Cabinet nod for 10,000 electric buses in 169 cities

PM e-bus Sewa scheme has an estimated budget of ₹57,613 crore, of which the Centre will provide ₹20,000 crore; 181 cities without organised bus services will get green mobility infrastructure

The Hindu Bureau
NEW DELHI

The Union Cabinet on Wednesday approved a scheme to add 10,000 e-buses to city bus services across the country, and to shore up urban infrastructure under green mobility initiatives with a focus on cities having no organised bus services.

An e-bus is any bus whose propulsion and accessory systems are powered exclusively by a zero-emissions electricity source.

The PM e-bus Sewa scheme will have an estimated cost of ₹57,613 crore, of which the Centre will provide ₹20,000 crore and the remaining will be borne by the States.

It will support bus operations for 10 years, an official statement said.

The scheme will be implemented in two segments, Information and Broadcasting Minister Anurag Thakur said.

In 169 cities, 10,000 e-buses will be deployed using the public-private partnership (PPP) model; in 181 other cities, infrastructure will be upgraded under the green urban mobility initiatives.

For cities in the first segment, depot infrastructure will also be developed or upgraded to support the new e-buses, including the creation of behind-the-meter power infrastructure such as substations.

For those in the second segment, the initiatives will focus on bus priority, infrastructure, multimodal interchange facilities, automated fare collection systems, and charging infrastructure.

CONTINUED ON » PAGE 12

Plan of action: Union Ministers Anurag Thakur and Ashwini Vaishnaw at a briefing in New Delhi on Wednesday. R.V. MOORTHY

7 railway projects worth ₹32,500 cr. given approval

To improve rail connectivity, the Cabinet approved seven projects estimated at around ₹32,500 crore. Spanning 35 districts in nine States — Uttar Pradesh, Bihar, Telangana, Andhra Pradesh, Maharashtra, Gujarat, Odisha, Jharkhand, and West Bengal — the projects will add 2,339 km to the existing network. » PAGE 13

Relevancy of article from exam point of view

Mains

Infrastructure, environment and ecology part of GS Paper 3, governance part of GS paper 2

Prelims

Government schemes and initiatives, related current affairs news for GS paper 1

Key points from the article

- In order to shore up urban infrastructure under Green Mobility Initiative, cabinet approved to add 10,000 e-buses to city bus service across country by the name PM e-bus sewa scheme.
- The scheme is to implemented in two phases. First, for 169 cities 10,000 e-buses will be deployed using PPP model and depot infra will be developed or upgraded to support new e-buses including creating behind the metre power infra such as substations. Secondly, in 181 other cities initiative will focus on bus priority, infra, multimodal interchanges facilities, automated fare collection system and charging infra.

Basics to be covered with article

Green mobility infra, smart city mission, problem of pollution in Indian cities, role of infra for socio-economic development.

'Vishwakarma scheme will aid 30 lakh artisan families'

Cabinet Committee on Economic Affairs approves the scheme with an outlay of ₹13,000 crore; it was announced by PM in his Independence Day speech and will give craftpersons credit support

The Hindu Bureau
NEW DELHI

The Cabinet Committee on Economic Affairs (CCEA) on Wednesday approved the "PM Vishwakarma" scheme with an outlay of ₹13,000 crore. The scheme, announced by Prime Minister Narendra Modi during his Independence Day speech, will be available for traditional craftspeople and artisans from 2023-24 to 2027-28.

The Centre said in a release that the scheme aims to strengthen and nurture the *"Guru-Shishya parampara"* (teacher student tradition) or the family-based practice of traditional skills by artisans and craftspeople working with their hands and tools.

"The scheme also aims at improving the quality, as well as the reach of products and services of artisans and craftspeople and to ensure that the Vishwakarmas are integrated with the domestic and global value chains," it said.

Eighteen traditional trades such as carpenter, boat maker, armourer, blacksmith, hammer and tool kit maker, locksmith, goldsmith, potter, sculptor, stone breaker, cobbler, mason, basket/mat/broom maker/coir weaver, traditional doll and toy maker, barber, garland maker, washerman, tailor and fishing net maker will be covered under the scheme.

Artisans and craftspeople will get PM Vishwakarma certificate and ID card, credit support up to ₹1 lakh (first tranche) and ₹2 lakh (second tranche) at a concessional interest rate of 5%. Briefing reporters, Union Minister Ashwini Vaishnaw said there will be two types of skilling programmes – basic and advanced under the scheme and a stipend of ₹500 per day will also be provided to beneficiaries while undergoing skill training.

He said 30 lakh families will be covered over five years of the scheme.

Improving reach: An artisan making bamboo baskets.

Importance of article from exam point of view

Prelims

Govt. schemes and current affairs for general studies paper

Mains

Self Help Group, Financial inclusion, Employment topics of GS Paper 2 and 3

key points from the article

- PM Modi during his Independence Day speech announced Vishwakarma scheme for traditional craftspeople and artisans. The cabinet committee on economic affairs approved on PM VISHWAKARMA SCHEME on Aug. 16 with outlay of 13000 crore for the period of 2023-24 to 2027-28.
- Under the scheme 18 traditional trades will be covered and artisans and craftspeople will get PM Vishwakarma certificate and ID card, credit support up to 1 lakh rupee in first tranche and 2 lakh rupee in second tranche at a concessional interest rate of 5%.
- The scheme aims to strengthen and nurture Guru-shishya prampara or the family-based practice of traditional skills by artisans and craftspeople working with their hands and tools, which will further improve quality and reach of service and product and integrate them with global value chains.
- There will also two types of skilling programme- basic and advanced, around 30 lakh families will be covered over five years of the scheme.

Basic to be covered with article

Financial inclusion, self help groups, key points of PM's Independence Day speech

Why is Bihar's caste-based survey facing legal challenges?

Why is the Union government against a caste census? Why did the Patna High Court uphold the survey?

Aartrika Bhaumik

The story so far:

The Supreme Court is set to hear on August 18, petitions challenging the Patna High Court (HC)'s verdict upholding the Bihar government's ongoing caste survey.

What is the 'caste-based survey'?

On January 7, the State government launched a two-phase caste survey in Bihar, stating that detailed information on socio-economic conditions would help create better government policies for disadvantaged groups. Last year on June 6, the Bihar government issued a notification to this effect, following a State Cabinet decision on June 2, 2022.

The survey is estimated to collect the socio-economic data for a population of 12.70 crore in the 38 districts of Bihar. The first phase of the survey, which involved a house listing exercise, was carried out from January 7 to January 12. The State was in the middle of the second phase, when the survey was halted due to a stay order from the HC on May 4.

However, a recent HC verdict dismissed all petitions opposing the move, and the government on August 2 resumed work on the second phase of the survey. In the second phase, data related to castes, sub-castes, and religions of all people is to be collected. The final survey report can be expected in September, less than a year before the 2024 election.

Why the need for a caste census?

The Census conducted at the beginning of every decade does not record any caste data other than for those listed as Scheduled Castes (SCs). In the absence of such a census, there is no proper estimate for the population of OBCs, various groups within the OBCs, and others.

Despite this ambiguity, the Union government has categorically ruled out conducting a socio-economic caste census, saying it is unfeasible, 'administratively difficult and cumbersome.' Responding to a writ petition filed by the State of Maharashtra, the Centre in its affidavit said that excluding any castes other than the SCs and Scheduled Tribes was a 'conscious policy decision' adopted since the 1951 Census, and that there was a policy of 'official discouragement of caste'. The Union government in 2011 had undertaken a survey of castes through the Socio-Economic and Caste Census of 2011. However, the collected raw data of nearly 130 crore Indians was never made public due to flaws in the data.

Political analysts see the Bihar government's move as a way for coalition parties to counter the Bharatiya Janata Party (BJP)'s Hindutva politics with a revival of Mandal politics. On August 15, 1990, the V.P. Singh government announced the decision to implement the Mandal Commission report, which recommended a 27% reservation for Other Backward Classes (OBC). In 1992, with the Supreme Court ruling in *Indra Sawhney & Others versus Union of India* (1992) that caste was an acceptable indicator of backwardness, the recommendations of the Mandal Commission were finally implemented. The Mandal Commission estimated the OBC population at 52%.

However, it is debatable whether the estimate holds true today. Opposition parties, have continued to demand a caste census saying that such an exercise is necessary to streamline welfare policies.

Why is it being challenged?

The petitions in the Supreme Court contend that the State's June 6, 2022 order notifying the survey is unconstitutional since only the Centre is exclusively authorised to conduct a census under the Constitution.

They also point out that the State Government does not have any independent power to appoint District Magistrates and local authorities for collating data, without a notification under Section 3 of the Census Act, 1948 by the Centre. The HC verdict has also been assailed on the ground that it violates the Puttaswamy judgment as it permits the collection of personal data by the State under an executive order.

However, the HC had observed that the State is competent to frame a policy for better administration and that the policy is not arbitrary. Besides, States "cannot wait on their fiaunches" for the Centre to carry out a caste census. It also dismissed concerns about right of privacy of those surveyed by referring to the triple-test requirements in the Puttaswmy judgment

THE GIST

The Supreme Court is set to hear on August 18, petitions challenging the Patna High Court's verdict upholding the Bihar government's ongoing caste survey.

The Census conducted at the beginning of every decade does not record any caste data other than for those listed as Scheduled Castes (SC). In the absence of such a census, there is no proper estimate for the population of OBCs, various groups within the OBCs, and others.

The petitions in the Supreme Court contend that the State's June 6, 2022 order notifying the survey is unconstitutional since only the Centre is exclusively authorised to conduct a census under the Constitution.

Importance of article for exam point of view

Prelims

General studies paper 1

Mains

Indian society, Governance and social justice topic of GS paper 2 and 3

Key points

- Supreme court to hear petition challenging Patna HC verdict upholding the Bihar govt's ongoing caste based census.
- In order to gather detailed socio-economic condition and create better govt policies for disadvantages groups the state gov launched two-phase caste survey in Bihar. The first phase involves house listing exercise and second phase, data related to castes, sub-castes and religions of all people is to be collected.
- The census conducted at the beginning of every decade do not record any caste data other than for those listed as scheduled castes, there is no proper estimate for the population of OBCs and groups within OBCs.

- Responding to a writ petition, centre said excluding any castes other than the SCs and STs was a conscious policy decision adopted since the 1951 census, and that there was a policy of official discouragement of caste.
- In 1992, with the SC ruling in Indra Sawhney and other Vs Union of India 1992 that caste was and acceptable indicator of backwardness, the recommendations of Mandal Commission were finally implemented.
- The petitions in the SC contend that the state's order notifying the survey is unconstitutional since only the centre is exclusively authorised to conduct a census under the constitution and state govt does not have any independent power to appoint DMs and local authorities for collating data, without a notification under section 3 of the census act, 1948. However, HC observed that the state is competent to frame policy for better administration.

Basics to be covered with article

Census, social justice, Indra Sawhney vs Union of India case, Mandal commission.

Understanding the MoEFCC's U-turn

Why did the Ministry of Environment, Forests and Climate Change go back on its plan to merge various environmental organisations? What was the Ministry's intention behind the move? What were the criticisms against the merger?

EXPLAINER

Rishika Pardikar

The story so far:

In June, the Ministry of Environment, Forests and Climate Change (MoEFCC) issued a notification quietly walking back on its move to establish integrated regional offices by merging offices of the Forest Survey of India (FSI), the National Tiger Conservation Authority (NTCA), the Wildlife Crime Control Bureau (WCCB), and the Central Zoo Authority (CZA), and thus bring them under the Ministry.

What did the Ministry's plan say?

The idea for such reorganisation was announced during the COVID-19 lockdown and came under criticism from activists that it would render key environmental organisations "toothless". For example, in the existing structure, the NTCA can oppose a forest clearance for an infrastructure project for diverting Tiger Reserve areas. The proposed merger would have rendered this difficult as the NTCA would have come under the Deputy Director General of Forests, who is in charge of the Integrated Regional Office and reports to the Ministry.

According to internal documents, accessed by an application filed under the Right to Information Act by Karnataka-based activist Ramprasad, the MoEFCC justified the merger for "ease of doing business" whereas the NTCA had opposed it, saying it could lead to "administrative confusion, chaos ... loss of independence, undue interference in decision making, [and] loss of focus in discharging duties and responsibilities."

What was the Ministry's rationale?

Giridhar Kulkarni, a Belgaum-based wildlife conservationist, had filed a petition against this reorganisation plan in the Karnataka High Court in 2020, arguing that it would amount to a merger of entities and authorities that is impermissible in law. The MoEFCC replied that the notifications does not amount to a merger and that the intention was to get the various authorities to function at 10 regional offices, under one roof. Following this assurance, the Karnataka High Court disposed of the petition but gave the petitioner the liberty to approach the Court if the merger was found to adversely affect the functioning of the various bodies.

But more than two years later, the MoEFCC dropped the merger plan, likely owing to technical and administrative difficulties in merging the institutions in question. "It was an idea that was designed to fail," Sitrwick Dutta, an environmental lawyer and cofounder at the Legal Initiative for Forest and Environment (LIFE), told this writer. "The notification is an acknowledgement that the decision to merge the different statutory, scientific, and administrative bodies was done without much thought."

The NTCA is the managing authority of Project Tiger and India's Tiger Reserves. The FSI is a scientific body that primarily deals with forest data. The WCCB is an enforcement authority. And the CZA's purview is limited to the functioning of zoos.

What does the new notification state?

The same notification also proposes to reorganise existing regional offices, and this idea too has come under criticism because it does not appear to be based on any objective criteria. For example, the Bengaluru regional office would have had jurisdiction over three States and a Union Territory with different geographic and ecological characteristics – Karnataka, Kerala, Goa, and Lakshadweep.

Last month, the Indian government announced a plan to merge Project Tiger and Project Elephant. Mr. Kulkarni had expressed concerns on this occasion as well, noting that it risked undermining the autonomy of the NTCA. Mr. Dutta, on the other hand, was concerned about implications for Project Elephant given that it does not have any legal backing at present. Tiger Reserves are recognised under the Wildlife Protection Act 1972 but Elephant Reserves are not. "Project Elephant is not taken seriously today. This plan will undermine its importance," Mr. Dutta said. News reports have also shown how the decision to merge the two projects was taken without discussion in the wildlife division of the MoEFCC.

How is the Ministry changing?

Broadly, experts articulated a need for disintegrated and dedicated efforts across the board, including to strengthen environmental monitoring functions.

In recent years, the role and functions of regional offices of the Ministry have been widened both to process environmental approvals and monitor compliance of legally mandated safeguards during project construction, operation, and closures. As a result, such widened roles require additional funding and infrastructural support, but it remains unclear if such support has been provided.

"Decentralised infrastructure is essential as it increases accessibility to regulators and can potentially enhance legal enforcement," said Ramchi Kotil, an environmental law and policy researcher. She suggested an internal mechanism to review whether the offices are able to prioritise their actions in such a way that they don't disproportionately favour any regulatory outcomes, while upholding environmental protection without compromising social justice.

(Rishika Pardikar is a freelance environment reporter based in Bengaluru.)

THE GIST

- In June, the Ministry of Environment, Forests and Climate Change issued a notification quietly walking back on its move to establish integrated regional offices by merging offices of the FSI, NTCA, WCCB, and CZA and thus bring them under the Ministry.
- The NTCA is the managing authority of Project Tiger and India's Tiger Reserves. The FSI is a scientific body that primarily deals with forest data. The WCCB is an enforcement authority. And the CZA's purview is limited to the functioning of zoos.
- Giridhar Kulkarni, a Belgaum-based wildlife conservationist, had filed a petition against this reorganisation plan in the Karnataka High Court in 2020, arguing that it would amount to a merger of entities and authorities that is impermissible in law.

Unlikely union: The NTCA is the managing authority of Project Tiger. *Representative image*

Importance of article from exam point of view

Prelims

Environment and ecology for General studies paper

Mains

Geography, biodiversity environment and ecology of GS Paper 1 and 3

Key points of article

- During the covid lockdown the MoEFCC established a integrated regional offices by merging offices of Forest Survey of India, National Tiger Conservation Authority, Wildlife Crime Control Bureau and Central Zoo Authority and thus bringing them under ministry, but in June ministry issued a notification quietly taking back its decision.
- The decision criticezed for making environment organisatins toothless, govt justified its decision of merger on the ground of ease of doung business. Then the plan of merger dropped on the ground owing to technical and administrative difficulties in merging the institutions.

Basics to be covered with article

Various bodies their structure and functioning NTCA, FSI, WCCB and CZA. Project Tiger, Project Elephant, biodiversity.

New Bills and a principled course for criminal law reforms

G.S. Bajpai
is Vice-Chancellor, National Law University Delhi

The recent introduction of three Bills transforming India's criminal laws – the Bharatiya Nyaya Sanhita to replace the Indian Penal Code; the Bharatiya Nagarik Suraksha Sanhita to replace the Code of Criminal Procedure and the Bharatiya Sakshya Bill to replace the Indian Evidence Act – has ignited a spectrum of reactions. Amidst what is unfolding, the challenge lies in ensuring that there is debate which also leads to productive contributions. As the Bills have the potential to shape future criminal law, the issues of sustainability, efficacy, adherence to the rule of law and justice delivery capacity are paramount.

Principles of criminal law, in Alan Norrie's words, are a "site of struggle and contradiction". Capturing the collective public aspirations within criminal law reforms presents a formidable challenge. The disparities between polarised popular opinions must be balanced with the state's perspective. Criminal law is an instrument of social control. It moulds and guides us in more ways than one. The conditioning of stakeholders and functionaries of the Macaulay-era criminal law for 163 years undeniably complicates the task of criminal law reforms.

It is too early to decide whether the Bills will cause large-scale changes in the legal landscape. The success or failure of criminal law reforms hinges on their inception, formulation, resilience, and far-sightedness. The purported alterations pale in comparison to the deep-seated challenges besieging India's criminal justice system. Seemingly, the Bills highlight an abundance of missed opportunities.

Some reformatory measures

At the same time, the assertion that these Bills are draconian when compared to their previous iterations lacks merit. Among others, the Bills exhibit moderative modifications fostering gender inclusivity and replacement of anachronistic terms such as 'unsoundness of mind' with 'mental illness'. There is also a measured reconfiguration in punishments for minor and serious offences. Significantly, the integration of information and communications technology applications with the criminal justice process is noteworthy. Although limited, innovations such as trial in absentia and the introduction of community service are commendable. The exclusion of attempted suicide and adultery aligns the black letter of the law with the Supreme Court of India's decisions. Notably, the offence of sedition has been judiciously tempered through the introduction of culpability constraints. Newly created offences such as terrorism, organised crime, mob lynching, and negligent acts too add novel dimensions.

The test

The debate on the Bills should not revolve merely around ascertaining positive or negative outcomes. Instead, the pivotal concern lies in ascertaining whether the fundamental tenets of criminal jurisprudence have been upheld throughout this process. The trajectory of the reforms and their operational dynamics remain uncertain. Nonetheless, the principled foundation of criminal laws can be examined methodically. The primary principle for such adjudication remains the extent to which reforms address the needs and concerns of those impacted by criminal justice, especially the realisation of fundamental and statutory rights. Considerable critique of criminal law reform originates from concerns regarding potential infringements on individual liberties. The amended laws must strike a balance between state security imperatives and individual freedoms. The efficiency of reforms hinges on their capacity to effectively curtail potential misuse by functionaries. Criminal laws are generally detested for their failure to discharge their function as protective tools for subjects. Law reforms typically fall on this count.

Second, following the principles of criminalisation in creating new offences is equally pertinent. There is a need to study the principled basis of the harm or the moral/legal offence caused by such criminalised conduct.

Third, criminal laws in this country further class divides as the rich and the resourceful get better access to justice when compared to the marginalised and the vulnerable. Therefore, the principles of equality and equitability become essential checks on criminal law reform. Arguably, criminal laws confront a crisis of public trust resulting in legitimacy deficiencies.

Fourth, it is fallacious to assume, without conclusive evidence to the contrary, that the populace opposes stringent measures against terrorists or organised criminals. At the same time, increasing severity in laws does not *ipso facto* instil public confidence in the criminal justice system. The upcoming Bills, therefore, face a pivotal challenge in bridging the gap between rhetoric and reality. The potency of reforms hinges on the criminal justice system's capacity to implement it effectively. Regardless of their linguistic merit, systemic shortcomings make numerous legal provisions infeasible. Finally, the effectiveness of the reforms will also be tested on the basis of its impact upon the status of the vulnerable, victims and the poor.

State's power asset

Over the years, the functionaries responsible for its enforcement considerably denuded the essence of the criminal law. The political executive has invariably sought to wield criminal law as a pre-emptive tool. Criminal law remains a strategic power asset for the state. Concepts of risk, endangerment and dangerousness continue to contaminate the criminal law jurisprudence. The proliferation of this preventive approach to criminal law raises legitimate concerns.

As the Bills are placed before the select committee for its consideration, it is expected that this committee will allow greater engagement to improve the drafts in terms of language and substance. The space must be utilised to accommodate greater provisions concerning victims' rights and participation, hate crime, bail, sentencing framework and legal aid in pending Bills. The envisioned criminal law reforms must foster the rule of law and fortify the pursuit of justice.

The views expressed are personal

'The reforms will be tested based on their impact on the status of the vulnerable, victims and the poor'

Importance of article for exam

Prelims

Govt policies, laws, current affairs for general studies paper 1

Mains

Governance and polity of GS paper 2

Key points of article

- The recent introduction of bills transforming India's criminal laws have potential to shape future criminal law, the issues of sustainability, efficacy, adherence to the rule of law and justice deliver capacity are paramount.
- In Alan Norrie's words principles of criminal law are " a site of struggle and contradiction" , the disparities between polarised public opinion must be balanced with states perspective.
- The bill exhibits moderative modifications fostering gender inclusivity and replacement of anachronistic terms such as unsoundness of mind with mental illness.
- The pivotal concern lies in ascertaining whether the fundamental tenets of criminal jurisprudence have been upheld throughout the process. The amended law must strike a balance between state security imperatives and individual freedoms.
- The efficiency of reforms hinges on their capacity to effectively curtail potential misuse by functionaries.
- The principle of criminalisation in crating new offences is equally pertinent and there is a need to study the principled basis of the harm or the moral/legal offence caused by such criminalised conduct.
- The principles of equality and equitability becomes essential checks on reforms as criminal laws are generally detested for their failure to discharge their function as protective tools for subjects.
- The upcoming bill face a pivotal challenge in bridging gap between rhetoric and reality and potency of reform hinges on criminal justice systems capacity to be implemented effectively.