The Hindu

Front Page

Centre to soften punitive steps in environment cases (Page no: 1)
(GS Paper 3, Environment)
The Environment Ministry proposes to soften the provisions of the Environment Protection Act (EPA) by replacing a clause that provides for imprisoning violators with one that only requires them to pay a fine.
This, however, doesn't apply to violations that cause grave injury or loss of life. The proposed fines, in lieu of imprisonment, are also 5-500 times greater than those currently levied.
The Act currently says that violators will be punishable with imprisonment up to five years or with a fine up to ₹1 lakh, or with both.
Were violations to continue, an additional fine of up to ₹5,000 for every day during which such failure or contravention continues after the conviction would be levied. There's also a provision for jail terms to extend to seven years.
The Environment Ministry in a note this week, laying out the rationale governing the amendments, said that it had received "suggestions" to decriminalise existing provisions of the EPA to weed out "fear of imprisonment for simple violations".
The two major changes proposed are appointing an "adjudication officer" who would decide on a penalty in cases of environmental violations such as reports not being submitted or information not provided when demanded.
However, in case of serious violations which lead to grievous injury or loss of life, they shall be covered under the provision of Indian Penal Code, 1860 read with Section 24 of EP Act. Funds collected as penalties would be accrued in an "Environmental Protection Fund".
In case of contraventions of the Act, the penalties could extend to anywhere from ₹5 lakh to ₹5 crore, the proposal notes.
The Ministry has sought comments from the public on its proposals until July 21.
The removal of prison terms also applies to the Air Act, that is the cornerstone legislation for dealing with air pollution, and the Water Act, which deals with violations to water bodies.
An analysis by the Centre for Science and Environment found that Indian courts took between 9-33 years to clear a backlog of cases for environmental violations.

Editorial

Indian aviation needs a strong and steady tailwind (Page no: 6)
(GS Paper 3, Economy)
Around four decades ago, India had two television channels — Doordarshan One and Doordarshan Two. A programming highlight was a popular R.K. Laxman cartoon.
On channel one, there was programming on Indira Gandhi and when a viewer got bored, he switched to the other channel, which had programming on Sanjay Gandhi, her second son and a politician who mattered then.
There were only two car companies, manufacturing the Ambassador and the Fiat Premier Padmini; two motorcycle and two scooter companies, that made the Enfield India and Ideal Jawa bikes, and the Bajaj and Lambretta scooters, respectively; one telephone company, two airlines, Air India and Indian Airlines, and a bunch of crumbling public sector airports.
Then came some change. Thanks to the far-sighted reforms ushered in by P.V. Narasimha Rao, who was ably assisted by Manmohan Singh, and carried forward during the Rajiv Gandhi and Atal Bihari Vajpayee eras and also subsequent governments.
India now has over 500 television channels, more than 20 automobile and 15 two-wheeler manufacturers, a revolution and proliferation in the cellphone sector (but now in danger of becoming a duopoly), and a plethora of pharmaceutical companies.
The country is a pioneer and world leader in vaccine production and a mighty nation in software and financial services, which are the envy of the rest of the world for innovation and being low cost. But there is also a twist to this tale. There are a number of airline companies, but they are struggling.
The reforms that opened up the aviation sector in 1991 and ended the licence raj and the monopoly of Indian Airlines and Air India changed the sector.
A slew of private sector airlines were given the licence to fly, but two, Jet Airways and Sahara, survived, resulting in cartelisation.

Handcuffing, a judicial tap, and the long arm of the law (Page no: 6)
(GS Paper 2, Governance)

Recently, the Karnataka High Court passed a verdict on handcuffing, which is significant. In Suprit Ishwar Divate vs The State of Karnataka, while awarding two lakh rupees as compensation for handcuffing an accused, without recording the reasons in the police case diary, it gave liberty to the state to recover the amount from the delinquent police officer.

Principles of handcuffing

The High Court held that an accused, in normal circumstances, need not be handcuffed on arrest. It is only under exceptional circumstances (such as the possibility of escape and/or the possibility of causing harm to himself or others), that handcuffing an accused can be resorted to.

Further, when there is such handcuffing, the arresting officer must record the reasons, which then would have to stand judicial/court scrutiny.

The petitioner in this case was a law student against whom five criminal cases had been filed for offences under the Negotiable Instruments Act, 1881 for the dishonour of cheques. He had been arrested in furtherance of a non-bailable warrant issued by a magistrate.

There can be three occasions when a person can be (legally) handcuffed, i.e., an accused on his arrest and before he is produced before the magistrate; an under-trial prisoner during transit from jail to the court and back; and a convict being transported from jail to the court and back.

The law with regard to handcuffing was settled in 1980 when the Supreme Court of India, in Prem Shankar Shukla vs Delhi Administration, held that 'the only circumstance which validates incapacitation by irons — an extreme measure — is that otherwise there is no other reasonable way of preventing his escape'.

OPED

Helping Sri Lanka more meaningfully (Page no: 7)
(GS Paper 2, International Relations)

The economic crisis in Sri Lanka has significantly reduced incomes, reduced the availability and affordability of food and thus increased the risk of food insecurity, particularly of the most vulnerable households.

Lower income groups and war-affected families in the north and east have little or no cash reserves, and limited access to resources such as land.

The problem is more acute among women-headed households, people with disabilities, former combatants, the working class, marginalised caste groups and plantation workers who, due to multiple historical injustices such as discrimination and statelessness, have been systemically denied access to resources.

These groups, who have been exposed to immediate shocks amid long-term stresses, will bear the brunt of the economic crisis as food stocks deplete and production costs soar.

The depreciating Sri Lankan rupee and the lack of foreign exchange have made it enormously difficult for the island to import even the most basic essentials, including food and medicines.

As a consequence, the cost of staple food items such as rice, bread and daal have increased by over 50% in the last six months alone.

India has emerged as the foremost partner for Sri Lanka at this time. It has provided assistance of about $3.5 billion this year to manage the shock caused by this economic catastrophe, compounded by the government's incompetence, mismanagement and corruption.

As Sri Lankans receive food aid from Tamil Nadu with gratitude, some questions about the transparency and impartiality of the government's distribution of the same have already arisen.

Meanwhile, there is a need for more thoughtful assistance to the people, especially the poor, who will only be worse off in the coming months.

Some also fear that they might be left out of the government's recovery efforts, led by an International Monetary Fund programme that will likely prescribe austerity.

The way to control tuberculosis (Page no: 7)
(GS Paper 2, Governance)

Tuberculosis is the worst among endemic diseases, killing 1.5 million people every year (WHO). TB affects adults in their most productive years and therefore impoverishes the family and the nation. In India, the TB capital of the world, the disease kills some 1,400 persons every day. These are gross estimates, for our health management system has no method to count the exact numbers.

In the 1950s and ’60s, India was the global leader in research in epidemiology, transmission and domiciliary treatment of TB. The National TB Control Programme of 1962 was a district-based one with public-private participation.
However, upscaling the model proved unsuccessful and the programme failed to control TB. With that we lost self-confidence and began doing what we were told to do by the WHO under the Revised National TB Control Programme (RNTCP).
WHO experts, without factoring in the differences between the TB epidemiology of poor and rich countries, used a theoretical construct of TB control to design RNTCP. By 2018, India realised that light at the end of the tunnel was still elusive.
There are obvious flaws in the RNTCP. First, for a programme that is heavily funded by the government, there is no prescribed method of monitoring the trajectory of TB control. Contrast this with the National AIDS Control Programme.

Before the National AIDS Control Organization was established, the Indian Council of Medical Research-managed AIDS Control Task Force had a unique method of monitoring the control trajectory, popularly called ‘sentinel surveillance’.
Through it, we have data on infection prevalence that can be compared across years, starting from 1986 to date. There was pressure from WHO experts to abandon it, but credit must be given to Dr. Sriram P Tripathy, the then Director General of ICMR, for politely but firmly refusing to oblige.
Recently India confronted the WHO’s estimates on COVID-19 deaths in India. That the government could publicly stand up to WHO was a good sign. We must now boldly point out the flaws of the WHO-designed RNTCP and design our own comprehensive strategy.

Explainer

The relentless march of FPIs to the exit gate (Page no: 8)
(GS Paper 3, Economy)
The story so far: Foreign Portfolio Investors (FPIs) have been on a selling spree in India. June 2022 witnessed the worst sell-off since March 2020 — when India announced a nationwide lockdown — at ₹50,000 crore.
This comes on the back of May’s sell-off figures of about ₹44,000 crore. June was also the ninth on the trot that FPIs had sold net of their assets — ie, sold more than they had purchased.
Their selling actions have triggered a significant decline in benchmark indices, resulting in a drop in market capitalisation of companies.
Foreign portfolio investors are those that invest funds in markets outside of their home turf. Their investments typically include equities, bonds and mutual funds.
They are generally not active shareholders and do not exert any control over the companies whose shares they hold. The passive nature of their investment also allows them to enter or exit a stock at will and with ease.
Promise of attractive returns on the back of economic growth draws investors including FPIs into a country’s markets. For example, as per data from the National Securities Depositories Ltd. (NDSL), FPIs brought in about ₹3,682 crore in 2002. This grew to ₹1.79 lakh crore in 2010.
This correlates with the concurrent expansion of economic output in that period, despite the 2008 global financial crisis which saw FPI sell-offs in that time-frame in the country. The year 2017 saw FPI inflows exceed ₹2 lakh crore.
Likewise, FPIs withdrew ₹1.18 lakh crore in March 2020 alone — the month when India announced a nationwide lockdown, triggering concerns around economic growth. In tandem, benchmark stock index Sensex fell from 42,270 in February 2020 to 25,630 in March 2020.
FPIs also show keenness to invest in bonds when there is a favourable differential between the real interest rates on offer in the country they aim to invest in, and other markets, but more specifically, compared with the largest economy in the world, the U.S.

The status of China’s Belt and Road Initiative in South Asia (Page no: 8)
(GS Paper 2, International Relations)
The story so far: At the recently concluded summit of G7 leaders in Germany, United States President Joe Biden and his allies unveiled their $600-billion plan called the Partnership for Global Infrastructure and Intelligence (PGII) to build infrastructure projects in developing and middle-income countries. This is being seen as a counter to China’s Belt and Road Initiative (BRI), valued at a trillion U.S. dollars by some experts.
When asked about the Chinese government’s response at a press conference, Zhao Lijian, spokesperson of the country’s Foreign Ministry, defended the BRI, countering the narrative that it is a debt trap.

Citing a World Bank forecast, he said, “If all BRI transport infrastructure projects are carried out, by 2030, the BRI will generate $1.6 trillion of revenues for the world each year, or 1.3 per cent of global GDP”.
In 2013, Chinese President Xi Jinping, during his visits to Kazakhstan and Indonesia, expressed his vision to build a Silk Road Economic Belt (SERB) and a 21st Century Maritime Silk Road (MSR), to break the “bottleneck” in Asian connectivity.
The initiative envisioned a Chinese-led investment of over $1 trillion in partner countries by 2025. More than 60 countries have now joined BRI agreements with China, with infrastructure projects under the initiative being planned or under construction in Asia, Africa, Europe, and Latin America.
In recent years, the BRI seems to have experienced a slowing down as annual Chinese lending to countries under the initiative slimmed from its peak of $125 billion in 2015 to around $50 to 55 billion in 2021.
In recent years, multiple countries have renegotiated their loans with China, especially countries that were thrown into economic crises induced by the pandemic.

World

Sweden, Finland sign protocol to join NATO, await ratification (Page no: 13)
(GS Paper 2, International Relations)
NATO's 30 allies signed an accession protocol for Finland and Sweden to allow them to join the nuclear-armed alliance once allied Parliaments ratify the decision, the most significant expansion of the alliance since the mid-1990s.
“This is truly an historic moment,” NATO Secretary-General Jens Stoltenberg said alongside the Foreign Ministers of the two countries. “With 32 nations around the table, we will be even stronger.”
The protocol means Helsinki and Stockholm can participate in NATO meetings and have greater access to intelligence but will not be protected by the NATO defence clause that an attack on one ally is an attack against all until ratification.
NATO’s 30 Ambassadors and Mr. Stoltenberg stood together for a photo in which the Foreign Ministers of Sweden and Finland held up their signed protocols, before breaking out into applause.
“Thank you for your support! Now the process of ratification by each of the allies begins,” Swedish Foreign Minister Ann Linde said on Twitter. “Look forward to working together in ensuring our collective security.”
However, Turkey’s President Recep Tayyip Erdogan warned on last Thursday at a NATO summit in Madrid that said Finland and Sweden must first keep the promises made to Turkey in a deal or ratification will not be sent to the Turkish Parliament.
After weeks of diplomacy, Mr. Erdogan and his Finnish and Swedish counterparts agreed on a series of security measures to allow the two Nordic countries to overcome the Turkish veto that Ankara imposed in May due to its concerns about terrorism.
According to the signed memorandum, Finland and Sweden pledged not to support the Kurdish militant PKK and YPG groups or the network of U.S.-based cleric Fethullah Gulen, which Ankara says staged a 2016 coup attempt and which it labels a terrorist organisation with the acronym FETO.