



# Conquer Mains Challenge - Day 4

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## GS-1:

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**Related Syllabus:** Salient features of Indian Society, Diversity of India; Social empowerment; Poverty and developmental issues.

### **SC/ST Atrocities Act:**

#### **Why in News?**

The government is planning to bring an ordinance to overturn the Supreme Court verdict putting safeguards on arrests under the SC/ST (Prevention of Atrocities) Act and subsequently introduce a bill to insulate it from further judicial scrutiny.

In its March 20 order, the apex court had laid down new guidelines for police officers on how to ensure that innocent people, especially public officials, are protected from false complaints under the act. The “dilution” triggered massive protests by various Dalit and political outfits.

#### **SC/ST Act:**

The Scheduled Castes and Tribes (Prevention of Atrocities) Act is popularly known as POA, the SC/ST Act, the Prevention of Atrocities Act, or simply the Atrocities Act. The SC/ST Act was enacted on September 9, 1989. The rules for the Act were notified on March 31, 1995.

The SC/ST Act **lists 22 offences** relating to various patterns or behaviours inflicting criminal offences and breaking the self-respect and esteem of the scheduled castes and tribes community. This includes denial of economic, democratic and social rights, discrimination, exploitation and abuse of the legal process.

According to the SC/ST Act, **the protection is provided from social disabilities** such as denial of access to certain places and to use customary passage, personal atrocities like

forceful drinking or eating of inedible food sexual exploitation, injury etc, atrocities affecting properties, malicious prosecution, political disabilities and economic exploitation.

For speedy trial, **Section 14 of the SC/ST Act** provides for a Court of Session to be a Special Court to try offences under this Act in each district.

**The prime objective of the SC/ST Act** is to deliver justice to marginalised through proactive efforts, giving them a life of dignity, self-esteem and a life without fear, violence or suppression from the dominant castes.

### **The Court Ruling:**

On March 20, the Supreme Court banned **automatic arrests and registration of criminal cases under the SC/ST Act**, triggering widespread criticism and outcry from the dalit community.

The apex court said **public servants can't be prosecuted without the approval of the appointing authority**, and private citizens too should be arrested only after an **inquiry under the law**.

It further ruled that **preliminary inquiry in a case under the Act would be conducted by the Deputy Superintendent of Police** to ensure the allegations are not frivolous.

The amendment in the law was a bid to protect honest public servants discharging bona fide duties from being blackmailed with false cases under the Act.

### **Why Supreme Court thought it necessary to amend the Act?**

- Supreme court gave the judgement on the pretext that **Innocents cannot be terrorised by the provisions of the SC/ST Act** and their fundamental rights need to be protected.
- **Article 21 of the Constitution** equally applies to all the citizens and none of the provisions of SC/ST Act has been diluted.
- **Enough safeguards are provided** so that interests of the innocents are protected from being arrested and false cases are not encouraged.
- The reasons behind the low conviction, which is 15%, is because **cases are registered without proper investigation** and a simple accusation leads to an FIR which does not stand scrutiny in a court of law. This exercise is a way to harass people and is a complete waste of time of both the police and the court.
- **More cases under the Act are filed in rural areas** as opposed to urban areas where caste identities are blurred. It is easier to falsely implicate people in rural areas. So protection to all citizens is necessary.

### **Concerns raised over dilution of the Act:**

- **Given the upper-caste control of the law and order machinery**, conviction rates in caste-related crimes will be low.
- Dilution of the act will result in **increasing of atrocities against Dalits** and also create a rift in the society.
- Many incidents happen that don't get reported under the Act because **people who aren't educated don't even know it exists**.
- **Most Dalits do not register cases** for fear of retaliation by higher castes.
- Experts say that the **judgment effectively neutralises the Act** which provided some sense of protection to hapless people against oppressive societal prejudices.
- There are studies, such as one by the Centre for Social Justice, Ahmedabad, which have exposed how **cases of atrocities result in acquittal** due to the anti-Dalit attitude of the law enforcement.

**Indian Constitution, Indian Parliament, and various state legislatures have stringent provisions against atrocities targeting SCs or STs:**

#### **Indian Constitution:**

- **Article 17** seeks to abolish 'untouchability'. the institution of 'untouchability' refers not just to the avoidance or prohibition of physical contact but to a much broader set of social sanctions.
- **Article 46** - promote the educational and economic interests of SCs, STs, and other weaker sections of the society and to protect them from social injustice and exploitation.
- **Article 338** - National Commission for Scheduled Castes. Its functions include among others: investigate and monitor all matters relating to the constitutional and other legal safeguards for the SCs and to evaluate their working; inquire into specific complaints with respect to the deprivation of rights and safeguards of the SCs.
- **Article 338-A** - National Commission for Scheduled Tribes. Its functions are same as that of NCSC, but with respect to ST than SC.

#### **State Actions:**

- **Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act**, 1989 and Rules, 1995
- **Thoratt committee 2007** - first ever committee constituted to study caste discrimination in higher education sector.

#### **What needs to be done?**

Existence of The SC/ST Act and the SC/ST Amendment Act is a testament to Dalit agency in a heavily casteist society, and a powerful affirmation of the community's faith in the Indian Constitution.

The problem with this law is not its supposed misuse but the **inability of India's criminal justice system to recognize its own casteist biases**. In a society seeped in caste, no institution can claim immunity from casteist prejudices or mindset. We need to acknowledge the social matrix of

jurisprudence in India, which is caste.

***Flow of Thoughts:***

- Features of SC/ST Act.
- Why the Court is in favour of dilution?
- Concerns raised over dilution.
- What can be done?

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**GS-2:**

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***Related Syllabus:***

- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.
- Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.

***Ujjwala Revolution:***

***Why in News?***

The Pradhan Mantri Ujjwala Yojana (PMUY) has completed two years of operation. During this time the number of LPG connections has crossed 4 crore, and LPG penetration in India has risen from 56% in 2014 to 80%.

***What is Ujjwala Scheme- key features of the scheme?***

PMUY is a welfare scheme being **implemented by the Ministry of Petroleum and Natural Gas to provide LPG connections to families below the poverty line.**

**Identification of beneficiaries:** Socio-Economic Caste Census (SECC) is used to identify

the beneficiaries (adult woman of a BPL family) and is given a deposit free LPG connection with a **financial assistance of Rs.1600 per connection by the centre.**

**Target:**Initially the target was installation of 5 crore new LPG connections by 2019. Target revised to 8 crore- to be achieved by 2019-20.

**LPG Panchayats:**LPG Panchayat serves as platform for interaction between those who received LPG cylinders under PMUY. It aims to raise awareness among LPG users about proper use of clean fuel and its advantages.

### ***Why do we need this scheme? What are the benefits and who are the beneficiaries?***

**To ensure universal access:**Poor households have limited access to cooking gas (LPG). The use of LPG has been mainly concentrated in urban and semi-urban areas with the coverage mostly in middle class and affluent households. The lack of access to affordable cooking gas has led to use of unclean cooking fuels such as cow dung, wood, low quality coal, etc.

**Reduce environmental pollution:**Household air pollution also leads to outdoor air pollution. Solid cooking fuel emits large amount of green-house gases in the atmosphere.

**Eliminate health hazards:**According to WHO report, in India, nearly 5 lakh deaths in a year are caused by unclean cooking fuels. Large number of people suffers from a range of respiratory illness. The household air pollution is responsible for a significant number of respiratory illness among the children. Providing clean cooking fuels to all can be a cost-effective health intervention.

**Empowering Women:**Collection and use of fuels for cooking impacts the time use of women and increase drudgery. Thus, providing affordable cooking gas will help in reducing the drudgery and empower women.

### ***What are the challenges ahead?***

**Affordability and Inactive gas cylinders:**Though the number of LPG connections has increased significantly, the consumption of LPG rose from 9% to 9.8% from 2015-16 to 2016-17. This is primarily because many people with new connection are not refilling their cylinders after the first use. This is primarily because not only installing charges but refilling charges of LPG cylinders is considered to be very high.

**Issues with LPG distribution:**The number of distributors is not at par with increasing number of LPG consumers. From April 2016 and January 2018, the total number of distributors increased only by 9%. The long waiting time to get a refill for an empty LPG cylinder is a major impediment to LPG adoption.

**Safety Issues:** More than 90% of the households of the targeted beneficiaries do not meet the safety parameters required for installing an LPG connection. Further OMCs only provide insurance, but no mediclaim policy in case of any unfortunate incidents.

**Identification of Beneficiaries:** There have been concerns raised on identification of BPL households on the basis of SECC database. The concerns mainly surround the probable errors and reliability of the SECC data. Further, concerns have been raised over probable pressures from the oil-marketing companies (OMCs) to meet and exceed targets. This might result in dilution in the process of beneficiary identification processes

**Low awareness:** A major issue is low awareness with regard to advantages of LPG as a cooking fuel. Further, the lack of familiarity in operating LPG gas stoves is another issue hindering LPG adoption.

**Issues with data:** LPG connection data is available only at state-level and not at district-level. This makes assessment of the progress of the scheme difficult. Further, the data on rate of LPG consumption is not reported by all States in a regular basis. The available information depicts only average estimate for consumption for one year from the date of release of the connection. Service quality related and safety related information is not available publicly.

### **Necessary Reforms:**

**Increased transparency:** There should be **proper monitoring** of PMUY and Information should be published at regular intervals. Data on service quality related and safety related issues should be assessed

Since high recurring price associated with LPG remains a major challenge, subsidies should be provided to economically backward households for subsequent refills. The focus should not be on increasing number of connections but **ensure sustained use of LPG.**

**Strengthening the network:** The network of LPG distributors should be strengthened to ensure timely availability of LPG cylinders. Number of LPG distributors should be increased to reach rural consumers. Further LPG distributors should be made accountable for timely distribution and ensuring safety.

**Increasing awareness:** Consumer grievances handling systems should be constituted. Safety parameters required for installing LPG connections should be met before installation of LPG connections. Citizens should be aware on advantages of LPG use, operation of LPG gas stoves and on safety measures.

### **Conclusion:**

Energy use is a key indicator as well as a key tool for development. Energy use should not only be cost-effective but also environmentally sustainable. In this regard it is imperative for India to evaluate the current fuel choices and, seek to diversify its fuel choices, according to the need for and availability of fuels, in an area.

Affordable, reliable and clean energy for cooking is essential **not only for reducing health and environmental impacts but also helping women to do more productive work and developing the rural economy.**



### **Add- ONs for Mains:**

Another reform that equally deserves applaud is **“Give it Up” scheme**. It is truly a social revolution that is happening in the country. More than one million people have given up there subsidy voluntarily since the “Give it up” initiative started. With this it is possible that government can use these voluntary resources for synergising other schemes that are cash strapped or require more funds.

### **Flow of Thoughts:**

- Highlight the features of Ujjwala Scheme.
  - Why do we need such a scheme?
  - Challenges involved in universal inclusion.
  - Suggest the reforms necessary for making the scheme universally accessible.
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### **GS-3:**

#### ***Related Syllabus:***

Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Conservation, environmental pollution and degradation, environmental impact assessment.

### ***Groundwater crisis:***

#### ***Why in News?***

The World Bank has approved Atal Bhujal Yojana (ABHY), a Rs.6000 crore Central Sector Scheme of the Ministry of Water Resources, River Development and Ganga Rejuvenation.

However, increasing crisis of groundwater in India and the failure of the existing legal regime to address the issue have raised the concerns.

#### ***Importance of Ground water in India:***

- Groundwater in India provides for about **60% of the country's irrigation needs, 85% of**

*rural drinking water requirements and 50% of urban water needs.*

- As per 2016 data, around 5% of groundwater assessment units in the country are in a critical state and 12% in a semi-critical state due to over-exploitation and contamination.

**The crisis-** The groundwater *crisis is embedded at two different levels:*

1. **Groundwater exploitation of aquifers** (where groundwater is stored) in different parts of the India and
2. **Groundwater contamination** that find origins, both in geogenic source such as Arsenic and Fluoride along with anthropogenic sources of contamination primarily due to poor disposal of waste and wastewater.

**Who is to be blamed for the crisis?**

- India's chaos in the water sector is primarily due to the *prevalence of status quo with its outdated and dogmatic water institutions and organisations* leading to outdated ideas and methods.
- The *institutions and organisations from where the ideas originate remain the same since independence*. Whether it is management of floods or droughts, the engineers in these organisations cannot think beyond the perspective of engineering solutions.

**How does it impact?**

**On People and Health:**Water scarcity, poor water quality and inadequate sanitation negatively impact food security, livelihood choices and educational opportunities for poor families across the world. Drought afflicts some of the world's poorest countries, worsening hunger and malnutrition.

**On Soil and Agriculture:**Contamination of groundwater leads to reduction in soil quality and affects productivity; High salinity has resulted in decrease in agricultural productivity. Example: in Punjab and Haryana.

**On Economic:** High clean up costs; High costs for alternative water supplies; Increased disease burden- higher costs for health.

**On Environment:**Groundwater pollution can cause certain types of nutrients that are necessary in small amounts to become far too abundant to sustain normal life in a given ecosystem. When groundwater that supplies lakes, rivers, streams, ponds, and swamps becomes contaminated, this slowly leads to more and more contamination of the surface water.

**What needs to be done?**

- There is a need to *modernise the regulatory framework* for accessing groundwater soon after massive expansion in mechanical pumping led to the realisation that recharge could not keep pace with use.
- *The river-linking scheme* to transfer water from surplus to deficit basins may address the



spatial imbalance to some extent.

- **The pace of the run-off can be reduced** through inter-basin transfers, new storage reservoirs, desilting, reviving traditional water storage structures such as ponds, dissemination of groundwater recharge technologies, and water harvesting structures such as check dams, open draw wells and rooftop devices.
- A time-bound plan to bring the entire cropped area under **controlled irrigation** (sprinklers, underground pipes and other water conservation devices) should be undertaken.
- Modern science and technology can be leveraged to **artificially increase the rate of recharge of aquifers**, thereby enhancing the sustainable exploitation of deep aquifers.
- **It is also imperative to have a good database updated in real time** on the size and sustainable levels of exploitation of our freshwater resources. The beginning made through the National Hydrology Project needs to be extended and made more comprehensive, including through mapping of deep aquifers in the country and determining rates of recharge.
- **Extraction rates would need to be capped, calibrated to recharge.** In this regard, a major legislative change which puts water on par with other natural resources is required.
- **Policy coordination is also essential** to improve the management of the country's scarce water resources. Departmental fragmentation of water management needs to change, both in the centre and the states.

### ***How Atal Bhujal Yojana will help avert the crisis?***

The implementation of the scheme is expected to have several positive outcomes like **better understanding** of the ground water regime, focused and integrated **community based approach** for addressing issues related to ground water depletion, **sustainable ground water management** through convergence of on-going and new schemes, **adoption of efficient water use practices** to reduce ground water use for irrigation and **augmentation of ground water resources** in targeted areas.

### ***Atal Bhujal Yojana- key features:***

Atal Bhujal Yojana has been formulated **to address the criticality of ground water resources in a major part of the country**. The scheme **aims to improve ground water management in priority areas in the country through community participation**.

The **priority areas** identified under the scheme fall in the states of Gujarat, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh. These States represent **about 25% of the total number of over-exploited, critical and semi-critical blocks in terms of ground water in India**.

They **also cover two major types of groundwater systems found in India - alluvial and hard rock aquifers**- and have varying degrees of institutional readiness and experience in groundwater management.

The scheme will also **facilitate convergence of ongoing Government schemes** in the states by incentivizing their focussed implementation in identified priority areas.

### **Other government initiatives:**

#### **1. *Water (Prevention and Control of Pollution) Act, 1974:***

- Main objective: to provide for prevention, control and abatement of water pollution and the maintenance or restoration of water resources.
- The Act prohibits any person from releasing any poisonous/polluting matter, directly or indirectly, into any stream/ well/sewer/ land.

#### **2. *Initiatives to Combat Arsenic Contamination- West Bengal:***

- Arsenic Task Force set up.
- 2005- Setting up of Arsenic Removal Units (ARUs). These were reported as one of the finest performing devices and capable to remove arsenic from very high level of contamination.

#### **3. *Salinity Ingress Prevention Scheme, Gujarat:***

- Regulates lifting underground water.
- Provisions for recharge dam/ recharge wells.
- Change in cropping patterns.
- Fresh water barriers.
- Rejuvenation of salinity land of oceanic area.

#### **4. *Environmental Protection Act, 1986:***

The Act prohibits a person carrying on any industry, operation or process from discharging or emitting water pollutants in excess of the prescribed standards.

#### **5. *National Project on Aquifer Management:***

- Objective: to achieve equitable, safe and sustainable management of India's groundwater resources through improved systems of resource mapping, utilization and governance.
- Mapping of aquifers can help determine the quantity as well as quality of groundwater.

### **Way ahead:**

***The impact of a worsening water crisis on the nation's economy, society and the environment is acute. Unsuspecting citizens face worsening health crises due to consumption of contaminated water, thereby destroying their hard earned savings.***

***Water being a State subject***, steps for augmentation, conservation and efficient management of water resources to ensure sustainability and availability are primarily undertaken by the respective

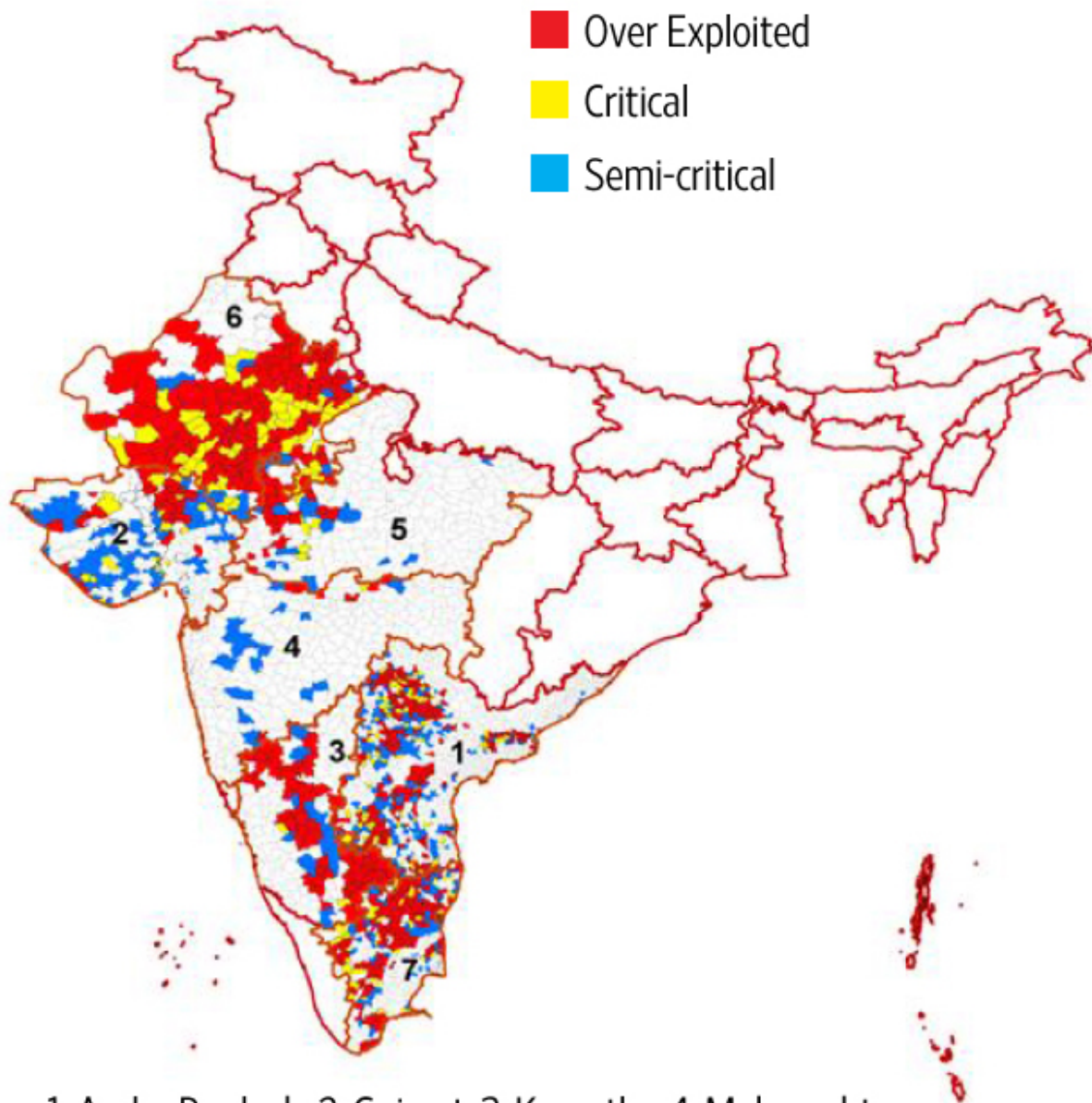
State Governments.

Therefore, a ***new regulatory regime for groundwater***, that provides for equitable use, is urgently needed. The water crisis India faces is of such a magnitude that urgent measures are necessary to address it.

***At the individual level*** one needs to be conscious about the his/her water use and need to understand where the water comes from. ***Awareness programs by government and school lessons*** for children should be taught at very young age so that every person becomes sensible when it comes to use of water.



# GROUND WATER STRESSED BLOCKS OF INDIA



Source: IWMI

## **Add- ONs for Mains- The Groundwater Bill, 2017- Key features:**

- The Groundwater (Sustainable Management) Bill, 2017 is based on current understandings of groundwater and its links with surface water and on the legal framework as it has evolved since the 19th century.

- Based on the recognition of the **unitary nature of water**, the need for decentralised control over groundwater and the necessity to protect it at aquifer level
- Recognition that **water is a public trust** (groundwater is a common pool resource), the recognition of the fundamental right to water and the introduction of protection principles, including the precautionary principle, that are currently absent from water legislation.
- Builds on the **decentralisation mandate** that is already enshrined in general legislation but has not been implemented effectively as far as groundwater is concerned and
- Seeks to give **regulatory control over groundwater to local users**.

### **Flow of Thoughts:**

- Why Groundwater crisis- reasons and who is to be blamed?
- Effects of crisis.
- Government initiatives in this regard.
- What reforms are necessary?
- Significance and features of Atal Bhujal Yojana.

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**Related syllabus:** Science & Technology | Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-technology.

## **Cryptocurrencies:**

### **Why in News?**

In a bid to protect consumers and curb money laundering and other financial irregularities, the RBI had, on April 5, barred all its regulated entities, including banks, from dealing in virtual currencies like bitcoins, following its earlier multiple warnings on their risks.

The Reserve Bank of India (RBI) has also felt it necessary to regulate the Bitcoin and other cryptocurrencies to check illegal transactions which will impact the international flow of funds.

### **What is a Cryptocurrency?**

- A cryptocurrency is a basically a **digital asset** that has been created to **function as a medium of exchange**, like cash.
- It **uses cryptography** to ensure the security of transactions — authentication and prevention of duplicate transactions — and to control the creation of new units of currency.



- This is different from cash in that **cryptocurrencies have no physical form**. These blur the boundaries between fiat and non-fiat currencies.

### ***How popular are they?***

Cryptocurrencies have gained significant traction over the last half a decade, at the same time creating a regulatory nightmare for banking regulators across the globe. At present, there are around 969 cryptocurrencies in existence across the globe, with a total market capitalisation close to 116 Billion USD.

### ***Cryptocurrencies are gaining popularity for the following reasons:***

**Privacy Protection:** The use of pseudonyms conceals the identities, information and details of the parties to the transaction – perquisites for privacy enthusiasts.

**Cost-effectiveness:** They have single valuation globally, and the transaction fee is extremely low, being as low as 1% of the transaction amount. Cryptocurrencies eliminate third party clearing houses or gateways, cutting down the costs and time delay. All the transactions over cryptocurrency platforms, whether domestic or international, are equal.

**Lower Entry Barriers:** Possessing a bank account or a debit/credit card for international usage requires documented proofs for income, address or identification. Banks or financial institutions might have their own set of eligibility criteria for these facilities. Cryptocurrencies lower these entry barriers, they are free to join, high on usability and the users do not require any disclosure or proof for income, address or identity.

**Alternative to Banking Systems and Fiat Currencies:** Governments have a tight control and regulation over banking systems, international money transfers and their national currencies or monetary policies. Cryptocurrencies offer the user a reliable and secure means of exchange of money outside the direct control of national or private banking systems.

**Open Source Methodology and Public Participation:** A majority of the cryptocurrencies are based on open source methodology, their software source code is publicly available for review, further development, enhancement and scrutiny. The ecosystem of cryptocurrencies is primarily participation based, as software development, bug reporting and fixing, testing etc. are driven by the wider user base, rather than a closed set of individuals or an institution.

**Immunity to Government led Financial Retribution:** Governments have the authority and means to freeze or seize a bank account, but it is infeasible to do so in the case of cryptocurrencies. For citizens in repressive countries, where governments can easily freeze or seize the bank accounts, cryptocurrencies are immune to any such seizure by the state.

### ***Need for regulation:***

- Cryptocurrencies have their own set of associated risks in the form **of volatility in valuation, lack of liquidity, security and many more**.
- Cryptocurrencies are being denounced in many countries because of **their use in grey and**



**black markets.** There are two sets of interconnected risks; one being to the growth and expansion of these platforms in the uncertain policy environment, and the other being the risks these platforms pose to the users and the security of the state.

- They also have the potential use for **Illicit Trade and Criminal Activities and can be used for Terror Financing**. They also have the Potential for **Tax Evasion**.

### **RBI Advisory:**

The acceptability of cryptocurrencies as a legal instrument currently varies from country to country; while some are in the process of formulating laws and measures, others are yet to respond to this disruptive change.

The Reserve Bank of India has been keeping a tab on the increasing use of cryptocurrencies and it had issued **an advisory in this regard in 2013**, cautioning users, holders and traders of virtual currencies to its potential financial, legal and security related risks.

### **What if Cryptocurrency is designated as a legal instrument?**

- If authorised as an electronic payment system or designated a legal instrument, **cryptocurrencies will fall under the purview of the RBI**; capital gains and business transactions will be **liable to tax**, and foreign payments are also going to fall under the auspices of **Foreign Exchange Management Act**.
- Regulated cryptocurrencies will enshrine robust **consumer protection provisions**. In terms of benefits, this could be **a force multiplier in India's quest for financial inclusion**, parallel to the electronic payment modalities such a digital wallets and Aadhaar Enabled Payment System.
- It could further reduce the **cost associated with remittances**, which brings annual earnings of close to 62 billion USD to India. It would also **attract future business entrepreneurs**, leading to innovation, generation of job and wealth creation in the due process of payments processing, e-commerce and taxation.

### **Way ahead:**

The future and further success of cryptocurrencies depends upon the way regulatory frameworks are devised. Different countries have approached this innovation in different ways, and therefore the regulatory environment remains uncertain. The government will have to take considered steps, given the risks from possible use of cryptocurrencies in terror financing, money laundering and tax evasion.

### **Add- ONs for Mains- Development of sovereign digital currencies around the world:**

**Nederland:** In March 2016, National Bank of Nederland (DNB) published it would develop a prototype of digital currency, called "DNBcoin," by applying blockchain.

**Russia:** In October 2016, Central Bank of Russia published it had successfully developed a prototype block chain for transactions confirmation, called “Masterchain,” with leading financial market players.

**Canada:** In June 2016, Bank of Canada published it was partnering Canadian banks, fintech entrepreneurs and other companies to test this.

**United Kingdom:** In June 2016, the Governor of Bank of England(BOE) stated it would explore the use of digital currency in bank’s core activities, including the operation of real-time settlement system.

**China:** In January 2016, People’s Bank of China published it had a “mid-term” strategy of issuing its own digital currency, and would try to launch it as early as possible.

**Flow of Thoughts:**

- What are Cryptocurrencies?
  - Why are they gaining popularity?
  - Need for regulation.
  - Worldwide practice.
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