

2024

DAILY CURRENT AFFAIRS





Daily Current Affairs from *The Hindu*, *The Indian Express* & *The Assam Tribune*

17th Feb 2025

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GS 2: POLITY, GOVERNANCE, SOCIAL JUSTICE, INTERNATIONAL RELATIONS/INSTITUTIONS

1. The panchayati raj movement is in distress

Context: The special discussion in Parliament on the 75th anniversary of the Indian Constitution has long passed. While several salient aspects of the Constitution and policy directions adopted by previous governments were highlighted, one heard very little on a vital aspect of governance in India. The 73rd amendment to the Constitution, passed in 1992, is one of the landmarks of India's journey as a constitutional republic, establishing the Panchayati raj system. It initiated the process of institutionalising decentralisation in rural India. The three-tier system, at the village, block, and district levels, with a regular cycle of local elections and 50% reservation for women, Scheduled Castes, and Scheduled Tribes, kicked off a movement that took democracy to the grassroots, thus emphasising the importance of local representation and inclusion in political leadership.

Key points

- **Overview:** Panchayats now operate in a very different development paradigm.

- **Keenly contested elections:** Panchayati raj elections are now keenly contested in many parts of the country.
- **Women's Leadership:** There have been many success stories — possibly the most notable of them being the scale of women's participation in leadership (nearly 14 lakhs elected women representatives).
- **State Finance Commissions:** The Constitution also mandated State Finance Commissions to recommend the quantum of funds that should flow to local governments as well as the administrative mechanisms by which it should take place.
- **Role in social sector Programmes:** Various social sector programmes are now implemented through local governments, particularly gram panchayats (village-level local government).
- **Distress in the Panchayati Raj Movement:** *Decline in public participation* - There are several reasons such as a decline in public participation.
Overdependence on Centrally Sponsored Schemes - Overdependence on centrally sponsored schemes.
Politicisation of Panchayati Raj - Politicisation through the engagement of political parties.
Challenges Even in Pioneer States - Equally important factors behind the steady decline of panchayats even in pioneer States such as Kerala.
- **Current issues:** *Administrative decentralisation plateaued* - To function effectively, State governments need to devolve staff to local governments and cede administrative control.
Erosion of fiscal autonomy - Panchayats have been forced to cede fiscal autonomy over recent years. Direct transfers to panchayats increased from ₹1.45 lakh crore under the Thirteenth Finance Commission (2010-15) to ₹2.36 lakh crore under the Fifteenth Finance Commission (2021-26).
Impact of rapid urbanisation - Rapid urbanisation has significantly affected panchayati raj institutions. In 1990, nearly three-quarters of India lived in rural areas, which has now decreased to around 60% and is steadily declining.
Reimagining the welfare state - A reimagination of the welfare state in India has taken root over the last few years, with an overt reliance by political parties on cash transfers to woo the electorate.
- **Challenges:** *Longer-Term systemic factors* - But one must look at the longer-term systemic factors that have affected the evolution of the Panchayati raj movement in India.
Changing Development Paradigm - Panchayats now operate in a very different development paradigm from when they were originally introduced.
Risk to the Panchayati Raj Spirit - There is now a real risk that the spirit of the Panchayati raj movement will die.
- **Way forward:** *Panchayats as Last-Mile Delivery Instruments* - Over the last decade, the view from the top increasingly treats panchayats merely as last-mile delivery instruments for social sector schemes in rural India.
Leveraging Technology for Citizen Engagement - With advancements in technology, citizen engagement in local planning, decision-making, and accountability processes will deepen.
Role in Water Conservation and Renewable Energy - Panchayats could play a role in water conservation and renewable energy generation at scale.
- **Conclusion:** We need to look further out and talk more to people. To reestablish the momentum behind local governance reforms and to support what is still a significant proportion of India's population that lives in its villages, we need to adopt a new vision for Panchayati raj in India.

2. Decongesting the Court

Context: The Indian judicial system is currently overwhelmed with a backlog of pending cases, particularly those that are long drawn. According to available data, 74.9% of the cases in the high courts and 63.1% of the cases in the lower courts are more than a year old, with other judicial fora similarly saturated. In this context, judicial decongestion has become imperative, with active steps from all stakeholders being critically important.

Supreme Court's Observations in K Vadivel v K Shanthi & Ors (2024)

- **Key Issues Highlighted:** *Frivolous Litigation* - Pleadings with “outrageous and ex facie unbelievable averments” clog courts. Lawyers and litigants file meritless cases without accountability.
Stakeholder Responsibility - All stakeholders (lawyers, litigants, courts) contribute to delays. Courts must act decisively to curb tactics that prolong litigation.
- **Judicial Directives:** *Exemplary Costs* - Sanctions for frivolous/vexatious proceedings to deter abuse.
Proactive Courts - Judges must “nip delays in the bud” by dismissing unjustified adjournments.
Ethical Legal Practice - Lawyers must avoid filing meritless cases and ensure pleadings are truthful.

Key points

- **Stakeholders Contributing to Delays:** *Legal Profession* - Filing unmeritorious cases to exploit procedural loopholes. Lack of due diligence in drafting pleadings.
Litigants - Misusing judicial processes for tactical delays (e.g. adjournments, appeals). Commercial Case delays erode the “time value of money,” causing economic harm.
Judiciary - Overburdened courts struggle to prioritize urgent cases. Inconsistent enforcement of timelines and sanctions.
- **Initiatives taken to reduce case pendency:** *Virtual court system* - In the virtual court system, regular court proceedings are conducted virtually through videoconferencing. It ensures easy access to justice and reduces the pendency of cases.
e-Courts portal - It has been launched to improve access to justice using technology. It is a comprehensive platform for all stakeholders, such as litigants, advocates, government agencies, police, and citizens.
E-filing - The facility of submitting court cases electronically through the internet, providing benefits such as saving time and money, not requiring physical presence in court, automatic digitization of case files, and reducing paper consumption.
Fast track courts - Fast track courts are being set up by the government to expedite the justice delivery and reduce the pendency of cases.
Alternative Dispute Resolution - ADR mechanisms like Lok Adalats, Gram Nyayalayas, Online Dispute Resolution, etc., ensure timely justice.
- **Conclusion:** While the judiciary has taken several notable steps to ensure faster case disposal, the problem needs to be collectively addressed by all stakeholders. All parties involved, and perhaps society at large, must take on the responsibility to recognise, categorise, and utilise judicial remedies in a responsible, time-bound and prudent manner.

3. The silent crisis of rat-hole mining

Context: On January 6, a mine flooding incident in Umrangso, Assam, trapped nine labourers, resulting in the death of at least four workers. Such incidents are common in the northeast region, with at least 30 miners losing their lives in Meghalaya over the past five years. The Guwahati High Court took suo motu cognisance of the tragedy on January 29. Weak law enforcement allows illegal mining to persist, with influential individuals operating mines without regulation.

Key points

- **Reasons for Illegal Mining:** *Expansion Since the 1980s* - The demand for coal from West Bengal and Bangladesh led to an increase in coal mining in Assam and Meghalaya.
Rat-Hole Mining Method - Involves digging narrow tunnels barely large enough for a person to crawl through.
Two types - Side-cutting: Following coal seams along hill slopes. Box-cutting: Digging pits up to 400 feet deep and extracting coal horizontally. Causes severe safety and environmental hazards.
- **Labour Exploitation:** Migrant workers, trapped in cycles of debt, work in hazardous conditions. Children are trafficked into these mines due to their small size, making them vulnerable to exploitation and abuse. Around 26,000 abandoned mine openings exist, each employing up to 200 workers in shifts, putting thousands at daily risk.
- **Failure of Assam and Meghalaya:** Despite the NGT ban and Supreme Court directives, illegal mining continues due to weak state enforcement.
- **Centre's Role:** If states fail to act, the Union government must intervene, as seen in Karnataka's Bellary region in 2011, where large-scale illegal mining led to a Supreme Court-imposed ban under Section 30 of the MMDR Act.
- **Legal and Regulatory Issues:** *National Green Tribunal (NGT) Ban* - On April 17, 2014, the NGT banned rat-hole mining due to environmental damage and unsafe working conditions. The Supreme Court upheld this ban in the 2019 case involving Meghalaya.
Weak Law Enforcement - Many illegal mines operate under the influence of powerful individuals, including bureaucrats and coal mafias. Whistleblowers and activists face threats while authorities fail to take strict action.
Regulatory Loopholes - Some states seek exemptions under Schedule 6, Paragraph 12A(b) of the Constitution to regulate coal mining on their own terms.
- **Approach to End Illegal Mining:** *Stronger Legal Action* - Rat-hole mining should be criminalized under the MMDR Act with stricter penalties under Section 21. States should incorporate the NGT ban into local regulations under Section 23C of the Act.
Use of Technology - Satellite-based monitoring can track mining activities and prevent illegal operations. The Mining Surveillance System by the Ministry of Mines can help improve enforcement, as seen in Karnataka.
Community Participation - Strengthening the Forest Rights Act, 2006 and ensuring local community consent for mining projects can promote inclusivity.
- **Conclusion:** Judicial interventions alone cannot stop illegal mining unless governments take proactive measures. The failure to enforce mining regulations is a violation of Article 21 of the Constitution (Right to Life). Without immediate reforms, preventable tragedies will continue to occur, putting thousands of workers at risk.

4. A success story like Amul

Context: India's fruits and vegetables (F&V) sector is growing rapidly but remains fragmented, leading to high post-harvest losses and low farmer earnings, highlighting the need for structured value chains and Farmer Producer Organisations (FPOs) to replicate the success of India's dairy sector. India's fruits and vegetables (F&V) sector is expanding at a faster pace than cereals, contributing nearly 30% to the value of crop agriculture.

Key points

- **Learning from India's Milk Revolution:** The transformation of India's dairy sector under Verghese Kurien's leadership is a model of success that the F&V sector could potentially replicate. Through a well-structured cooperative model, India transitioned from a milk-deficient nation to the world's largest milk producer, with 239 million tonnes in 2023-24. Milk cooperatives like AMUL ensured that dairy farmers received between 75-80% of the consumer price.
- **Farmers Producer Organisation (FPO):** An FPO is a type of Producer Organisation (PO) formed by farmers. It operates as an organisation of the producers, by the producers, and for the producers.
 - *Supporting institution* - The Small Farmers' Agribusiness Consortium (SFAC) plays a vital role in promoting FPOs across India.
 - *Purpose* - A PO represents producers of various goods, including agricultural products, non-farm items, and artisan goods.
 - *Ownership* - The ownership of an FPO lies entirely with its member farmers. It operates on the principle of shared decision-making and benefits.
- **Value Chains and Processing Infrastructure:** SFPCL's ability to connect farmers to international markets has made it India's largest grape exporter, with 90% of its grapes reaching the EU and UAE. Farmers under SFPCL receive around 55% of the Free on Board (FOB) price, significantly higher than traditional markets.
- **Policy Interventions and Future Roadmap:** The success of Sahyadri Farms provides a scalable model for the entire F&V sector. The Indian government has targeted the formation of 10,000 FPOs, with 8,875 already registered as of August 2024.
- **Key interventions:**
 - Strengthening FPOs* - Providing institutional support, working capital, infrastructure, and digital integration through platforms like the Open Network for Digital Commerce (ONDC). Blockchain technology could improve transparency and farmer earnings.
 - Revamping Operation Greens and the National Horticulture Mission* - The government's 2018 initiative to stabilize perishable prices lacked a strong leader like Kurien and had limited financial backing (₹500 crore). A more robust implementation strategy is required.
 - Developing Commodity-Specific Value Chains* - At least 10-20% of F&V produce should be processed to prevent distress sales and stabilize prices.
- **Way ahead:** To transform the F&V sector, India needs a National Fruit and Vegetable Board, akin to the National Dairy Development Board (NDDB). Such an institution would streamline market linkages, promote efficient value chains, and integrate retailers like SAFAL to ensure better price realization for farmers.
- **Conclusion:** India's F&V sector has immense potential but remains unorganized, leading to high post-harvest losses and low farmer earnings. With the right leadership and reforms, India can replicate its milk success in the F&V sector, driving agricultural prosperity.

5. Advantage Assam 2.0

Context: The Government of Assam's initiative to host "Advantage Assam 2.0 – Investment and Infrastructure Summit 2025" on February 25-26, 2025, in Guwahati represents a significant endeavour to showcase the state's potential as a major investment destination. This global investors' summit aims to redefine the industrial policy landscape of Assam and capitalize on its strategic location under the Act East Policy, positioning the state as a gateway to Northeast India and Southeast Asia.

Key points

- **Overview:** Assam's economic performance has demonstrated notable progress, evidenced by a 19.5% year-on-year increase in its Gross State Domestic Product (GSDP) in the fiscal year 2023. Projections for 2024-25 indicate a GSDP of Rs 6,43,089 crore, representing a 13% growth over the previous year. This economic expansion has translated into tangible improvements in living standards, with the state's per capita income for 2023-24 estimated at Rs 1,35,787, marking a 123% increase over the last five years.
- **Sectoral Diversification and Focus Areas:** *Digital Economy and IT* - Enhancing investment opportunities in IT and digital infrastructure.
Automobile Manufacturing - Positioning Assam as a hub for automotive sector investments.
Agriculture and Food Processing - Strengthening the agricultural base and food processing capabilities.
Tourism and Hospitality - Leveraging Assam's natural beauty and cultural heritage.
Healthcare - Encouraging investment in healthcare services and infrastructure.
- **Government Initiatives for Economic Growth:** *Green Energy* - Aims to add 1,200 MW renewable energy capacity, including 1,000 MW solar power through the Mukhya Mantri Souro Shakti Prokolpo.
Defence and Aerospace - Planning a defence corridor from Guwahati to Tezpur and establishing a Centre of Excellence with a Rs. 200 crore investment.
Automobile Manufacturing - Targeting 25% electric vehicle (EV) market share by 2026, offering subsidies and tax waivers for EV buyers.
Agriculture and Food Processing - Providing tractors and financial aid to farmers, subsidies for infrastructure, and promoting district-specific products.
- **Challenges and Opportunities:** Despite its progress, Assam faces challenges in terms of its overall contribution to India's GDP and export share. However, these challenges present opportunities for growth and development. The state is leveraging its strategic location to attract investments and boost its economic contribution to the nation. Additionally, Assam is advancing social equity through initiatives like scholarships for girls (Nijut Moina Scheme) and women empowerment (Orunodoi Scheme), emphasizing a holistic approach to development.
- **Conclusion:** Advantage Assam 2.0 represents a strategic initiative to showcase Assam's economic transformation and investment potential. The summit aims to highlight the state's progress in various high-potential sectors through practical and outcome-driven discussions, fostering government-to-business (G2B) and business-to-business (B2B) engagements. As Assam continues to diversify its economy and improve its infrastructure, the state is poised to emerge as a significant player in India's economic landscape, particularly in the context of the Act East Policy and regional development.