveys in Maldivian waters has caused considerable dismay in Indian media and strategic circles. Inked during Prime Minister Narendra Modi's visit to the islands in 2019, the pact was seen as a symbol of India-Maldives defence ties.

The move by Male, in mid-December 2023, came a few weeks after the archipelagic state formally asked New Delhi to withdraw its Indian military presence from its shores. As if to emphasise its reservations about defence engagement with India, Male also skipped the latest meeting of the Colombo Security Conclave, also in December.

That trust between India and the Maldives is at a low ebb is manifestly evident. Since the election of Mohamed Muizzu as Maldivian President in November 2023, there has been a deliberate, if predictable, attempt by Male to create a distance with New Delhi. The Maldives would like the world to believe that terminating the hydrography pact is a way of asserting its autonomy and agency. It is not. Far from balancing ties with India, Male has thrown in its political lot with China. The Muizzu administration's refusal to renew the hydrography pact seems less to do with the President's sensitivities about sovereignty than with his special relationship with Beijing. Getting Indian hydrographic ships out of Maldivian waters appears intended to aid China's marine surveys of the surrounding seas.

The dual nature of hydrography

It is worth noting that hydrographic data inherently has a dual nature in that the information collected from the seas can be used for civilian and military purposes. Marine scientists maintain that the data that helps advance non-military objectives, such as ensuring navigational safety, marine scientific research, and environmental monitoring, can also be used to facilitate military aims such as surveillance of a nation's vital coastal installations and war-fighting assets.

Even so, China is unique in using its marine and seabed surveys to advance a largely strategic agenda. The country has an expansive oceanographic research programme, in which "scientific research vessels", in particular the Shi Yan class of oceanographic survey vessels and the Yuan Wang series of intelligence-surveillance-reconnaissance ships are regularly deployed in the Indian Ocean. Their presence goes largely unnoticed, eclipsed by China's growing naval footprint. For China, however, marine surveys and reconnaissance are critical enablers of the People's Liberation Army Navy's maritime strategy in the far seas. It is no happenstance that Chinese authorities approached Sri Lanka and the Maldives many times last year to allow the docking of marine research ships.

On China's surveys

Indian observers point out that China's ocean surveys play an important part in enhancing China's antisubmarine warfare capabilities. The mapping of the ocean's temperature profile and the study of other oceanic phenomena such as currents and eddies, they contend, is meant to improve sonar



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performance and detection of enemy submarines. Studying the marine environment also aids in the development of systems that help Chinese submarines elude detection and fine-tune tactics for littoral combat.

However, China's oceanographic surveys in the waters of friendly South Asian states are potentially hampered by the presence of Indian hydrographic ships in the area. The Indian Navy has the capability to track foreign ships' subsurface sensor activity. Chinese hydrographers suspect the Navy's operations in the waters of Indian Ocean island states could interfere with China's own marine survey efforts.

Meanwhile, speculation abounds in New Delhi of a Chinese plan to develop a naval base in the Maldives. In 2018, China planned an ocean observatory in Makunudhoo Atoll, north of Male — not far from India's Lakshadweep Islands. Maldivian opposition leaders had then expressed reservations about the observatory's potential military applications, including a provision for a submarine base. There is no evidence yet that China has revived that proposal, but recent developments suggest that the possibility cannot be discounted.

Male's concerns

For its part, the Maldives has apprehensions about India's hydrographic activity being a form of intelligence collection. Its concerns are not entirely unfounded — not because Indian activity in Maldivian waters is suspect, but because the laws and legal framework governing hydrography are not different from the norms governing military surveys. The United Nations Convention on the Law of the Sea (UNCLOS) does not explicitly authorise a coastal state to regulate hydrographic surveys or military surveys conducted beyond its territorial sea; a littoral state may only regulate marine scientific research in its exclusive economic zone (EEZs). By implication, foreign maritime agencies conducting hydrographic surveys are free to map the seas outside a coastal state's territorial waters. It is this prospect that Male finds problematic.

The discrepancy, though glaring outwardly, is better understood if one considers that the aim of hydrography is not to collect data about topography and geophysical processes for the sake of knowledge. Instead, it caters to a specific demand, which can come either from marine ecologists, scientists, and the maritime industry, or military strategists and national security planners. That does not alter the reality that many navies, in particular India's, have an exemplary track record of hydrographic surveys in their neighbourhoods. The Indian Navy has rendered hydrographic assistance to Mauritius since the 1990s, charting the vast Mauritian EEZs and helping build capacity, even assisting with the setting up of a hydrographic unit for skill development among Mauritian hydrographers.

The best bet for the Maldives to enhance maritime awareness and security remains a partnership with India. The Muizzu administration must recognise that it is not India but China that seeks to weaponise ocean surveys. The eagerness for a strategic concert with Beijing, driven plainly by political compulsions, could entail adverse consequences for Male.

INTERNATIONAL RELATIONS

MONSTER QUAKE IN JAPAN LEAVES 48 DEAD; RESCUERS SCRAMBLE IN SEARCH OF SURVIVORS

CONTEXT: Japanese rescuers battled the clock and powerful aftershocks on Tuesday to find survivors of a New Year's Day earthquake that killed at least 48 people and caused widespread destruction.



The 7.5 magnitude quake that rattled Ishikawa prefecture on the main island of Honshu triggered tsunami waves more than a metre high which caused a major fire and tore apart roads. On the Noto Peninsula, the destruction included buildings damaged by fire, houses flattened, fishing boats sunk or washed ashore, and highways hit by landslides.

Local authorities put the death toll at 48, but the number was expected to rise as rescuers comb through the rubble. On Monday, waves at least 1.2 metres high hit Wajima and a series of smaller tsunamis were reported elsewhere.

Warnings lifted

Warnings of much larger waves proved unfounded and on Tuesday, Japan lifted all tsunami warnings. Ishikawa Governor Hiroshi Hase wrote on social media that roads had been cut in widespread areas by landslides or cracking, while in the port of Suzu "multiple" vessels had capsized. Japan's nuclear authority said there were no abnormalities reported at the Shika atomic power plant in Ishikawa or other plants after the latest quake.

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INTERNATIONAL RELATIONS

'KABIL TO INVEST OVER ₹200 CR. TO SECURE LITHIUM IN ARGENTINA'

CONTEXT: India's KABIL (Khanij Bidesh India Ltd.) will invest ₹211 crore over a five-year-period for exploration of five lithium blocks in Fiambala area of Argentina. An exploration and development agreement is expected to be signed with CAMYEN, a state-owned miner in Argentina's Catamarca province, later this month.



"Approval of Ministry of Mines, for the above proposals, has also been received in December. As mutually agreed with CAMYEN, the agreement is planned to be signed in January 2024 at Argentina, and with that, the maiden project of KABIL will be launched. Chile and Argentina account for 30-35% of the world's lithium supplies.

ECONOMICS AND DEVELOPMENT

COAL OUTPUT GROWTH SLID TO A SIX-MONTH LOW IN DECEMBER

CONTEXT: India's coal output growth slid to a six-month low of 10.8% in December, with production levels nearing 93 million tonnes (MT), as per data released by the Coal ministry.

Coal has a weightage of more than 10% in the Index of Core Industries, which slid in November to its lowest level since March 2023, with growth slipping to a six-month low of 7.8%.

Core sector growth is also expected to slow between December and February and the coal sector numbers for December buttress this expectation. Coal dispatches from mine pitheads to end-users stood at 86.23 MT in December, growing at a milder 8.36% compared with 9% in November. The broadest end-use sector for coal, electricity generation, had seen growth slow to a five-month low of 5.6% in November, with power output at its lowest level since March 2023.

Losing steam

Growth in coal output dipped to 10.8% in December with production nearing 93 million tonnes, as per the Coal Ministry

- Coal dispatches from mine pitheads to end-users was 86.23 MT in Dec., growing at 8.36% compared with 9% in Nov.

- Coal has a weightage of over 10% in the Index of Core Industries, which slid to its lowest level since March 2023 in Nov.

- Electricity generation growth slowed to five-month low of 5.6% in Nov. with power output at its lowest level since March



Despite the slower year-on-year growth, December's coal dispatch was 5.6% over November and suggests electricity generation, which has an almost 20% weightage in the core sectors' index, may have bounced back last month.

POLITY AND GOVERNANCE

FAULTY COMPULSION

CONTEXT: With the government refusing to extend the deadline for Aadhaar details of workers under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) to be seeded to their job cards beyond December 31, 2023, to enable payments through an Aadhaar-based payment system (ABPS), the system has now become mandatory.

Alarming, the decision would now affect nearly 35% of job card holders for this mode of payment and 12.7% of "active" workers (those who have worked at least one day in the last three financial years), thereby putting a dampener on the demand-driven scheme for many. ABPS implementation, the Union government claims, will ensure that payments are quick, reduce rejection and plug all leaks. The government also contends that as the ABPS has been in place for MGNREGS from 2017, and because Aadhaar number availability is near universal in India, the ABPS is a robust and a safer way to transfer wages. However, the over-reliance on technical tools has resulted in problematic implementation, with beneficiaries devoid of a proper recourse for corrections in the system. Data analysed by LibTech India suggest that the names of 7.6 crore workers have been deleted over the past 21 months due to discrepancies between the Aadhaar and the job card, among other reasons, with many of these done erroneously.

There are other issues with the use of the Aadhaar-based payments — where errors in any step of the process result in payment failures. Apart from the spelling discrepancy issue between the Aadhaar and the job card of the worker, there is also the problem of mapping the Aadhaar to the wrong bank account for many. In a number of cases, payments can be diverted to some other account than the one beneficiaries prefer, and also without their consent. Claims by the government that Aadhaar use has reduced delays in wage payments have also not been borne out, according to LibTech India, with wage delays largely due to insufficient funds in the

first place. Without cleaning up Aadhaar seeding and mapping with bank accounts, making the ABPS mandatory will only create further issues. The Union government must revisit this decision, and work out a way to correct the faulty seeding and mapping problems before imposing ABPS. The Ministry of Rural Development has said that it may consider an exemption from ABPS on a case-to-case basis for gram panchayats if there are technical issues, but it would be better if the Ministry conducts social audits to ascertain the extent of the problem before insisting on ABPS. MGNREGS remains a vital demand-driven welfare scheme that helps the rural poor and its implementation must not be dependent upon a faulty technological system.

ECONOMICS AND DEVELOPMENT

GROWTH SIGNALS

CONTEXT: The Goods and Services Tax (GST) has yielded close to ₹1.65 lakh crore in gross revenues in the last month of 2023. As the Finance Ministry has highlighted, this is the seventh occasion in this fiscal year that GST revenues were over ₹1.6 lakh crore.

The first nine months of 2023-24 have clocked a 12% rise in GST collections, with the monthly intake averaging ₹1.66 lakh crore, from ₹1.49 lakh crore in 2022-23. There is a good chance that the tax, which North Block mandarins have often lamented has not delivered as much revenue as was anticipated at the time of its launch, may end up bestowing a bonanza to the exchequer this year. The Budget had factored in monthly GST revenues of around ₹1.59 lakh crore, so maintaining the current rate should translate into an additional inflow of ₹80,000-odd crore. While this may provide some buffer for any fresh pre-poll handouts from the Centre ahead of the general election, an expected slowdown in the final quarter of the year may moderate the gains. The Reserve Bank of India's projection was for growth to taper off from 7.7% in the first half of the year to 6.5% in the October to December 2023 quarter and further to 6% in the current quarter. December's GST collections for transactions undertaken in November indicate some moderation in momentum already.

Both the headline number and the growth rate for December were the lowest in three months. In fact, the 10.3% growth was far weaker than the 15.1% recorded a month earlier, and just marginally better than September's 10.2% uptick, which in turn marked a 27-month low. Deepavali, which was closer to the middle of that month, should have spurred some last minute spending boost, but that effect seems to have been insipid. Revenues from domestic transactions grew 13% in December, down from the 14-month high growth of 20% in November, suggesting that the initially healthy festive fervour may have partly hit the 'snooze' button. This is corroborated somewhat by e-way bills generated in November which slid to 87 million from 100 million in October. The government has emphasised resilient domestic consumption steered the economy despite global headwinds. Indicators such as car sales, which crossed the four-million mark in 2023, led by high-end sport utility vehicles, can buttress that belief. But with rural demand likely

to be fragile amid bleak prospects for the farm sector, and the festive push already in the past, policymakers, for whom this is the last month of official data to base their Interim Budget premises on, must note the slowing pace while factoring in the additional inflow that seems set to exceed expectations.

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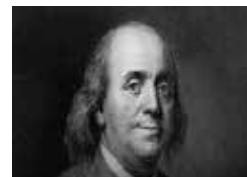

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