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## **GENERAL STUDIES-2**

### **POLITY**

#### **STATE-FUNDING OF ELECTIONS**

##### **Why in news?**

Former Chief Election Commissioner (CEC) T S Krishnamurthy has voiced his support for state-funding of elections, and banning the use of funds by political parties for polls, as part of electoral reforms. He also pointed that creation of a national election fund to which companies and individuals can contribute, would ensure that there is no connection between political parties and corporate.

##### **What is state or public funding of elections?**

This means that government gives funds to political parties or candidates for contesting elections. Its main purpose is to make it unnecessary for contestants to seek money from powerful vested interests so that they can remain clean.

##### **Advantages**

- Public funding is a natural and necessary cost of democracy. Public funding can limit the influence of interested money and thereby help curb corruption.
- Public funding can increase transparency in party and candidate finance and thereby help curb corruption. If parties and candidates are financed with only private funds, economical inequalities in the society might translate into political inequalities in government.
- In societies where many citizens are under or just above the poverty line, they cannot be expected to amass large amounts of money for contesting. If parties and candidates receive at least a basic amount of money from the State, the country could have a functioning multi-party system without people having to give up their scarce resources.

##### **Arguments against**

A Government that is grappling with deficit budgets, cannot provide money to political parties to contest elections.

- They also warn that state funding would encourage every second outfit to get into the political arena merely to avail of state funds.

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- Also, given that state expenditure on key social sectors such as primary healthcare is “pitifully small”, the very idea of the Government giving away money to political parties to contest polls, is revolting.

### **In conclusion**

Poll funding has been a source of funneling black money and cleaning up the poll process is necessary. Some of the political parties have been floated by national or state parties to park their income from dubious sources, because such parties are not subject to the Election Commission's scrutiny. Many parliamentarians have raised concerns over the use of excessive money in election campaigns. This presents the government with the best chance to carry out significant anti-corruption reforms in electoral space.

## **GOVERNANCE ISSUES AND POLICIES**

### **PROMOTING INTELLECTUAL PROPERTY RIGHTS**

#### **Why in news?**

The Cell for IPR Promotion and Management (CIPAM) under the aegis of the Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce and Industry, launched a social media campaign to promote Geographical Indications (GIs) with the hashtag #LetsTalkIP.

#### **Aim**

The initiative, designed to make more people aware about the importance of Intellectual property rights. The GIs are of utmost importance to the country as they are an integral part of India's rich culture and collective intellectual heritage and their promotion is in line with the Government's 'Make in India' campaign.

#### **What is Geographical Indication?**

A Geographical Indication, or a GI, is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. Such a name conveys an assurance of quality and distinctiveness which is essentially attributable to its origin in that defined geographical locality.

Darjeeling tea became the first GI tagged product in India. Mahabaleshwar Strawberry, Blue Pottery of Jaipur, Banarasi Sarees and Tirupati



Laddus are some of the other GIs in India. The “GI tag” has also accorded protection to several handmade and manufactured products, especially in the informal sector.

### **Geographical Indications of Goods (Registration and Protection) Act, 1999**

Protection of Geographical Indication (GI) has, over the years, emerged as one of the most contentious IPR (Intellectual Property Rights) issues in the realm of the WTO’s Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS).

The Geographical Indications of Goods (Registration and Protection) Act, 1999 (GI Act) is a *sui generis* Act of the Parliament of India for protection of geographical indications in India. The Geographical Indications Registry is located at Chennai registers the GIs. This Act is administered by the Controller General of Patents and Designs.

Under this act, Goods under Agricultural, Natural, Goods of Handicrafts, Industry, Manufactured goods, Food Stuffs categories can be registered.

- An application for registration must be made before the Registrar of Geographical Indications
- A GI is registered for an initial period of ten years, which may be renewed from time to time.

### **GI and the economy**

Certain GI products can benefit the rural economy in remote areas, by supplementing the incomes of artisans, farmers, weavers and craftsmen. The proposed campaign is certainly heartening because goods branded as GIs can be made indigenously by local communities independently and in a self-sustaining manner. And India, with its rich cultural heritage and diversity, has GIs.

- **GI and Industry:** Many registered and potential GIs of India are in the Micro and SME sector. GI protection enables them to develop their market and increase returns
- **GI and Tourism:** GIs are unique products coming from demarcated areas. Cultivation or manufacturing process itself can attract tourists. Handicrafts and handlooms with special characteristics are always attractive to tourists. Regions can provide attract tourists to taste the special GI foods or drinks or buy the unique products with discounts

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GI can promote rural development in a significant manner and could be fitted in as the most ideal intellectual property right to bolster a programme such as 'Make in India'.

#### **Quality control in the Indian context:**

The question arises whether the GI Act provides for quality control measures and verification of compliance.

- Unlike the European Regulation, the GI Act does not provide for monitoring mechanisms at multiple levels.
- There is no or little reference to an inspection or monitoring structure in the Act.

#### **What is to be done?**

While the campaign is a wonderful idea to promote awareness, there is more work that is required at the legislative level to ensure credibility of the GI protection process in India.

To make such efforts more meaningful and worth the passion put in by bodies such as CIPAM, we need to first fill the legislative gap in ensuring quality control through monitoring mechanisms.

It is essential to identify all the potential GIs in the country, Prepare detailed documentation on each of them, Organize the producers and take measures for protecting the quality.

Finally, the need of the hour is that the Government of India should create awareness to rural producers regarding registration of GIs so that their products will be marketed globally it will generate huge foreign exchange to exchequer.

#### **'STATE CAPITAL REGION' AROUND GUWAHATI**

In line with the National Capital Region, Assam will have a State Capital Region encompassing Guwahati and its peripheral areas. The bill is being passed by Assam assembly in this regard.

#### **Details**

- Assam State Capital Region Development Authority (ASCRDA) will be the overall authority to direct, implement and monitor the development of SCR.
- ASCRDA will be headed by the State Chief Minister. It will prepare a regional plan for the area and coordinate the preparation of plans.

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- The body will be entrusted to organise and oversee the financing of selected development projects in the State Capital Region through government funding as well as other sources of revenue.

### **SUPREME COURT ON PRISON REFORMS**

The Supreme Court of India has passed a slew of directions on prison reforms even as it hears a 2013 PIL on prevailing inhuman conditions in prisons across the country.

#### **Directions so far**

- All high courts have to register a suo motu petition to identify kin of prisoners who admittedly died an unnatural death after 2012 and award suitable compensation to them.
- All state governments should appoint counsellors and support persons for counselling prisoners, particularly first-time offenders.
- States should also study the availability of medical assistance to prisoners and take remedial steps wherever necessary.
- The Ministry of Woman and Child Development has been asked to deal with officials concerned in cases of *unnatural deaths in child care institutions where they are kept in custody*.
- The Centre has to ensure circulation of its model prison manual and the Nelson Mandela Rules and guidelines on investigating deaths in custody issued by the International Committee of the Red Cross within one month to prison in-charges of every states.
- The states should conduct training and sensitisation programmes for senior police officers of all prisons.
- The government may consider extending the time or frequency of meetings by the family of a prisoner and explore the possibility of using phones and video conferencing for communication, also with their counsel.

#### **Regulation**

The management of prisons falls exclusively under the domain of the state government, as per the seventh schedule of the constitution. In every state, the prison administrative machinery works under the chief of prisons who is a senior ranking IPS officer.



### **Why reforms?**

NHRC figures show that prisoners cut off from family and friends had a 50% more chance of committing suicide than those outside. The average suicide rate is also higher in prisons.

- 3 structural constraints: overcrowding, due to large numbers of undertrials, understaffing and underfunding.
- The inevitable outcome is sub-human living conditions, poor hygiene, and violent clashes between the inmates and jail authorities.

Over 30% of the total requirement of prison officials and supervising officials still lies vacant. In the absence of adequate prison staff, overcrowding of prisons leads to rampant violence and other criminal activities inside the jails.

## **WELFARE SCHEMES AND DEVELOPMENTAL GROUPS**

### **OBC: QUOTA WITHIN QUOTA**

The Union Cabinet has approved a proposal to set up a panel to examine sub-categorisation of the Socially and Educationally Other Backward Castes (OBCs).

The stratification of OBC quota could lead to a quota within quota in OBC reservations. This is a move which could affect educationally and socially advanced communities within the backward classes who have benefited from the policy of positive discrimination over the past three decades. It provides an opening to ensure social justice in an efficient manner.

### **Mandal Commission and the aftermath**

The Mandal Commission was established in India in 1979 by the (Janata Party) government with a mandate to "identify the socially or educationally backward." It was headed by Indian parliamentarian B.P. Mandal to consider the question of seat reservations and quotas for people to redress caste discrimination.

In 1980, the commission's report affirmed the affirmative action practice under Indian law. Based on the report, 27% seats in central government jobs and educational institutions are reserved for the backward classes since 1990, resulting in a paradigm shift in the national polity. The

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decision was later upheld by the Supreme Court in the **Indra Sawhney Case**.

Earlier this year, the government gave constitutional status to the National Backward Classes Commission through a Constitution amendment Bill.

### **Making a difference**

If we want reservations to make a significant difference in the lives of the marginalised groups, there are only two options. Either the government must drastically increase availability of government jobs and college seats or it must reduce the size of the population eligible for these benefits. Out of these two options the viable option is to reduce the size of the eligible population, possibly along the lines of sub-categorisation proposed by the government.

### **ZERO HUNGER PROGRAMME**

Three districts, one from each in Uttar Pradesh, Odisha and Maharashtra – will initiate India's ambitious 'Zero Hunger' programme through interventions in farm sector on October 16 (World Food Day).

This is a dedicated farm-based programme **in sync with India's Sustainable Development Goals (SDGs) to end hunger by 2030**. The 3 districts would act as a model of an integrated approach to deal with hunger and malnutrition by adopting suitable agricultural\horticultural practices.

**Implementation by:** Indian Council of Agricultural Research (ICAR) in association with the Indian Council of Medical Research (ICMR), the M S Swaminathan Research Foundation and the Biotechnology Industry Research Assistance Council (BIRAC).

### **Details**

The concerned state governments will also be involved in the programme which consists of organisations of farming system for nutrition, setting up genetic gardens for biofortified

#### **Genetic garden**

A genetic garden for biofortified plants/crops contains the germplasm of naturally biofortified crops or such crops through plant breeding. It has plants and crops that help supplement micro-nutrient deficiencies, including iron, iodine, vitamin A and zinc among others.

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plants/crops and initiation of a 'Zero Hunger' training.

- There will be intensive training programme in order to identify the nutritional maladies in each district and the appropriate agricultural/horticultural and animal husbandry remedies.

#### ***SDG: Goal 2***

End hunger, achieve food security and improved nutrition and promote sustainable agriculture.

#### **REVAMPED KHELO INDIA PROGRAMME**

The Union Cabinet has approved the revamped Khelo India programme.

**Aim:** Mainstreaming sport as a tool for individual development, community development, economic development and national development.

- The revamped Khelo India Programme would impact the entire sports ecosystem, including infrastructure, community sports, talent identification, coaching for excellence, competition structure and sports economy.

#### **Salient features**

Long-term athlete development pathway: Pan Indian Sports Scholarship scheme, which would cover 1,000 most talented young athletes each year across select sports disciplines. Each shall receive an annual scholarship worth Rs. 5.00 lakh for 8 consecutive years.

- It will create a pool of highly competitive athletes who can compete to win at the world stage.
- The Programme aims to promote 20 universities across the country as hubs of sporting excellence, which would enable talented sports persons to pursue the dual pathway of education and competitive sports.
- The Programme also aims at creating an active population with healthy life-style.
- The Programme would cover about 200 million children in the age group of 10-18 under a massive national physical fitness drive
- This programme strives to promote "Sports for All" as well as "Sports for Excellence."

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### **UDAAN EXTENDED**

The Cabinet Committee on Economic Affairs has approved the extension of time period of the Scheme “Special Industry Initiative for J&K” (SII J&K)- Udaan till 31st December, 2018

**Ministry:** Ministry of Home Affairs

#### **About the scheme**

Udaan provides exposure to the youth of J&K to the best of corporate India and corporate India to the rich talent pool available in the State. Udaan is a national integration scheme with the goal to mainstream J&K youth, by instilling skills, with rest of the country.

#### **Working of the scheme**

So far, over 100 leading Corporates have partnered with National Skill Development Corporation (NSDC) under UDAAN with a commitment to train youth from the State covering Organized Retail, Banking, Financial Services, IT, ITES, Infrastructure, Hospitality etc.

- Over 15,000 candidates have been offered jobs.
- In spite of unrest, the scheme has gained a good momentum and pace of implementation has been the best during FY 2016-17 since its inception.

## **INDIA AND ITS INTERNATIONAL RELATIONS**

### **INSAANIYAT FOR BANGLADESH**

Operation Insaaniyat was launched by the government of India to assist Bangladesh in managing crisis caused due to heavy influx of refugees from neighboring Myanmar.

#### **Details**

The Indian government sent relief material consisting of critical daily necessities viz., rice, pulses, sugar, salt, cooking oil, ready to eat meals, mosquito nets etc.

#### **What necessitated this?**

Rohingya residents – a stateless mostly Muslim minority in a Buddhist-majority nation – allege that the military and Rakhine Buddhists responded with a brutal campaign against them. According to the UN

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estimates, over 4 lac Rohingya Muslims have fled Myanmar's Rakhine state into Bangladesh since the crisis started.

### **JAPAN IN NORTHEAST**

Japan has a historic connection to the Northeast and is among the few countries that India has allowed a presence in the eight landlocked states which are the country's gateway to the Association of Southeast Asian Nations members. India and Japan agree that improving connectivity between Asia and Africa is vital for achieving prosperity of the entire region.

### **India-Japan Act East Forum**

A memorandum of understanding(MoU) was signed to set up India Japan Act East Forum with an aim to bring together India's Act East Policy with Japan's Free and Open Asia-Pacific strategy in the backdrop of China's One Belt One Road initiative. The MoU was signed during the 12th Indo-Japan annual summit.

- The forum will enhance connectivity and promote developmental projects in India's Northeast region in an efficient and effective manner.

### **Other initiatives**

- Japan has cooperated with a variety of development projects in the Northeast, ranging from connectivity infrastructure such as roads and electricity, water supply and sewage, to forest resource management and biodiversity.
- Recently, Japan decided to provide loan and aid for highway development in the Northeast that can complement India's connectivity initiatives in Bangladesh, Myanmar and beyond.
- Japan will extend a loan for 'North East Road Network Connectivity Improvement Project' to improve the National Highway 40 (NH-40) and construct a bypass on NH-54 in the Northeast.

### **Opposition**

China has opposed any foreign investments in India's North East, or the involvement of third-parties in resolving its border dispute with India. It has clearly opposed the involvement of any third party in the region in whatsoever form

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## **INDIA-JAPAN TIES**

Japanese Prime Minister visited India as a part of annual summit between the two countries. The visit has set strategic ties on a fast track.

This was best symbolised by the Ahmedabad-Mumbai bullet train project that was launched by Prime Ministers of India and Japan.

### **Shared Universal Values and Vision**

2017 marks a decade since Japanese Prime Minister's celebrated speech at the Indian Parliament— '*Confluence of the Two Seas*', underscoring shared universal values and interests.

India is now envisioned as a critical strategic anchor in Abe's latest 'Free and Open Indo-Pacific Strategy'.

### **Asia-Africa Growth Corridor (AAGC)**

India-Japan 'Special Strategic and Global Partnership', aimed at securing strategic stability and economic prosperity of the Indo-Pacific space, culminated in AAGC.

- The Asia-Africa Growth Corridor or AAGC is an economic cooperation agreement between the governments of India and Japan.
- It aims for Indo-Japanese collaboration to develop quality infrastructure in Africa, complemented by digital connectivity, which would undertake the realization of the idea of creating free and open Indo-Pacific Region.
- The AAGC will give priority to development projects in health and pharmaceuticals, agriculture and agro-processing, disaster management and skill enhancement.
- Unlike BRI (Belt and Road Initiative), which entails development of both land corridor and ocean, AAGC will essentially be a sea corridor linking Africa with India and other countries of South-East Asia and Oceania

### **Friend to partner**

As the rationale of value-oriented foreign policy (based on universal values like democracy, rule of law, respect for human rights and so on) gained traction, India has been accorded space in Japan's value-based

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foreign-policy frameworks including 'Arc of Freedom and Prosperity', 'Confluence of the Two Seas', 'Quadrilateral Initiative' and subsequently Asia's 'Democratic Security Diamond'.

As India's strategic thinking navigated through the policy discourse of 'Look East', 'Look East 2.0' which further culminated into 'Act East' policy, Japan graduated from a valuable friend to an indispensable partner and emerged as a 'key player in India's modernization'.

#### **Expanded Partnership for Quality Infrastructure (EPQI) initiative**

The EPQI, which is critical to achieving Japan's national growth strategy and facilitating expansion to emerging Asian markets, intersects with India's 'Make in India' initiative and 'Act East' policy.

While the HSR(High Speed Rail) project and mega-industrial corridors lay a strong foundation, the depth and scope of bilateral relations has been redefined with 'India-Japan Vision 2025' underscoring an 'action-oriented partnership', founded on the pillars of mutuality of interests, shared universal values and commonality of vision in the Indo-Pacific.

#### **Partnership around geopolitics**

In keeping with 'India-Japan Vision 2025', robust bilateral relations have laid the foundation to expand the scope of cooperation in the Indo-Pacific theatre. Strong India-strong Japan will not only enrich two nations, it will also be a stabilising factor in Asia and the world.

Uncertainty in regional geopolitics paved way for greater strategic coordination on a few specific regional issues in trilateral frameworks and regional forums, including terrorism and violent extremism, North Korean nuclear and ballistic missile program, and peaceful resolution of disputes in South China Sea in compliance with international law, including the UNCLOS.

Also there is a pressing need for advancing trilateral and multilateral security and defence cooperation in the region.

#### **Maritime security**

As maritime democracies, both nations have argued for rules-based international order, freedom of navigation and over flight, unrestricted lawful commerce, and peaceful settlement of disputes.

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- India, US and Japan conducted the annual Malabar Exercise in the Bay of Bengal in 2017 aimed at enhancing interoperability between the navies of the three democracies and strengthening trilateral cooperation in the Indo-pacific region.
- Japan desires India's cooperation in guarding the Indian Ocean SLOCs (Sea Lines of Communication) since it is critical for its energy shipments. With dependence on imports for 94 per cent of its primary energy supply, Japan is severely dependent on Middle Eastern oil imports, and the Indian Ocean is, therefore, vital for Japanese energy imports from the region.

#### **Special Strategic and Global Partnership**

While regional concerns feature as a top priority, bilaterally furthering defence technology cooperation under the framework of the 'Special Strategic and Global Partnership' was underscored during the annual dialogue.

- Both countries have stressed deepening interactions *with the aim of enabling collaboration in defence and dual-use technologies.*

#### **Important outcomes of the 12th India - Japan Annual Summit**

- Foundation stone laid for the country's first bullet train project between Ahmedabad and Mumbai, to be completed by 2022
- Foundation stone for a dedicated High Speed Rail Training Institute for the bullet train at the National Academy of Indian Railways at Vadodara.
- Four locations have been finalized for development of Japanese Industrial Townships in Gujarat, Rajasthan, Andhra Pradesh and Tamil Nadu.
- India and Japan signed 15 agreements for enhancing bilateral co-operation in several key areas including investment promotion, civil aviation and science and technology, disaster risk management, skill development besides other Economic and Commercial agreements.
- Both the leaders condemned the growing menace of terrorism and violent extremism in the strongest terms and called for global action *with the spirit of zero tolerance.* They also called upon Pakistan to bring to justice the perpetrators of attacks including those of the November 2008 terrorist attack in Mumbai and the 2016 terrorist attack in Pathankot.

India-Japan relations are witnessing the most productive period in history. Mutuality of interest in each other has become irreversible. India

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today has set India-Japan ties on an accelerated geopolitical course that will be a major factor in its dealings with the rest of the world, especially China, at a time when the U.S. is perceived to be retreating from the region.

For securing the global commons and realizing a stable Indo-Pacific, India and Japan both have to work individually, bilaterally and at a regional level in order to guarantee a rules-based order in accordance with international law.

### **PREMIUM PROCESSING OF H-1B VISAS**

The US has resumed fast processing of H-1B work visas in all categories, five months after it was suspended temporarily to handle the huge rush of applications for the work visas popular among Indian IT professionals.

#### **H-1B visa**

The H-1B visa is a non-immigrant visa that allows US companies to employ foreign workers in speciality occupations that require theoretical or technical expertise. The technology companies depend on it to hire tens of thousands of employees each year.

#### **Criticism of H1B visa programme**

The aim of the H1B visa programme was to supplement the US workforce with high-skilled workers to do jobs that Americans are not skilled to do, not to replace the US workers. But over time, there has been a concern that many companies use the H1B visa to replace American workers with foreign ones, as the latter can be hired at lower salaries without compromising on the skill sets.

## **INTERNATIONAL AFFAIRS**

### **RETHINKING JOINING HAGUE CONVENTION**

India's case-load in Inter-country parental child abduction is second largest in the United States. As more and more Indians are studying and working in the U.S, such cases are growing in

#### **Inter-country parental child abduction**

Inter-country parental child abduction is a situation that is attained when one parent takes a child or children to a foreign country to prevent the other parent from seeking custody of the child.

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number and it is necessary to get a better mechanism to deal with this.

The government had in November 2016 announced that it would not sign the convention. But now the govt. is discussing the repercussions of the Hague convention on India.

### **Why not join it?**

The Ministry of Women and Child Development has reservations about the treaty because they believe it could trample on women's rights. However, America says India should sign this convention to create a more effective response to deal with abduction cases and prevent inter-country parental child abduction.

### **Legislations**

Currently, there is no specific Indian legislation addressing issues related to abduction of children from and into India. However, Law Commission of India had submitted the 218th Report titled "Need to accede to the Hague Convention on the Civil Aspects of International Child Abduction 1980".

### **Hague Abduction Convention:**

The Hague Convention on the Civil Aspects of International Child Abduction or Hague Abduction Convention is a multilateral treaty that provides an expeditious method to return a child internationally abducted by a parent from one member country to another.

- The primary intention of the Convention is to preserve whatever status quo child custody arrangement existed immediately before an alleged wrongful removal or retention thereby deterring a parent from crossing international boundaries in search of a more sympathetic court.
- The Convention applies only to children under the age of 16.

### **NEW DEAL ON IPR NEEDED**

Global trade and intellectual property are at a crossroads at a time when multilateral consensus is deteriorating on a large number of issues. The US is considering pulling out of most free trade agreements on the ground that it needs a more favourable environment for its companies and its people.

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### **Big vs the domestic**

The United Nations Conference on Trade and Development (UNCTAD)'s recent Trade and Development Report calls for stronger measures to protect domestic sectors against the undue domination of large companies. There are on-going attempts by big business to push for new rules in upcoming WTO Ministerial Conference in Argentina. The focus of the debate now is how trade deals are becoming the new Trojan horse to ensure stronger patent protection and continued profits to global companies.

### **Forcing IPRs and a false premise**

The Developed Countries have been pushing for the implementation of intellectual property rights (IPR) in developing countries, through the World Trade Organization (WTO) and bilateral or regional free trade agreements.

The Developed nations promotes IPR protection in trade agreements with an assumption that trade should and would increase with foreign patent protection.

### **TRIPS Agreement**

The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), 1995, is an international legal agreement between all the member nations of the World Trade Organization (WTO).

- It sets down minimum standards for the regulation by national governments of many forms of intellectual property(IP) as applied to nationals of other WTO member nations.
- TRIPS was negotiated at the end of the Uruguay Round of the General Agreement on Tariffs and Trade(GATT) in 1994 and is administered by the WTO.
- The TRIPS agreement introduced intellectual property law into the international trading system for the first time.
- In 2001, developing countries, concerned that developed countries were insisting on an overly narrow reading of TRIPS, initiated a round of talks that resulted in the Doha Declaration.

### **Problem with trade deals**

Since it is the developed countries who own most of the technologies and patents, they are using various international forums to pressurize higher level of protection for intellectual property. Over the last few decades they are creating Free Trade Agreements to give higher level of protection to



IPRs. Often these FTAs are outside the WTO framework and hence they can give higher level of protection to IPRs there.

Since TRIPS came into force, it has been subject to criticism from developing countries. TRIPS's wealth concentration effects moving money from people in developing countries to copyright and patent owners in developed countries are common bases for such criticisms.

- Corporates, riding high on increased market power, continue to lobby their governments for absolute protection of intellectual property (IP) rights of corporations.
- For the U.S. in particular, trade agreements are a prime vehicle to place its strong domestic standards of IP protection in partner countries, in a bid to ensure the same level of privileges for its companies abroad.

### **Changing the global corporate landscape**

For years now, while patent protection is getting stronger in all sectors in a large number of countries, the conditions for its grant are becoming relaxed.

- Not only do such lax patenting requirements allow companies to claim patents more broadly – with little show of original effort as in the case of evergreening — but also patents can be claimed on all possible inventions (and discoveries) that are of relevance to the present, and even to the future.
- A large number of countries have already foregone many degrees of policy freedom by signing up to 'TRIPS-Plus' standards of protection.

### **TRIPS-Plus:**

The developed countries are not happy about the TRIPs provisions. They demand higher protection to intellectual property rights including inventions, internationally. These higher levels of protection norms are named as TRIPs Plus, not prescribed in TRIPs.

- Developing countries fear that once such levels of protection are given multilaterally, it will reduce competition and may lead to price rise of medicines, affecting health security in poor countries
- India has consistently objected to put higher level of protection (TRIPs Plus) than provided by the TRIPs. The implication of TRIPs Plus on India is that it will restrict the operation of the countries' generics drugs manufacturers
- A superstar firm today is not necessarily one with the greatest technological breakthroughs or the largest research and development

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labs, but surely is one that has a large IP portfolio, engages in extensive litigation on patent issues, and thrives on licensing revenues.

### **What India needs right now?**

India needs a clear and tough stance on intellectual property both in domestic policy and at the multilateral level. At home, support for innovation has to be accompanied with instruments that guard against the misuse of market power, coercive bargaining and aggressive merger and acquisition strategies if local firms should survive and flourish.

### **THE CAMBODIAN SLIDE**

The crackdown in Cambodia in form of criminalisation of the opposition and the media by Prime Minister Hun Sen ahead of the 2018 national elections, does not augur well for this east Asian neighbor.

#### **A backgrounder**

This slide into political regression is particularly troubling, as the country is still recovering from the memory of the genocide at the hands of the Khmer Rouge in the 1970s. Cambodia has enjoyed relative prosperity in recent years thanks to the boom in garment exports and tourism. Its democracy too is a work in progress, and the long-ruling Hun Sen, in recent years has shown his autocratic tendencies.

#### **Repression**

A leader of opposition belonging to the Cambodia National Rescue Party (CNRP) was detained on charges of treason and then there was a closure of an independent newspaper. The government has even promulgated a law that enables the banning of political parties with connections to criminal convicts.

#### **Why now?**

Mr. Hun Sen, a former commander of the Khmer Rouge, has been ruling since 1985. He is anxious to tighten his grip on the levers of power. But it was the CNRP that made significant gains in the local body elections, even as the ruling Cambodian People's Party (CPP) retained a majority of seats.

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In his campaign during that election, Mr. Hun Sen had openly threatened civil war in the event of the CPP losing the elections.

### **Looking away**

The current political turmoil in Cambodia reflects an ongoing shift in international influence in the decades following the genocide. The U.S. had been closely involved in the restoration of democratic stability in the country, and the Cambodian turnaround is one of the United Nations' great success stories. But recent years have seen a dramatic rise in Beijing's bilateral and regional engagement with Phnom Penh, which under Mr. Hun Sen is using the great power rivalry to evade accountability by his regime.

### **UN NUCLEAR BAN TREATY INKED**

50 countries recently signed a treaty to ban nuclear weapons, a pact that the world's nuclear powers opposed. It has been hailed as a historic agreement nonetheless.

#### **A Backgrounder:**

In July 2017, the United Nations adopted the Treaty on the Prohibition of Nuclear Weapons. It was signed and approved by 122 of the 123 participant nations, representing two-thirds of the nations in the UN. Interestingly, none of the nuclear weapons nations participated.

#### **The treaty:**

The treaty prohibits a full range of nuclear-weapon related activities, such as undertaking to develop, test, produce, manufacture, acquire, possess or stockpile nuclear weapons or other nuclear explosive devices, as well as the use or threat of use of these weapons.

- Under its terms, non-nuclear nations agreed not to pursue nukes in exchange for a commitment by the five original nuclear powers—the U.S., Russia, Britain, France and China—to move toward nuclear disarmament and to guarantee other states' access to peaceful nuclear technology for producing energy.

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- This is the most significant multilateral development on nuclear arms control since the adoption of the Nuclear Non-Proliferation Treaty (NPT) in 1968.

### **Why is it being opposed?**

Nuclear powers argue their arsenals serve as a deterrent against a nuclear attack and say they remain committed to the nuclear Non-Proliferation Treaty (NPT). They say that a purported ban on nuclear weapons does not address the security concerns which continue to make nuclear deterrence necessary. Thus, a country's security, nor international peace and security can be enhanced by dismantling nuclear weapons.

### **What supporters say?**

Supporters of the treaty argue that new treaty will close a "legal gap" that exists regarding nuclear weapons, which are not expressly outlawed by the NPT even though their use would be contrary to the rules of international law applicable in armed conflict. They argue that the CPNW initiative reinforces the NPT and the requirement in Article VI for nuclear disarmament and that it can reduce the salience nuclear weapons and help prompt more urgent action to reduce nuclear risk and promote disarmament.

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## **GENERAL STUDIES-3**

### **INDIAN ECONOMY**

#### **ALL ABOUT SHELL COMPANIES**

##### **Why in news?**

The Centre has initiated action against more than two lakh shell companies as part of Operation Clean Money. Even, Securities and Exchange Board of India has identified more than 300 companies and initiated action against them.

##### **Shell companies**

The Companies Act, 2013 does not define 'shell company', but certain activities would lead to a company being termed a 'shell'.

- Shell companies are typically corporate entities which do not have any active business operations or significant assets in their possession.
- They are viewed with suspicion as some of them could be used for money laundering, tax evasion and other illegal activities.

##### **Legal standpoint**

In India, there is no specific law related to "shell companies." The activities are curbed using Benami Transaction (Prohibition) Amendment Act 2016; The Prevention of Money Laundering Act 2002 and The Companies Act, 2013.

#### **A SHARP SURGE IN PETROL, DIESEL PRICES**

Global oil prices are half 2014 levels, the rupee has been largely neutral against the dollar, but the prices of petrol and diesel — which change 'dynamically' on a daily basis — continue to be the highest in nearly 3 years.



### **Pricing mechanism**

The Indian basket of crude oil represents a derived basket comprising Sour Grade (Oman and Dubai average) and Sweet Grade (Brent Dated) of crude oil processed in Indian refineries (in the ratio of 71:29).

Prices of petrol and diesel have been made market-determined effective from 2010 and 2014, respectively. Since then, the Public Sector Oil Marketing Companies (OMCs) are supposed to take appropriate decisions on the pricing of petrol and diesel, in line with international product prices and other market conditions such as exchange rate and the demand-supply situation, among others. From June 2017, the dynamic daily pricing was introduced.

### **What explains the divergence in the movements of the crude basket and of retail prices?**

With global crude oil prices plummeting to record lows after 2014, the government resorted to a series of excise duty hikes in the second half of 2015 and the initial months of 2016 on both petrol and diesel to help shore up finances. This has helped the Centre realise higher central excise duties, primarily through the increased tax on petrol and diesel, which are still outside the ambit of GST.

In India, the share of taxes in the retail selling prices of petrol and diesel (as on July 16) were 55.5% and 47.3% respectively, with central taxes (essentially excise duty) accounting for the bulk of it.

### **What other variables are involved?**

The price is determined not only by the movement of crude oil price (the main raw material), but also by the rupee/dollar exchange rate and demand-supply situation in the market. The rupee strengthened against the dollar by nearly 7%, something that would have translated into sharply cheaper imported oil, but this has not happened.

### **Government justification for the excise hikes**

- ✓ Increased revenue was only going into welfare activities of building more roads, and providing irrigation and drinking water facilities.
- ✓ Also the oil companies would continue to have pricing freedom.
- ✓ A part is being consumed by the states by way of VAT. Of what the central government gets, 42% is being passed on to the states.
- ✓ Another part goes to the oil companies for the reason that when oil companies make international purchases against future purchases,



they suffer a huge loss. They buy at 80 dollars; by the time they sell, the price has become 60 dollars. At one stage, the loss of the oil companies was as high as Rs 40,000 crore.

### **INDIA'S CURRENT ACCOUNT DEFICIT**

India's external balance sheet may have improved significantly since the infamous taper tantrum of 2013, but there are now signs that make a case for more caution from policymakers. More so as the world looks to end the era of easy money, India must be prepared. The current account deficit (CAD) widened to a four-year high

#### **Reasons**

A greater increase in merchandise imports than exports.

#### **Why haven't we landed in trouble?**

- A strong capital account surplus has helped the country pay for its import bills without much trouble.
- Foreign investors starved of yield have been stepping up their investments in India, which remains one of the few places offering higher yields.
- The strong inflow of foreign capital has also led to a significant increase in foreign reserve holdings, thanks to the Reserve Bank of India which has been busy buying dollars to weaken the rupee.
- Low global oil prices over the last two years have also helped contain a good portion of its import bills.

#### **Way ahead**

All this might change with the impending tightening of monetary policy by the U.S. Federal Reserve and other central banks. After all, emerging Asian markets have been the biggest beneficiaries of loose monetary policy in the West, so any change in stance would most definitely affect them.

#### **Being cautious**

The RBI has been regulating the amount and quality of such borrowings, so it may seem like things are under control for now. Further, India's total external debt declined by 2.7% during the financial year 2016-17, standing at \$471.9 billion, driven by a fall in external commercial

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borrowings and deposits by non-resident Indians. India's external dynamics remain very favourable. But a prolonged period of unfavourable trade balance when combined with volatile international capital flows can lead to unsavoury macroeconomic situations. According to a report, a 10% depreciation of the rupee combined with a 50 basis point interest rate hike can severely affect most Indian borrowers.

### **NORMS EASED FOR REITS, INVITS**

The Securities and Exchange Board of India (SEBI) has relaxed the guidelines for Real Estate Investment Trusts (REITs) and Infrastructure Investment Trusts (InvITs) in order to broaden the scope of fund raising by such instruments.

#### **REITS**

REITs are similar to mutual funds. While mutual funds provide for an opportunity to invest in equity stocks, REITs allow one to invest in income-generating real estate assets.

REITs raise funds from a large number of investors and directly invest that sum in income-generating real estate properties. The trusts are listed in stock exchanges so that investors can buy units in the trust. REITs are structured as trusts. Thus, the assets of an REIT are held by an independent trustee on behalf of unit holders.

#### **Taxation**

Short-term capital gain tax is applicable for unit holders at the rate of 15%. While interest is tax-exempt for REITs, it is taxable for unit holders. The registration charges for every purchase and sale of property is still applicable.

### **PEER-TO-PEER LENDING PLATFORMS: A NEW CLASS OF NBFCs**

The RBI has notified that peer-to-peer (P2P) lending platforms need to be regulated and treated on par with non-banking financial companies (NBFCs). This segment is nascent in India with only 10-12 small players.

#### **What is P2P lending?**

P2P lending is a form of crowd-funding used to raise loans which are paid back with interest. It can be defined as the use of an online platform that matches lenders with borrowers in order to provide unsecured loans. The borrower can either be an individual or a legal person requiring a loan.

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The interest rate may be set by the platform or mutual agreement between the borrower and the lender. Fees are paid to the platform by both the lender as well as the borrower.

### **Challenges**

The biggest challenge is that most of the players are outside the formal credit rating and reporting process — a reason why lenders and even several investors shy away from investing.

### **In conclusion**

Although nascent in India and not significant in value yet, potential benefits that P2P lending promises to various stakeholders (to borrowers, lenders and agencies) and its associated risks to the financial system are too important to be ignored.

## **INDUSTRY, INFRASTRUCTURE AND INVESTMENT**

### **TOWARDS WATER HIGHWAYS**

#### **Why in news?**

Land acquisition for the purpose of transportation is becoming difficult. This increases the cost of roads, flyovers and bridges. Hence, the Govt is now exploring using water as a means of public transportation.

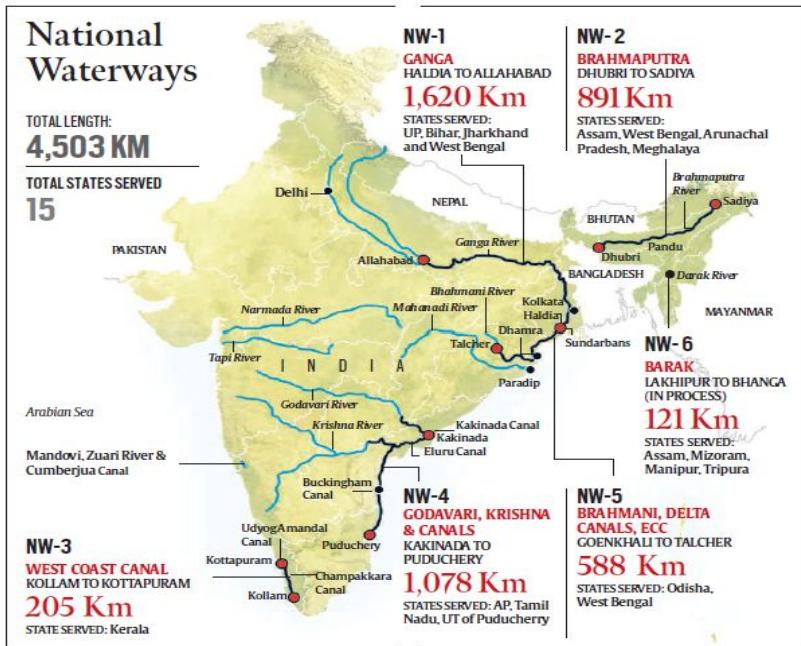
#### **What has been done so far?**

The enactment of the *National Waterways Act, 2016*, has taken the total number of national waterways to 111. But providing infrastructure such as jetties, terminals, and navigational channels continues to pose a challenge.

To address the financial challenge, the government has proposed an amendment to the Central Road Fund Act, 2000 to enable allocation of about Rs2000 crore from the central road fund (CRF) for developing inland waterways.

#### **Inland waterways of India**

India has an extensive network of inland waterways in the form of rivers, canals, backwaters and creeks. The total navigable length is 14,500 km, with rivers accounting for about 5,200 km



Freight transportation by waterways is highly under-utilized in India as compared to other large countries. Cargo transportation in an organised manner is confined to a few waterways in Goa, West Bengal, Assam and Kerala. Logistics cost in India is one of the highest among major countries and hence the govt. is showing greater interest towards the waterways.

While inland waterways are recognised as a fuel efficient, cost effective and environment friendly mode of transport, it has received lesser investment as compared to roads and railways.

### In conclusion

National waterways provide a cost-effective, logically efficient and environment-friendly mode of transport, whose development as a supplementary mode would enable diversion of traffic from over-congested roads and railways. Hence, the waterways project deserves better regulation and development across the country.

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#### **National Waterways Act, 2016**

Since inland waterways are lagging behind other modes of transport the central government has evolved a policy for integrated development of inland waterways.

The Central Government can make laws on shipping and navigation on inland waterways which are classified as National Waterways by Parliament by law.

- The Act merges five existing Acts which have declared the 5 National Waterways.
- It has declared 106 Waterways as NWs through a single piece of legislation, in addition to the existing five NWs.
- The Inland Waterways Authority of India (IWAI) which is mandated to develop, maintain and regulate these for navigation would be the nodal agency.

#### **INDIA'S FIRST BULLET TRAIN**

##### **Why in news?**

Recently, a foundation stone was laid for India's first bullet train project in Ahmedabad by the Prime ministers of India and Japan.

##### **Details**

Connectivity: Mumbai to Ahmedabad High Speed Rail (MAHSR)

Top speed: 320-350 km per hour

Loan assistance: Japan International Cooperation Agency (JICA) will fund it at a low rate of interest for 50 years, with 15 years grace period.

##### **Advantages**

- New production bases and townships will eventually expand along the MAHSR.
- States will be attracting new investments and amenities.
- Construction activity will boost allied industries such as steel, cement and infrastructure.
- New temporary and permanent jobs will also be created with most of the manufacturing, from components to rolling stock, done in India.
- Managing a project of this complexity and scale will be a great learning experience for the Indian agencies involved, resulting in skill development. The safety standards of Shinkansen will be something to learn from.

##### **Backgrounder:**

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Japan is a pioneer in high-speed rail networks, and its Shinkansen bullet train is among the fastest in the world. India will also get the safe Shinkansen technology but it would manufacture parts in the country under 'Make in India'.

## SARDAR SAROVAR DAM

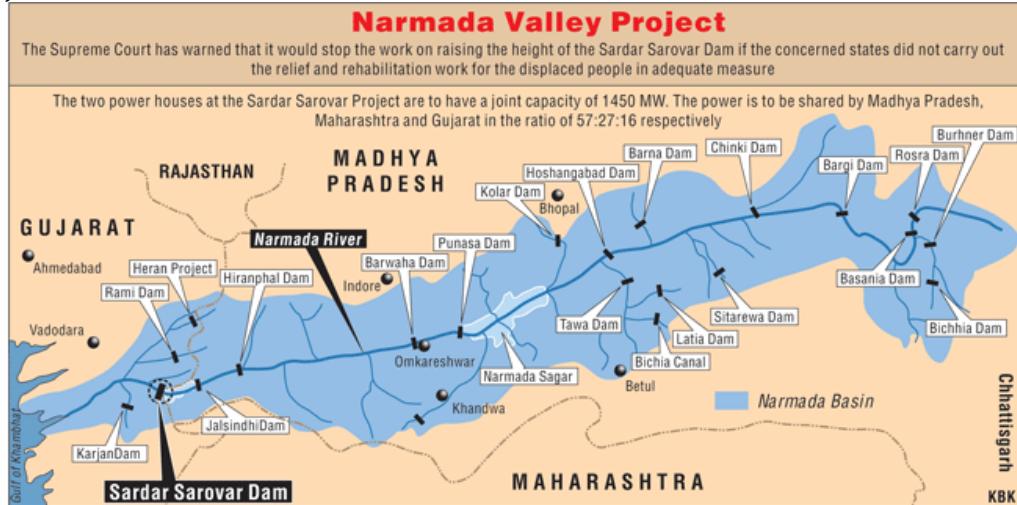
### Why in news?

The Prime Minister inaugurated the world's second biggest dam, Sardar Sarovar, 56 years after its foundation stone was laid by former PM Jawaharlal Nehru.

### **Narmada Valley Project**

The Supreme Court has warned that it would stop the work on raising the height of the Sardar Sarovar Dam if the concerned states did not carry out the relief and rehabilitation work for the displaced people in adequate measure

The two power houses at the Sardar Sarovar Project are to have a joint capacity of 1450 MW. The power is to be shared by Madhya Pradesh, Maharashtra and Gujarat in the ratio of 57:27:16 respectively



### Details

It is only second in the world after the Grand Coulee Dam in the United States.

- Sardar Sarovar Dam is also the most controversial development project of the nation with activists demanding that the filling of the reservoir with water be stopped and reduce the water level.
- As per the arrangement, the power generated from the Sardar Sarovar Dam will be shared among Maharashtra, Madhya Pradesh and Gujarat.

## SCIENCE AND TECHNOLOGY

### **LUNAR WATER MAPPED: CHANDRAYAAN-1**

First map of water trapped in the uppermost layer of the moon's soil has been developed by the scientists based on the images beamed by the Chandrayaan-1 since 2008. The study builds on the initial discovery in 2009 of water and a related molecule — hydroxyl, which consists of one atom each of hydrogen and oxygen — in the lunar soil.

The study found that:

- The signature of water is present nearly everywhere on the lunar surface, not limited to the polar regions as previously reported.
- The amount of water increases toward the poles and does not show significant difference among distinct compositional terrains.
- Although the bulk of the water mapped in this study could be attributed to solar wind, there were exceptions.
- The researchers found higher-than-average concentrations of water in lunar volcanic deposits near the moon's equator, where background water in the soil is scarce. Rather than coming from solar wind, the water in those localised deposits likely comes from deep within the moon's mantle and erupted to the surface in lunar magma

#### **Chandrayaan 1:**

The Chandrayaan-1 mission performed high-resolution remote sensing of the moon in visible, near infrared (NIR), low energy X-rays and high-energy X-ray regions.

- One of the objectives was to prepare a three-dimensional atlas (with high spatial and altitude resolution) of both near and far side of the moon.
- It aimed at conducting chemical and

### **ASTRA MISSILE**

#### **Why in news?**

The final Development Flight Trials of Astra – Beyond Visual Range Air to Air Missile (BVRAAM) was conducted recently, off the Coast of Chandipur, Odisha.

**Developed by:** The missile complex at Hyderabad and several DRDO laboratories in partnership with the Hindustan Aeronautics Limited and the Indian Air Force developed Astra.

#### **Details**

It is a Beyond-Visual Range, air-to-air indigenously developed missile.

- The all-weather, radar homing missile has high manoeuvrability and capability to engage and destroy aerial targets at supersonic speeds.
- The 60-km plus range missile is one of the most reliable in its class of weapon systems.

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- Apart from integrating the missile with Su-30, it is planned to be mounted on other fighter aircraft including Tejas Light Combat Aircraft, Mirage-2000 and MIG-29.

### **QUANTUM COMPUTING RACE**

The Department of Science and Technology (DST) is planning to fund a project to develop quantum computers, after China made a breakthrough in quantum communications.

#### **What is quantum computing?**

Quantum computing relies on quantum physics by taking advantage of certain quantum physics properties of atoms or nuclei that allow them to work together as quantum bits, or qubits, to be the computer's processor and memory. Qubits can perform certain calculations exponentially faster than conventional computers.

A quantum computer, still largely a theoretical entity, employs the principles of quantum mechanics to store information in 'qubits' instead of the typical 'bits' of 1 and 0.

#### **Challenges**

Commercial production of quantum computers is still some time away. The industry first has to solve hardware issues in quantum technology. Quantum theory represents the smallest scales and shapes of matter, describing the behaviour of subatomic particles like electrons, protons, neutrons and photons.

## **ENVIRONMENT**

### **SNOW LEOPARD OUT OF 'ENDANGERED' LIST**

IUCN status: Vulnerable

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International Union for Conservation of Nature (IUCN) – the global standard for assessing extinction risk- declared the status recently.



### **Snow leopard**

- The rarely-sighted cats live in the peaks of central Asia – including the Himalayas, and Russia's remote Altai mountains.
- Scientists say they are threatened by poaching for their fur, infrastructure developments, and climate change.
- Their spotted coats change with the seasons – from a thick, white fur to keep them warm and camouflaged in winter, to a fine yellow-grey coat in summer.

### **30<sup>TH</sup> ANNIVERSARY FOR MONTREAL PROTOCOL**

September 16<sup>th</sup> marked the 30th Anniversary of Montreal protocol and 23rd World Ozone Day.

**Theme** – “Caring for all life under the Sun”.

#### **World Ozone Day:**

International day for the preservation of Ozone layer. During the United Nations convention in Vienna for the Montreal Protocol, the General Assembly declared September 16 as the World Ozone day in order to remind the world of the depleting ozone layer.

- The first ozone hole was discovered 30 years ago in May 1985 over Antarctica.

#### **Montreal Protocol**

The Montreal Protocol is the only environmental treaty which enjoys universal ratification of 197 UN

#### **Ozone layer:**

The ozone layer absorbs most of the Sun's ultraviolet light which is harmful to human life and other life forms. The layer absorbs about 97 to 99% of ultraviolet rays and maintain the ozone-oxygen cycle. Dobson unit is a unit which is used to measure the ozone in the atmosphere at a standard temperature and pressure.

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member countries. It is one of the most successful global environmental treaties, the implementation of which has not only led to the phase-out of around 98% of ozone depleting chemicals, but also averted more than 135 billion tonnes of carbon dioxide equivalent emissions.

### **'BOAT LAB' FOR BRAHMAPUTRA**

To safeguard the fast-eroding Majuli island — Asia's largest riverine island — using research carried out on floating 'B4' boat labs along the Brahmaputra river, the govt. has mooted this idea.

**Department:** Department of Biotechnology

#### **Majuli**

It is the first island district of the country, was once 1200 square kilometres but due to excessive erosion has since shrunk to under 500 square kilometres. It is also known for being the seat of Assam's Vaishnava monasteries. Despite supporting considerable biodiversity, the Brahmaputra has not been studied as extensively as the

#### **'B4'**

The large 'Brahmaputra Biodiversity and Biology Boat', will be a "well-equipped laboratory" with cold storage facilities for holding samples, along with multiple satellite boats or rafts that will venture into shallower and narrower parts of the river to lift samples.

- The large boat with the permanent lab will be spread over two floors and will go up and down the river. One floor will be dedicated to scientists, while the other floor will be accessible to residents of the area to learn about the eco-system.
- The idea is to study the changes caused by dams, climate change, human interventions and the eventual effects it has on the river eco-system.
- The interdisciplinary focus, the work plan for which is developed with IIT Guwahati as the nodal agency, will also aim at a thorough study of freshwater resources of North East India.

### **SECURITY CHALLENGES**

#### **YUDH ABHYAS - 2017**

It is a joint military exercise between Indian and US armies

**Where?** Washington, USA.

#### **Details**

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Soldiers from both countries will hone their tactical skills in counter insurgency and counter terrorist operations and UN peace keeping operations.

### **INTELLIGENCE WING FOR SASHASTRA SEEMA BAL**

SSB got its first ever intelligence wing recently. The objective is to gather actionable information.

#### **The Need for a separate intelligence wing:**

The SSB has been mandated to guard the Indo-Nepal and Indo-Bhutan borders where there are no restrictions on the movement of people on either side. These borders are often used by criminals and Kashmiri militants returning from Pakistan.

- The SSB has also been declared as the lead intelligence agency for both the borders. Thus, the central government felt that a well-knit intelligence network of the highest capability that can function and deliver would be the prime requirement for comprehensive border management.

The border with Nepal touches Uttarakhand, Uttar Pradesh, Bihar, West Bengal and Sikkim and the border with Bhutan touches Sikkim, West Bengal, Assam and Arunachal Pradesh.

#### **Roles played by SSB**

It's primary role is to physically guard and manage the international border thereby promoting a sense of security and pride amongst the local border population.

- SSB undertakes construction of schools, buildings, toilets, roads under border area developmental plan.
- It also gives regular guidance and training to unemployed youth in general studies and physical training.
- In border villages, SSB teaches the border population the best agricultural practices, horticulture, pisciculture etc.
- SSB has also taken up a unique and important task to adopt and fund the education of the girl child in poor villages along the border and teach them unarmed combat training. This is done to eliminate rampant human trafficking of women across the border.

#### **Sashastra Seema Bal**

It is a paramilitary police force under the Ministry of Home affairs responsible for guarding India's international borders with Nepal and Bhutan. It is one of India's Central Armed Police Forces, which includes ITBP, BSF, CRPF and CISF.

The force is also deployed in Jammu and Kashmir for counter insurgency operations

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## **DISASTER MANAGEMENT**

### **FIRST 'BIMSTEC DISASTER MANAGEMENT EXERCISE- 2017'**

**Conducted by:** National Disaster Response Force (NDRF)

**Where?** Delhi and the National Capital Region (NCR)

**Objectives:** This Exercise will be a platform for sharing Best Practices on all aspects of Disaster Risk Reduction (DRR), strengthening regional response and coordination for Disaster Management among the BIMSTEC member countries.

#### **Details**

Delegates from all seven nations of the 'Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation' (BIMSTEC) grouping, – namely Bangladesh, Bhutan, India, Myanmar, Nepal, Sri Lanka and Thailand participated in the event.

- The main focus of the BIMSTEC DMEx-2017 will be on testing the region's preparedness and resilience towards effective activation of inter-Governmental interaction/dialogue/agreements for immediate deployment of regional resources for disaster response.
- It will help create synergy and synchronize efforts to institutionalize regional cooperation among the member countries.
- The exercise will help strengthen the effective utilization of the Search & Rescue Teams for Disaster Relief & Emergency Response especially in situations involving breakdown of infrastructure and communication.