

UPSC CURRENT AFFAIRS NOTES 19-10-2023

Ethics Committee in Parliament

Recently, the Lok Sabha Speaker referred the complaint against a sitting member of parliament to the House Ethics Committee.

About Ethics Committee in Parliament:

The genesis of formation of the Ethics Committee in Parliament can be traced to a resolution adopted at the Presiding Officers Conference held in New Delhi in October, 1996.

- Each house of the parliament has its own ethics committee.
- Ethics committee in Lok Sabha
- It was first constituted in 2000.

Composition:

It consists of not more than fifteen members and nominated by the Speaker.

Term:

- They shall hold office for a term not exceeding one year.
- Ethics committee in Rajya Sabha
- It was constituted in 1997.

Composition:

It consists of 10 members nominated by the Chairman of Rajya Sabha.

Term: They shall hold office for a term not exceeding one year.

Functions

To oversee the moral and ethical conduct of the Members;

To examine the cases referred to it with reference to ethical and other misconduct of the Members.

Any person or member may make a complaint relating to unethical conduct of a member to the committee.

In the case of the Ethics Committee only an MP can be examined for misconduct.

Impact of a SC Order on Telcos' Licence Fee Tax

The Supreme Court of India has held that payment of entry fee as well as variable annual licence fee made by telcos will be considered capital expenditure and not revenue expenditure and taxed accordingly.



In a blow to telecom companies in the country, the decision could bring in additional tax liabilities (~\$1 billion in the current fiscal year) for them - especially for older telcos Bharti Airtel and Vodafone Idea.

Disposing an appeal by the Income Tax Department, a Division Bench of the SC held that

The payment of entry fee as well as the variable annual licence fee paid by the respondents-assesses to the DoT (Department of Telecommunication) under the (New Telecom) Policy of 1999 are capital in nature, and

May be amortised in accordance with Section 35ABB of the (Income Tax) Act.

This essentially means that instead of deducting the entire expenditure all at once, the company will need to deduct a portion of the total fee over each year for tax purposes.

As part of its judgement, the top court also set aside a Delhi HC order that categorised licence fees before and after July 31, 1999, differently, as capital expense and revenue expense, respectively.

As per the National Telecom Policy 1999, telecom operators had to pay a one-time licence fee to start operations, along with a yearly licence fee based on their annual turnover.

This was in contrast to the earlier policy, wherein they had to pay licence fee in one go.

The SC noted that the migration to the 1999 telecom policy (from 1994 policy) and variable nature of payments, does not change the licence fee's essence.

How will the Order Impact Telcos?

Currently, telecom companies treat licence fees as an expense, claiming deductions on account of variable licence fees on a year-to-date basis for computing their tax liability.

After the judgement, the licence fee would have to be treated as a capital expense, with a provision for amortisation of the licence fee over the licence period.

Prima facie, the accounting change would lead to higher EBITDA/PBT and lower cashflow on higher tax outgo initially, but would likely even out over the licence holding period.

EBITDA is an acronym for Earnings Before Interest, Taxes, Depreciation, and Amortisation. PBT stands for Profit Before Tax.

They usually show how the net profit of the company stands reduced due to the impact of Interest, Depreciation, and Tax.

Concerns Regarding the SC Order:

The various telecom operators who have incurred substantial expenses to obtain a licence will have to revisit the position taken with respect to the deductibility of the expense.

The disallowance of the expenses would adversely impact the companies which are already suffering a huge loss.

The SC's order has not clarified whether the changes to the accounting structure will have to be made on a retrospective basis.

According to the Kotak report, the income tax authorities are expected to raise demand for the shortfall in tax payment for the prior period, along with applicable penalties.

Telecom companies are likely to file a review petition and the actual tax liability could get delayed.

General Provident Fund

The Department of Personnel and Training (DoPT) recently issued a letter explaining the procedure retiring AIS officers on central deputation can follow to claim GPF.



About the General Provident Fund (GPF):

It is a type of provident fund account that is available only for government employees in India.

The primary objective of this fund is to provide a dependable source of retirement income for government employees.

It allows government employees to accumulate savings over their employment tenure.

Eligibility:

The following are eligible to subscribe to a GPF account:

All temporary government servants who have given their service continuously for one year

All re-employed pensioners (except those eligible for admission to the contributory provident fund)

All permanent government servants

A private sector worker is not eligible for the General Provident Fund

Contribution:

It is a mandatory scheme for government employees, requiring them to contribute a certain percentage of their salary towards the fund.

The contributions are deducted from the employee's monthly salary, and the amount earns interest at a predetermined rate.

Employees can also increase the GPF deductions as per their choice.

Withdrawal:

Employees can withdraw their savings from the fund upon retirement or resignation from service.

A GPF is flexible, allowing employees to withdraw money from the fund for various reasons, such as marriage, education, and medical emergencies.

Employees can also take out loans against their GPF account, subject to certain conditions.

Employees who transfer to another government department or leave their job can withdraw their GPF balance or transfer it to their new employer.

The GPF sum will be paid to their nominee if the employee passes away.

It also offers a competitive interest rate, revised quarterly.

The GPF scheme is administered by the Department of Pension and Pensioners' Welfare, falling under the Ministry of Personnel, Public Grievances and Pensions.

This scheme offers several benefits to government employees, including tax savings, low-risk investments, and guaranteed returns.

The Indian Himalayan Region Needs Its Own EIA

Recent Teesta dam breach in Sikkim and floods and landslides in Himachal Pradesh are a stark reminder of the havoc India's development model is wreaking on environment and ecology especially in the mountains.

Therefore, it is imperative to assess the worthiness of any significant human endeavour in terms of its impact on the environment.

Environment Impact Assessment (EIA)

This is a process defined by the UN Environment Programme (UNEP) as a tool to identify the environmental, social, and economic impacts of a project before it is implemented.

This tool compares various alternatives for the proposed project, predicts and analyses all possible environmental repercussions in various scenarios.

The EIA also helps decide appropriate mitigation strategies.

Basis of an EIA

The EIA process would need comprehensive, reliable data and would deliver results only if it is designed to seek the most appropriate, relevant, and reliable information regarding the project.

Hence, the base line data based on which future likely impacts are being predicted are very crucial.

A Background of EIA Mechanism in India.

Precursor to the EIA

In India, a precursor to the EIA began in 1976-77 when the Planning Commission directed the Department of Science and Technology to assess the river valley projects from the environmental point of view.

It was later extended for all those projects that required approval from the Public Investment Board.

Environment clearance then was just an administrative decision of the central government.

First EIA Notification

On January 27, 1994, the Union Ministry of Environment, Forests and Climate Change (MoEF&CC) under the Environment (Protection) Act 1986 (EPA), promulgated the first EIA notification.

It made Environmental Clearance (EC) mandatory for setting up some specified new projects and also for expansion or modernisation of some specific activities.

EIA Notification, 2006

The notification of 1994 saw 12 amendments in 11 years before it was replaced by the EIA 2006 notification.

The hallmark of the 2006 notification was the decentralisation of the process of EC.

State governments were also given powers to issue EC in certain cases. The 2006 notification has also been amended, in the name of fine-tuning the process several times.

The EIA 2006 notification lays down the procedure as well as institutional set-up to give environmental clearance for the projects that need such clearance as per this notification.

Only projects enumerated in the schedule attached to the notification require prior EC.

Draft 2020 Notification

The MoEF&CC floated a draft EIA in 2020 for public comments.

The draft faced backlash and was criticised as it was perceived to be pro industry and compromising the ecological concerns.

Problems Associated with India's EIA Notifications

Threshold Limits Required are Same Across the Country

This notification has categorised projects under various heads such as mining, extraction of natural resources and power generation, and physical infrastructure.

Unfortunately, the threshold limits beyond which EIA is warranted for all these projects is the same across the country.

No Emphasis on Special Needs of Indian Himalayan Region (IHR)

Despite all levels of government being acutely aware of the special needs of the IHR, the region's vulnerabilities and fragility have not been considered separately.

While some industries mentioned in the schedule to the notification cannot be set up in the IHR States due to the industrial policies of the respective States, other industries and projects have to meet the same threshold in the rest of the country.

Even the draft 2020 notification which was floated for public discussion does not treat the IHR differently than the rest of the country and is not cognisant of the special developmental needs of IHR

Factors Ailing the India's EIA Mechanism

Flawed Graded Approach of EIC Notification, 2006

The Indian regulatory system uses a graded approach, a differentiated risk management approach.

It depends on whether a project is coming up within a protected forest, a reserved forest, a national park, or a critical tiger habitat.

The strictness of environmental conditions proposed in the terms of references at the scoping stage of the EIA process is proportionate to the value and sensitivity of the habitat being impacted by the project.

One unfortunate miss from this graded approach for differentiated risk management has been the IHR.

No Regulator at the National Level

There is no regulator at the national level, as suggested by the Supreme Court of India in 2011 in Lafarge Umiam Mining vs Union of India.

The Judgement suggested to carry out an independent, objective, and transparent appraisal and approval of the projects for ECs and to monitor the implementation of the conditions laid down in the EC.

EIA Process is Reactionary

The EIA process now reacts to development proposals rather than anticipate them.

As they are financed by the project proponent, there is an inclination in favour of the project.

Does Not Consider Cumulative Impact: The process now does not adequately consider cumulative impacts as far as impacts caused by several projects in the area are concerned.

Box Ticking Approach

In many cases, the EIA is done in a box ticking approach manner as a mere formality that needs to be done for EC before a project can be started.

The consequences of all these limitations are amplified in the IHR as on top of the inherent limitations of the process, the EIA process is not at all cognisant of the special needs of the IHR.

Way Forward

Place the IHR's Vulnerability and Fragility at the Centre of EIA

While categorising projects it is important that the impacts of all such projects and activities are seen in the IHR in the context of this region's fragility and vulnerability.

Himalayas are inherently vulnerable to extreme weather conditions such as heavy rains, flash floods, and landslides and are seismically active.

Climate change has added another layer of vulnerability to this ecosystem.

Address the Special Needs of IHR

The needs of these mountains could be addressed at all four stages of the EIA (screening, scoping, public consultation, and appraisal).

The four stages will be effective if projects and activities requiring EC in mountainous regions are made proportionate with the ecological needs of this region.

Introduction of a Liability Clause for Projects in IHR

General conditions mandated for all projects at the end of the notification could also have had a clause about the IHR or mountains above a certain altitude, or with some specified characteristics that could increase the liability of the project proponent.

Conclusion

The increasing frequency with which the Himalayan States are witnessing devastation every year after extreme weather conditions shows that the region is already paying a heavy price for this indifference.

If used diligently, the EIA could be the most potent regulatory tool in the arsenal of environmental governance to further the vision of sustainable development in the country.

1023 Fast Track Special Courts (FTSCs) to be set up to ensure safety & security of women and girl child

Ensuring the safety & security of women and girl child, the Department of Justice is implementing a Centrally Sponsored Scheme, to set up 1023 Fast Track Special Courts (FTSCs) including 389 exclusive POCSO Courts across the nation for expeditious trials relating to Rape & POCSO Act cases.



AMAZON RIVER



The Amazon River fell to its lowest level in over a century on Monday at the heart of the Brazilian rainforest as a record drought upended the lives of hundreds of thousands of people and damaged the jungle ecosystem.

Rapidly drying tributaries to the Amazon have stranded boats, cutting off food and water supplies to distant settlements, while high water temperatures are suspected of killing over 100 endangered river dolphins.

About Amazon River

It is the world's largest river in terms of both water volume and width.

After the Nile, it is the world's second-longest river.

Course:

Its excursion begins in the Andes Mountains, high in the Andes.

The river then flows east for thousands of kilometers through jungles and lowlands before emptying into the Atlantic Ocean on Brazil's northeastern coast.

Distance: 6,400 kilometers

Width: During the dry season, the Amazon River's width can range from 4 km to 5 km in some areas, while during the wet season, it can reach 50 km.

Drainage:

It has the greatest drainage area of any river system.

Its watershed borders Brazil, Peru, Ecuador, Colombia, Venezuela, and Bolivia.

Brazil has almost two-thirds of the Amazon's mainstream and by far the majority of its basin.

Water Discharge:

At a rate of 300,000 m³ per second, the Amazon discharges large amounts of freshwater into the Atlantic Ocean.

It accounts for one-fifth of all freshwater entering the world's oceans.

Tributaries of this river

It contains about 1,100 tributaries, seventeen of which are more than 1,500 kilometers long.

Among the numerous notable tributaries are the Rio Negro, the Madeira River, and the Xingu River.

The Amazon Rainforest, which accounts for almost half of the world's remaining rainforest, is also the planet's single biggest storehouse of biological resources.

It is known as the "lungs of the Earth" because of its significance in regulating the planet's oxygen and carbon cycles.

'IRON BEAM' MISSILE DEFENCE SYSTEM

Israel tested its new laser-based 'Iron Beam' missile defence system.

All you need to know about the Iron Beam

The system is designed to destroy short-range rockets, artillery, and mortar bombs.

The system could also intercept unmanned aerial vehicles (UAVs).

It has a range of up to 7 km.



Iron Beam constitutes the sixth element of Israel's integrated missile defense system, in addition to Arrow 2, Arrow 3, David's Sling, and Iron Dome.

Iron Beam uses a fiber laser to generate a laser beam to destroy an airborne target.

The main benefits of using a directed energy weapon over conventional missile interceptors are lower costs per shot, an unlimited number of firings, lower operational costs, and less manpower.

There is also no interceptor debris to fall on the area protected.

Directed-Energy Weapon

A directed-energy weapon (DEW) is a ranged weapon that damages its target with highly focused energy without a solid projectile, including lasers, microwaves, particle beams, and sound beams.

Potential applications of this technology include weapons that target personnel, missiles, vehicles, and optical devices.

Operational advantages

Directed energy weapons could have several main advantages over conventional weaponry:

Directed-energy weapons can be used discreetly; radiation does not generate sound and is invisible if outside the visible spectrum.

Light is, for practical purposes, unaffected by gravity, windage, and Coriolis force, giving it an almost perfectly flat trajectory. This makes aim much more precise and extends the range to line-of-sight, limited only by beam diffraction and spread (which dilute the power and weaken the effect), and absorption or scattering by intervening atmospheric contents.

Lasers travel at light speed and have long range, making them suitable for use in space warfare.

Laser weapons potentially eliminate many logistical problems in terms of ammunition supply, as long as there is enough energy to power them.

Depending on several operational factors, directed-energy weapons may be cheaper to operate than conventional weapons in certain contexts

Conventional Weapons	Directed-Energy Weapons
Readily available with reloading	May have to wait to recharge between uses
Inoperable when ammunition depletes	Can always operate when power is available
Heavy ammunition – limits aircraft maneuverability (reduces loiter time)	Lightweight – allows for aircraft maneuverability (increases loiter time)
Reliable and reputable	New and untested
Expensive ammunition	Expensive R&D, but no ammunition cost
About 1 mps for bullets and 2 mps for missile ¹⁶	About 186,000 mps (speed of light)
Generally less discriminate (less precision)	Generally more discriminate (precise accuracy)

Augmented Zoonotic Diseases Surveillance

National Conclave on “Augmented Zoonotic Diseases Surveillance at Human – Wildlife Interface” & National Conclave for Endorsement of “National Action Plan for Prevention and Control of Snakebite Envenoming” to Stakeholders

Zoonotic disease is one of the areas of concern which is affecting the humans as well as the animal health. 75% of newly emerging infectious diseases that have affected people over last three decades are zoonotic in nature: Shri Sudhansh Pant

“It is important to address diseases from both human and animal perspective as most emerging infectious diseases are a result of changing human-animal interface and their shared environment. This interconnectedness highlighted the need for a One Health approach”

Delegates endorse Inter – Ministerial One Health Support Statement on “National Action Plan for Prevention and Control of Snakebite Envenoming”

Technical Documents on Rabies Helpline, Medically Important Snakes in India and Zoonotic Diseases Prevention, Preparedness and Response launched

“Zoonotic disease is one of the areas of concern which is affecting the humans as well as the animal health. 75% of newly emerging infectious diseases that have affected people over last three decades are zoonotic in nature. The limited knowledge and skill to identify zoonotic diseases, coupled with limited diagnostic facilities at all levels has resulted in neglect of the infectious diseases due to zoonotic pathogens.”

This was stated by Union Health Secretary, Shri Sudhansh Pant while delivering the keynote address at the National Conclave on “Augmented Zoonotic Diseases Surveillance at Human – Wildlife Interface” and National Conclave for Endorsement of “National Action Plan for Prevention and Control of Snakebite Envenoming” to Stakeholders, organized by Centre for One Health, National Centre for Disease Control (NCDC), here today.