

● POLITY

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**POLITY AND GOVERNANCE**

## 'AGE OF CONSENT UNDER POCSO MUST REMAIN'

**CONTEXT:** The Law Commission recommended against tinkering with the age of consent — currently 18 years — under the Protection of Children from Sexual Offences (POCSO) Act.

The 22nd Law Commission, headed by Justice (Retired) Ritu Raj Awasthi, submitted its report (no. 283) to the Law Ministry on September 27. The Law Commission of India (LCI) advised for the introduction of “guided judicial discretion” while sentencing in cases that involve the tacit approval of children in the 16 to 18 years age bracket. The Law panel noted that certain amendments would be required in the POCSO Act, 2012 to remedy the situation in cases involving tacit approval, though not consent under law, on the part of children aged between 16 and 18 years. The panel said that reducing the age of consent would have a direct and negative bearing on the fight against child marriage and child trafficking; it also advised the courts to tread with caution even in cases related to “adolescent love”, where criminal intention may be missing.

The reference on the age of consent was made to the Law Commission on November 9, 2022 by the Karnataka High Court (Dharwad Bench), which asked the Commission “to rethink on the age criteria for consent, taking into consideration the rising number of cases relating to minor girls above the age of 16 years falling in love, eloping and having sexual intercourse with the boy”.

A similar reference was also made by the Madhya Pradesh High Court (Gwalior Bench) in April this year, where the Court noted that the enforcement of the POCSO Act, in its present form, “causes injustice in cases of statutory rape where de facto consent is present”.

*“Doing nothing is very hard to do. You never know when you're finished.”—Leslie Nielsen*

**ECONOMICS AND DEVELOPMENT**

## HOT, DRY AUGUST LIFTS CORE SECTOR GROWTH TO A 14-MONTH HIGH

**CONTEX:** Output at the eight core infrastructure sectors rose by a combined 12.1% in August, the fastest pace in 14 months, with five reporting double-digit growth, spurring hopes of a healthy uptick in industrial production last month. This was the second straight month that all eight sectors, which constitute about 40% of the Index of Industrial Production (IIP), recorded an uptick, after a 14-month streak of uneven trends.

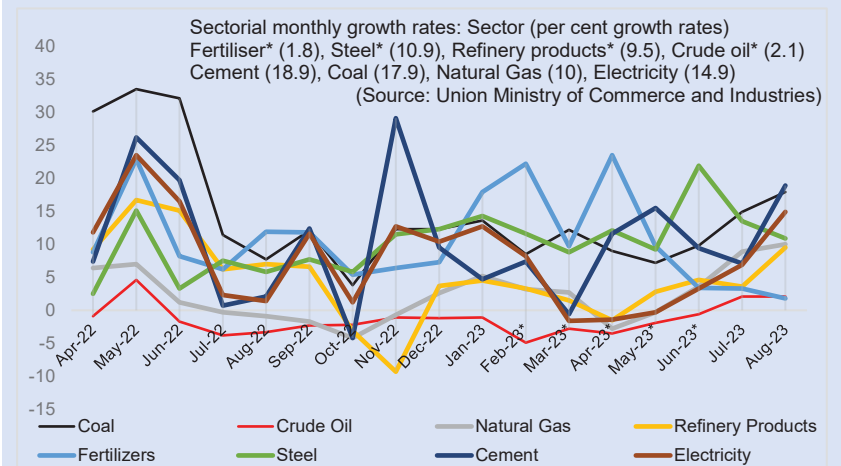


FIGURE: Line chart representation of the sub-sectorial growth rates (on Y-o-Y basis in per cent) of core sector industries.

Provisional core sector output measured by the Index of Core Industries (ICI) rose 2.5 % over July's level, the first uptick in three months. The core sectors collectively grew 8.4% in July, when IIP growth hit a five-month high of 5.7 %.

While Higher cement production reflects demand from infrastructure sectors, power generation saw a massive and unusual growth in August due to a severe rainfall deficiency in large parts and the consequent higher power demand from the residential and agricultural segments.

**ECONOMICS AND DEVELOPMENT**

## EURO ZONE INFLATION SLOWS TO TWO-YEAR LOW

**CONTEXT:** Inflation in the Euro Zone fell to its lowest level in two years in September, suggesting the European Central Bank's steady diet of rate hikes was succeeding in curbing runaway prices albeit at a growing cost for economic growth.

Consumer prices rose by 4.3 % in September, the slowest pace since October 2021, from 5.2 % one month

earlier, as per Eurostat's flash reading. Inflation excluding food, energy, alcohol and tobacco fell to 4.5 % from 5.3 %, the biggest drop since August 2020. Base effects played a key role but the figures also suggest underlying inflationary pressures are becoming less intense. The figures reinforce the view interest rates have likely reached peak in the current tightening cycle.”

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## INTERNATIONAL RELATIONS

## THE INDIA-CANADA ISSUE OVER THE KILLING OF CANADIAN KHALISTANI SEPARATIST HARDEEP SINGH NIJJAR

### GIST OF THE NEWS

External Affairs Minister S. Jaishankar affirmed that the India-Canada dispute was a topic of conversation during his meetings with U.S. National Security Adviser Jake Sullivan and Secretary of State Antony Blinken. The allegations made by Canadian Prime Minister Justin Trudeau, claiming India's involvement in the killing of Canadian Khalistani separatist Hardeep Singh Nijjar in British Columbia earlier this year, have generated significant conflict of interest. India has refuted any connection to the incident.

The remarkable intensification of conflicts with Canada, an unprecedented occurrence in India's diplomatic history with Western nations, has raised apprehensions about possible repercussions in various domains, such as trade and interpersonal connections.

### IMPORTANT POINTS FROM MAINS PERSPECTIVE: STATISTICAL DATA AND FACTS THAT CAN BE USED FOR DESCRIPTIVE ANSWERS

#### Canada's FDI in India:

- Canada accounts for 0.5644% of the total Foreign Direct Investment (FDI) in India, with an FDI equity inflow of \$3,642.5243 million.

#### Overseas Indians in Canada:

Canada is home to 5.26% of overseas Indians, totaling 16,89,055 individuals, including Non-Resident Indians (NRIs) and Persons of Indian Origin (PIOs).

#### Indian Students in Canada:

- Canada hosts approximately 13.83% (1,83,310) of Indian

students studying abroad out of an estimated 13,24,954 Indian students.

#### Tourism:

- Canada is the fourth-largest source of tourists in India based on 2021 figures, accounting for 5.3% (80,437) of Foreign Tourist Arrivals (FTAs).
- Of the Canadian tourists in India, 72.6% were members of the Indian diaspora, 2.5% came for leisure, 1.1% for business, 0.3% for medical reasons, and 0.1% were students.
- FTAs from Canada increased from 88,600 in 2001 to 3,51,859 in 2019 before a post-pandemic decline.

#### Bilateral Trade:

- Bilateral trade with Canada constitutes only 0.70% of India's total trade.
- During the financial year 2022-23, India's trade with Canada was \$8,161.02 million, representing 0.70% of India's total trade.
- India exports more to Canada than it imports, resulting in a trade surplus of \$58.45 million in 2022-23.
- Top Indian exports to Canada include medicines, vannamei shrimp, smartphones, jewelry of gold set with diamond, basmati rice, iron pipes, coaches powered by external electricity, diamonds, and cotton t-shirts.
- Major Indian imports from Canada include coking coal, potassium chloride, lentils (masur), newsprint, wood pulp, other waste and scrap, chemical wood pulp dissolving grades, and copper ores and concentrates.

## ECONOMICS AND DEVELOPMENT

## NABARD ANNOUNCES LISTING SOCIAL BONDS ON BSE

**CONTEX:** The National Bank for Agriculture and Rural Development (NABARD) announced the listing of its 'Social Bonds' on the BSE.

The bank had raised ₹1,040 crore through this offering. The funds would be used to refinance the Jal Jeevan Mission (the Union government's drinking water project) in Telangana. Social bonds are fixed income securities whose proceeds are earmarked to finance or re-finance new and existing social impact projects, especially for identified target populations such as low-income groups, unemployed, or otherwise vulnerable.



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**ECOLOGY**

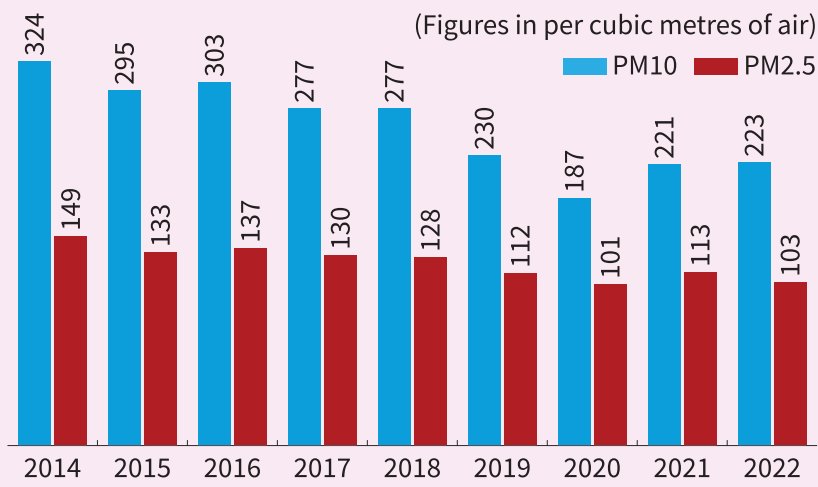
# DELHI CM UNVEILS 15-POINT WINTER ANTI-POLLUTION PLAN

**CONTEXT:** Arvind Kejriwal unveils 15-point plan to combat winter air pollution, calls for regional cooperation.

**BACKGROUND:** The National Capital Territory of Delhi is grappling with a severe air pollution crisis as toxic smog blankets the city. Hazardous levels of PM2.5 and PM10 particles, along with vehicular emissions, crop burning, and industrial pollution, have created a health emergency, prompting calls for immediate action.

## Cleaner air

According to data provided by the Delhi Pollution Control Committee, PM2.5 and PM10 levels reduced by over 30% between 2014 and 2022.



### ACTION POINTS

- Delhi's plan to combat pollution focuses on various areas, including stubble burning, vehicular emissions, open burning, and dust pollution.
- Special teams will enforce bans, such as open garbage burning.
- Bio-decomposer technology from Indian Agricultural Research Institute will be used to prevent stubble burning on

5,000 acres.

- PM2.5 and PM10 levels reduced by nearly 30% from 2014 to 2022, improving air quality.
- Ban on firecrackers for the third consecutive year to curb particulate matter.
- Thirteen pollution hotspots identified with specific action plans and monitoring teams.
- Measures to control dust pollution include deploying sweeping machines, water sprinklers, and anti-smog guns.
- Delhi's Chief Minister has been announcing annual action plans since 2019 to tackle pollution before winter.

### RECENT UPDATES – CAQM REVIEWS DELHI'S WINTER POLLUTION MEASURES

- Delhi's Commission for Air Quality Management (CAQM) met to tackle winter air pollution due to climatic conditions and human activities.
- The revised GRAP outlines 27 actions for Stage-I, addressing issues like mechanized sweeping and PUC norms enforcement.
- Delhi aims to add 850 buses by September 2023 and 650 more by March 2024, expanding public transport.
- Over 2.38 lakh EVs are registered in Delhi, with plans for 18,000 public and 30,000 private charging stations by 2025.
- Citizens have 10, 05, and 06 actionable points during different air quality stages in the Citizen Charter.
- Dust control measures include 83 Mechanical Road Sweeping machines, collecting 125 metric tonnes of road dust daily.
- 389 Anti-Smog Guns are deployed to control dust, with plans for more in high-rise buildings.
- Strict enforcement of government and court orders on firecracker storage, sale, and use is emphasized during festivals.

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## INTERNATIONAL RELATIONS

**GLOBAL DISPUTE SETTLEMENT**

**CONTEXT:** The recently concluded G-20 Declaration reiterated the need to ensure a fully and well-functioning dispute settlement system accessible to all members by 2024.

The WTO's dispute settlement system, conceived as a two-tier panel cum appellate body structure has issued over 493 rulings since its establishment in 1995. The appellate body has been crucial in ensuring coherence and predictability in rulings, ensuring confidence in the WTO dispute settlement process. The WTO Dispute Settlement System has been dysfunctional since 2019, because the United States has blocked the appointment of appellate body members.

**Investor-State-Dispute Settlement (ISDS)**

The Investor-State-Dispute Settlement (ISDS), an ubiquitous component of Bilateral Investment Treaties (BITs) today is the principal means to settle international investment law disputes. Till January 1, 2023, 1,257 ISDS cases have been initiated. India has had a chequered history with ISDS, with five adverse awards: four in favour, and several pending claims.

**Benefits of Appellate Review Mechanism:**


- Rectify errors of law and harmonising diverging interpretations.

- Uphold, modify, or reverse the decision of a first-tier tribunal, bringing coherence and consistency, in turn infusing predictability and certainty into the ISDS system.
- Broader scope than Annulment proceedings, which only apply to arbitrations administered by the International Centre for Settlement of Investment Disputes can only address limited issues, such as the improper constitution of an arbitration tribunal or corruption but cannot correct errors in legal interpretation.

**India's stand**

India, presumably, supports the idea of an appellate review in the ISDS because Article 29 of the Indian model BIT talks of it. The European Union is championing the creation of an appellate review mechanism for investment disputes. Since India's quest has always been to establish a rule-based global order, it should support an appellate review which will usher in greater confidence for states and investors in international investment law. India should also push for the restoration of the WTO appellate body towards achieving the goal of a fully and well-functioning dispute settlement system at the WTO.





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**WOMEN AND DEVELOPMENT****INCREASING WOMEN REPRESENTATION IN THE POLICE FORCE****CONTEXT:**

The Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023, passed in India, aims to reserve one-third of seats in various legislative bodies, including the House of the People and State Legislative Assemblies, for women for a duration of 15 years. This move seeks to increase women's participation in policymaking, as women currently make up only about 14.4% of Members of Parliament. However, implementation depends on factors like the pending Census 2021 and delimitation processes, with the earliest likely implementation in the 2029 general election.

In the context of the police force, while many states have policies to fill vacant posts with women, the representation of women in State police forces remains low, averaging around 11.7% of the total force. It would take substantial time to increase this representation to the recommended 30%. This is crucial given the need for women officers in dealing with cases related to women and children.

Efforts have been made to incentivize states to implement police reforms, including the inclusion of women police within the regular force. However, these reforms vary in adoption across states. There's a call for a uniform Police Act and a recruitment board in each state to ensure regular recruitment and increase women's representation in the police force, similar to the Constitutional amendment's goals for women in legislatures.

**IMPORTANT POINTS FROM MAINS PERSPECTIVE: STATISTICAL DATA AND FACTS THAT CAN BE USED FOR DESCRIPTIVE ANSWERS****Women in Lawmaking:**

- The Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023 aims to reserve one-third of seats in various legislative bodies in India for women for 15 years.
- This reservation extends to seats reserved for Scheduled Castes (SC) and Scheduled Tribes (ST) in the Lok Sabha and State Legislative Assemblies.
- The current representation of women in the Lok Sabha is approximately 14.4%, compared to 4.9% in the first Lok Sabha in 1952.

**Women in the Police Force:**

Many Indian states have policies to fill up 30% or 33% of vacant posts in their police forces with women through horizontal reservation.

Reservation for women in the State armed police forces is restricted to 10% in some states.

Women are typically recruited against notified vacancies after government permission is granted.

The representation of women in State police forces increased from about 7.28% to 10.47% of the total available force from January 1, 2017, to January 1, 2021.

- As of January 1, 2022, the representation of women in the police force remained at 11.7% of the total State police force.
- Representation of women in the police force varies between 6% and 11% in some states like Kerala, Mizoram, and Goa.
- Bihar provides for 35% reservation for women but has an actual representation of about 17.4%.
- Chandigarh has the highest percentage of women (about 22%) in the police force, while Jammu and Kashmir has the lowest (about 3.3%).
- Himachal Pradesh has not notified reservation for women but fills 20% of constable vacancies with women.
- Despite calls for increasing women's representation to 33%, actual availability remains low.
- Recruitment is done against about 4% to 5% of the total posts due to various factors.
- It would take at least 20 years to increase women's representation from 10% to 30% in the entire police force.

**Crime Data and Need for Women Police:**

- About 10% of the total crime defined under the Indian Penal Code was committed against women.
- Approximately 5.3% of total arrested persons in 2021 were women, indicating the need for more women in the police force.

**Efforts for Reform:**

- Police reforms are primarily a concern of the states due to 'police' being a 'State' subject.
- The Ministry of Home Affairs (MHA) provides financial incentives to states that implement police reforms, including the inclusion of women police within the regular force.
- The establishment of a Police Recruitment Board and family quarters satisfaction levels vary across states.
- Efforts should be made to encourage more women to join the police force, improve infrastructure, and establish uniform standards nationwide





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