Monthly Policy Review

July 2016

Highlights of this Issue

Retail inflation increases by 0.3% in Q1 of 2016-17, to 5.8%; WPI by 1.3% to 1.6% (p. 2)
The increase in inflation is on account of an increase in the inflation of cereals, vegetables, sugar and dairy products. WPI inflation also increased on account of the inflation of food articles, as well as petrol and diesel.

Joint Committee on the Enforcement of Security Interest Bill submits report (p. 2)
The recommendations include removing restrictions on the number of representatives of a sponsor on the Board of Asset Reconstruction Companies, and allowing officers of other tribunals to preside over Debt Recovery Tribunals.

Bill to amend the Lokpal and Lokayuktas Act, 2013 passed by Parliament (p. 5)
The Act required public servants (including trustees of NGOs) to declare their assets by July 31, which will be made public. The amendments change this to state that the manner of declarations will be notified by the government.

Bills providing for a uniform medical entrance examination passed by Lok Sabha (p. 6)
The Bills provide a uniform common entrance test for all MBBS, BDS and postgraduate courses for all colleges. States can choose to opt out from conducting the exam for the year 2016-17 for undergraduate colleges.

Bills relating to child labour and compensatory afforestation passed by Parliament (p. 7)
The Bills prohibit employment of children in all occupations, and adolescents in hazardous occupations, and set up a mechanism to regulate funds collected when forest land is diverted for non-forest use, respectively.

The Benami Transactions Prohibition (Amendment) Bill, 2015 passed by Lok Sabha (p. 2)
The Bill seeks to amend the definition of benami transactions. It also establishes adjudicating authorities to deal with benami transactions and provides for appeals against orders issued by these.

National Mineral Exploration Policy released (p. 5)
Two agencies will be set up for collating all baseline data and increasing mineral discovery rate. Private agencies can be engaged for exploration, and they will share the revenue when discovered mineral blocks are auctioned.

Certain sections of Aadhaar Act, 2016 notified (p. 3)
The notified sections relate to the establishment of the Unique Identification Authority of India. The section that permits Aadhaar to be used for other purposes has also been notified.

Draft National Education Policy, 2016 released (p. 8)
The draft Policy highlights key challenges in the education sector and establishes a policy framework for action. The policy initiatives address learning outcomes in education, examination reforms, teacher development, etc.

Pradhan Mantri Kaushal Vikas Yojana approved by Cabinet (p. 9)
The scheme will run for a period of four years (2016-2020) and has been approved with an outlay of Rs 12,000 crore. It will impart fresh training to 60 lakh individuals and certify existing skills of 40 lakh individuals.

Cabinet approves Interest Subvention Scheme 2016-17 for farmers (p. 4)
Under the scheme, farmers will receive an interest subsidy of 5% per year, for short term crop loan of one year, of up to three lakh rupees taken in 2016-17. Rs 18,276 crore has been allocated for the scheme.

Ministry increases assistance for Swachh Bharat projects in urban areas (p. 11)
Central assistance has been increased for solid waste management projects, and construction of community toilets. Construction of public toilets and urinals has also been made eligible for central assistance.

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PRS Legislative Research ▪ Institute for Policy Research Studies
3rd Floor, Gandharva Mahavidyalaya ▪ 212, Deen Dayal Upadhyaya Marg ▪ New Delhi – 110002
Tel: (011) 43434035-36, 23234801-02 ▪ www.prsindia.org

Macroeconomic Development

Tanvi Deshpande (tanvi@prsindia.org)

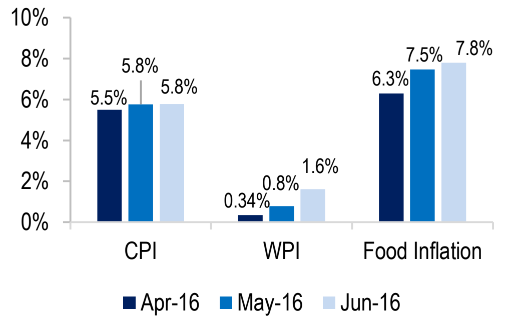
Retail inflation increases by 0.3% during the first quarter of 2016-17

The Consumer Price Index (CPI) inflation (base year 2011-12) increased from 5.5% to 5.8% during the first quarter of 2016-17 (April to June).[1] During this period, food inflation also increased from 6.3% to 7.8%. The increase in CPI inflation was mainly a result of an increase in the prices of food articles such as cereals, vegetables, sugar, and dairy products.

The Wholesale Price Index (WPI) inflation (base year 2004-05) increased by 1.3% during the first quarter of 2016-17, from 0.3% to 1.6%.[2] The increase was on account of an increase in the prices of food articles such as cereals and vegetables, especially potato, manufactured goods such as sugar, and fuels such as petrol and high speed diesel.

The trend in CPI and WPI over the first quarter of 2016-17 is shown in Figure 1.

Figure 1: CPI and WPI inflation in Q1 of 2016-17 (year on year % change)



Sources: Ministry of Commerce and Industry; Ministry of Statistics and Programme Implementation; PRS.

Finance

Joint Committee on the Enforcement Bill submits report

Vatsal Khullar (vatsal@prsindia.org)

The Joint Committee on the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill, 2016 submitted its report along with a modified Bill on July 22, 2016.[3]

The Bill amends four laws, including: (i) Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act), and (ii) Recovery of Debt Due to Banks and Financial Institutions Act, 1993 (DRT Act).

Key recommendations of the Committee include:

- The SARFAESI Act prohibits a sponsor of an Asset Reconstruction Company from having a controlling stake in the company. The Bill removes this restriction and requires the Reserve Bank of India to determine a 'Fit and Proper' criteria for a sponsor. The Committee recommended that in line with the removal of this restriction, section 3 (3) (d) of the Act which restricts the representatives of a sponsor from constituting more than half of the Board of Directors, should also be deleted.
- The SARFAESI Act provides grounds on which an aggrieved party can file an appeal before a Debt Recovery Tribunal (DRT). The Bill clarifies that such cases may be filed in the DRT having jurisdiction over the area where: (i) the cause of action arises, or (ii) the collateral security is located. The Committee recommended that a party may also be allowed to file a case in the DRT having jurisdiction over the bank branch where the debt is outstanding.
- The DRT Act allows a Presiding Officer of a DRT or Chairman of a Debt Recovery Appellate Tribunal (DRAT) to perform functions of another DRT or Appellate Tribunal, respectively. The Committee recommended that in order to fill up vacancies, Presiding Officers or Chairmen of Tribunals which have been set up under any other law should also be allowed to perform their functions in DRTs or DRATs.

For a PRS Report Summary, please see here.

Benami Transactions (Prohibition) (Amendment) Bill, 2015 passed in Lok Sabha

Aravind Gayam (aravind@prsindia.org)

The Benami Transactions Prohibition (Amendment) Bill, 2015 was passed by Lok Sabha on July 27, 2016 with certain amendments.[4] The Bill amends the Benami Transactions Act, 1988. The Standing Committee of Finance examined the Bill and presented its report on April 28, 2016.[5]

The Act prohibits benami transactions and provides for the acquisition of benami property. The Bill seeks to amend the definition of benami transactions, and establishes adjudicating authorities to deal with such transactions.

The Bill has been passed by Lok Sabha with certain amendments. The amendments deal with: (i) conformity to the Income Disclosure Scheme, 2016, (ii) provision which allows the person being investigated to be represented by an authorized representative, during adjudication.

For a comparison of the amendments with the provisions of the Bill and the Standing Committee recommendations, please see here.

For more information on the Bill, please see here.

Indian Trusts (Amendment) Bill, 2016 passed by Lok Sabha

Vatsal Khullar (vatsal@prsindia.org)

The Indian Trusts (Amendment) Bill, 2016 was passed by Parliament on July 20, 2016.[6] The Bill amends the Indian Trusts Act, 1882. The Act regulates the functioning of private trusts and trustees. It also outlines the manner in which surplus funds of the trust can be invested. The Act specifies categories of securities where trust money can be invested. These categories include some pre-independence references such as securities issued by the United Kingdom, Presidency towns, and the port trust of Karachi.

The Bill amends the Act to delete these categories of securities. Trust money may now be invested in securities which are authorised by the instrument of the trust, or notified by the central government.

For a PRS Summary of the Bill, please see, here.

Certain sections of Aadhaar Act, 2016 notified

Roopal Suhag (roopal@prsindia.org)

The government notified certain sections of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 on July 12, 2016.[7] Under the Act, these sections relate to the establishment of the Unique Identification Authority of India, its composition, functions, appointment of the Chairperson and other members, etc. (sections 11 to 20, 22, 23 and 48 to 59 have come into force). The provision of the Act that allows the use of an Aadhaar number by any person/agency to establish the identity of an individual has also come into effect.

In another notification, the government established the Unique Identification Authority of India.[8] The Authority can now exercise its functions as provided under the Act. The Authority will be responsible for assigning Aadhaar numbers to individuals.

The Unique Identification Authority of India (Terms and Conditions of Service of Chairperson and Members) Rules, 2016 have also been notified.[9] Key features of the Rules include:

- **Selection Committee:** A search-cum-selection Committee, chaired by the Cabinet Secretary, will appoint the Chairperson and the part-time members of the Authority.
- **Declaration of financial and other interests:** The Chairperson of the Authority and every member will be required to declare their details of previous employment and financial and other assets.

Cabinet approves increase in foreign investment limit in stock exchanges

Vatsal Khullar (vatsal@prsindia.org)

The Union Cabinet gave its approval to increase the limit on foreign investment (FDI) in stock exchanges, on July 27, 2016.[10] This limit will be increased from 5% to 15%. That is, an individual foreign investor (such as a banking or an insurance company) will now be allowed to hold up to 15% of the shares of Indian stock exchanges (such as Bombay Stock Exchange).

The Cabinet also gave its approval to allow foreign investors to subscribe to shares during the initial public offer (IPO) of the Stock Exchange. Currently, these investors can purchase shares of the Exchange in a secondary sale, but are allowed to take part in the IPO.

SIT on black money makes fifth round of recommendations

Aravind Gayam (aravind@prsindia.org)

The Special Investigation Team (SIT) on black money released its fifth round of recommendations on July 14, 2016.[11,12] The SIT was set up in May 2014 to make recommendations on issues relating to black money.[13] This round of recommendations addresses the limiting of cash transactions to curb black money.

Key recommendations of the SIT include:

- **Cash transactions:** A large amount of unaccounted wealth is stored and used in the form of cash. To limit this unaccounted wealth, the SIT has recommended that cash transactions above Rs 3 lakh should be banned. A law should be enacted to make such transactions illegal and punishable.

- **Cash holding:** The amount of cash an individual or a firm can hold should be limited to Rs 15 lakh. However, exceptions to this requirement can be made with the permission of Commissioner of Income Tax.

Cabinet approves Interest Subvention Scheme 2016-17 for farmers

Tanvi Deshpande (tanvi@prsindia.org)

The Union Cabinet approved the Interest Subvention Scheme 2016-17 for farmers on July 5, 2016.[14] Interest subvention is the provision of subsidy on the interest payable on a loan. The government has allocated Rs 18,276 crore for this scheme. Key features of the scheme are:

- Farmers will be provided with an interest subvention of 5%. This would be applicable on short term crop loans of one year, of up to three lakh rupees, which are taken in 2016-17. Farmers will have to pay only 4% interest, out of the 9% interest rate.
- In case a farmer does not repay the loan on time, he would be eligible for a 2% interest subvention as opposed to 5%.
- Small and marginal farmers (with land holdings of less than two hectares) who borrow money for post-harvest storage would be eligible for a 2% interest subvention on loans of up to six months.
- In case of a national calamity, banks would be provided an interest subvention of 2% on the loaned amount, for the first year.

RBI constitutes inter-regulatory working group on financial technology and digital banking

Vatsal Khullar (vatsal@prsindia.org)

The Reserve Bank of India (RBI) constituted an inter-regulatory working group on July 14, 2016.[15] The working group will study the regulatory issues related to financial technology and digital banking in India. It will submit its report within six months of its first meeting.

The group has 13 members and is to be chaired by Mr. Sudarshan Sen (Executive Director, RBI). The members include representatives from: (i) Securities and Exchange Board of India, (ii) Insurance and Regulatory Development Authority of India, and (iii) Pension Fund Regulatory and Development Authority. The group also has representatives from banks and credit rating organisations.

The terms of reference of the group include:

- Undertaking a study of developments in financial technology, and new products and technologies adopted by markets and the financial sector;
- Assessing opportunities and risks associated with digitisation of the financial sector;
- Assessing implications and challenges of non-financial entities taking up functions such as payments;
- Carrying out a cross-country comparison of successful instances of regulatory responses to disruptions; and
- Determining the regulatory responses for enhancing financial technology and digital banking, while managing the challenges associated with it.

Universal roll-out of Public Financial Management System for Central Sector Schemes

Aravind Gayam (aravind@prsindia.org)

The Ministry of Finance approved the use of Public Financial Management System (PFMS) to all Central Sector Schemes.[16] PFMS is a system to process payments and transfers made by the government, and is currently being used by the Ministry of Finance. It allows departments of the central government making transfers under Central Sector Schemes to: (i) track their releases, and (ii) monitor last mile utilization.

Committee to examine the feasibility of a new commencement date of financial years constituted

Aravind Gayam (aravind@prsindia.org)

The Ministry of Finance constituted a Committee (Chair: Dr. Shankar Acharya) on July 6, 2016 to examine the desirability and feasibility of adopting a new commencement date of financial years.[17] The Committee is expected to submit its report on December 31, 2016.

Terms of reference of the Committee include:

- Examining the appropriate timing for the commencement of the financial year, taking into consideration: (i) taxation systems and procedures, (ii) agriculture and other working seasons, (iii) impact on business, and (iv) convenience of legislatures for transacting budget work; and
- If the Committee recommends a change in financial year, it may also recommend: (i) appropriate time of change, (ii) transitional

period for the change, and (iii) change in taxation and other laws accordingly.

Mines

Dipesh Suvarna (dipesh@prsindia.org)

National Mineral Exploration Policy released

The Ministry of Mines released the National Mineral Exploration Policy July, 2016.[18] The Policy provides for an action plan to ensure comprehensive exploration of mineral resources (non-fuel and non-coal) in the country. Key details of the Policy include:

- **Basic features:** The basic features of the exploration strategy include: (i) pre-competitive baseline data will be made available by the government free of charge (baseline data is used to understand the geology, structure etc. of minerals), and (ii) a special initiative will be launched to probe deep seated mineral deposits.
- **Private participation:** Under the Policy, private agencies can be engaged to carry out exploration work in the identified blocks. They will obtain a certain share in the revenue received by the state government throughout the lease period. The revenue sharing could be either in the form of a percentage of royalty received throughout the lease period (50 years) or through a lump sum amount.
- This amount (revenue share) will be paid by the successful bidder of the block to the exploration agency when the mineral blocks are put up for e-auction (based on successful exploration). The exploring agency can participate in e-auctioning. The government will compensate the agency on a normative cost basis (estimation of costs based on certain levels of efficiency), if the agency does not discover any mineral reserves in the respective areas.
- **National Centre for Mineral Targeting (NCMT):** The NCMT will be established under the Policy. The centre will be an applied research enterprise which will focus on increasing the discovery rate in mineral exploration and the quality of discoveries (without relying on substantial increase in exploration expenditure).
- **National Geoscientific Data Repository:** A repository will be set up and will collate all baseline and mineral exploration information generated by various central and state government agencies and mineral concession holders. It will also maintain this information on the geospatial database.

Law and Justice

Prianka Rao (prianka@prsindia.org)

Bill to amend the Lokpal and Lokayuktas Act, 2013 passed by Parliament

The Lokpal and Lokayuktas (Amendment) Bill, 2016 was introduced and passed in Lok Sabha on July 27, 2016 by the Minister for Personnel, Public Grievances and Pensions, Dr. Jitendra Singh.[19] It was passed by Rajya Sabha on July 28, 2016. The Bill amends the Lokpal and Lokayuktas Act, 2013 in relation to declaration of assets and liabilities by public servants. The provisions of the Bill would apply retrospectively, from the date of the coming into force of the 2013 Act.

The definition of public servants includes elected representatives (Prime Minister, ministers, MPs), central government officials (Class A to D), employees of public undertakings, as well as board members and officers of NGOs that receive government funding over Rs 1 crore or foreign funds over Rs 1 lakh.

Declaration of assets under the 2013 Act

- **Declaration of assets:** The Lokpal Act requires a public servant to declare his assets and liabilities, and also those of his spouse and dependent children. Such declarations must be made to the competent authority within 30 days of entering office. The public servant must also file an annual return of such assets and liabilities by July 31 of every year.
- **Publication on the website:** The Lokpal Act also requires statements of declarations to be published on the website of the relevant Ministry by August 31 of that year.

Declaration of assets under the 2016 Bill

The Bill replaces these provisions to state that a public servant will be required to declare his assets and liabilities. However, the form and manner of making such a declaration will be prescribed by the central government.

Note that the trustees and officers of certain NGOs will continue to be regarded as public servants under the Lokpal Act, 2013. The requirement for declaring assets and liabilities will continue to be applicable to them.

However, the Act will no longer require that the assets and liabilities of spouses and dependent children of public servants be declared. It also removes the mandatory disclosure on the Ministry's website.

A PRS summary of this Bill is available here.

For more details on the Bill, read the PRS Blog here.

Bill to alter the names of Bombay, Calcutta and Madras High Courts introduced in Lok Sabha

The High Courts (Alteration of Names) Bill, 2016 was introduced in Lok Sabha on July 19, 2016.[20] The Bill seeks to modify the names of the High Courts of Bombay, Calcutta and Madras. It states that these courts will be known as the High Courts of Mumbai, Kolkata and Chennai respectively.

The names of these High Courts were based on the cities in which they were located. Consequent to the change in the names of the cities, the names of the High Courts are also being modified.

A PRS summary of this Bill is available here.

Health

Dipesh Suvarna (dipesh@prsindia.org)

Indian Medical Council (Amendment) Bill, 2016 and Dentists (Amendment) Bill, 2016 passed by Lok Sabha

The Indian Medical Council (Amendment) Bill, 2016 and the Dentists (Amendment) Bill, 2016 were introduced and passed in Lok Sabha on July 19, 2016.[21,22,23] The Bills seek to amend the Indian Medical Council Act, 1956 and the Dentists Act, 1948. They replace two Ordinances promulgated on May 24, 2016.

The Indian Medical Council Act, 1956 and the Dentists Act, 1948 provide for the constitution of the Medical Council of India (MCI) and the Dental Council of India (DCI), respectively. These Councils regulate: (i) permissions to start colleges, courses or increase the number of seats; (ii) registration of professionals, and (iii) standards of professional conduct of these professionals, among others.

The Medical Council of India (MCI) in 2010 and the Dental Council of India (DCI) in 2012 amended their regulations. The amendments provided for admissions to MBBS, BDS and post graduate courses in government and private medical colleges, etc. solely through a uniform common entrance exam also called as the National Eligibility cum Entrance Test (NEET). In July 2013, the Supreme Court struck down the MCI and DCI regulations providing for the NEET.[24] It held that the rights of private individuals to administer an educational institution includes the right to admit students, and requirement of NEET as the sole basis for admission to courses violated this right, among other reasons.

In April 2016, the Supreme Court recalled its 2013 judgement and reinstated the NEET.[25] It stated that the 2013 judgement needed to be reconsidered and started hearings on the matter. The Court stated that NEET will be conducted for the year 2016. It held that the test will be conducted in two phases: Phase I on May 1, 2016, and Phase II on July 24, 2016.[26]

The key features of the 2016 Bills are:

- A uniform entrance examination will be introduced for all MBBS, BDS and postgraduate courses for all colleges.
- If a state has not opted for such a uniform entrance examination, then it would not be applicable at the undergraduate level for the academic year 2016-17. This would apply to state government seats in government and private medical/dental colleges.

For PRS Bill Summary, see here and here.

Draft Medical Devices Rules, 2016 released

The Ministry of Health and Family Welfare released the draft Medical Devices Rules, 2016 on July 13, 2016.[27] The draft Rules have been framed under the Drugs and Cosmetics Act, 1940, which regulates the manufacture, import, distribution and sale of drugs and cosmetics. Medical devices are covered under the definition of drugs in the Act.

Medical devices include instruments and implants which are used for humans or animals for diagnosis, prevention and treatment of diseases, among other uses. The draft Rules provide for the regulation of manufacture, import, labelling, sale, and clinical investigation of medical devices, among others.

Key details of the draft Rules include:

- **Categorisation of devices:** Medical devices are classified on the basis of severity of the risk associated with the device. These categories include: (i) low risk, (ii) low moderate risk, (iii) moderate high risk, and (iv) high risk.

- **Manufacture and standards:** The procedure of obtaining a manufacturing license for medical devices is specified. The manufacturer must follow the principle of safety and performance of the medical device based on recent scientific knowledge and development. The medical devices must conform to standards including (i) those laid down by the Bureau of Indian Standards (BIS), and (ii) if no relevant standards are laid down by the BIS, then they must conform to standards laid down by the International Organisation for Standards or other standards related to quality of drugs.
- **Import:** The central licensing authority (Drug Controller General of India) will perform functions related to the import of medical devices. In addition, the procedure for obtaining a license for the import of medical devices has been specified.
- **Labelling and clinical investigation:** Particulars such as the details required for identification of the device must be mentioned on label of the device. In case a clinical investigation is conducted using an investigational medical device on humans, then the permission of the Drug Controller General of India will be required.

Labour

Anviti Chaturvedi (anviti@prsindia.org)

Bill amending Child Labour Act, 1986 passed by Parliament

The Child Labour (Prohibition and Regulation) Amendment Bill, 2012 was passed by Parliament on July 26, 2016.[28] The Bill seeks to amend the Child Labour (Prohibition and Regulation) Act, 1986. The 1986 Act prohibits employment of children (i.e. those below 14 years) in hazardous occupations.

Key features of the Bill include:

- **Employment of children:** The Act prohibits employment of children in hazardous occupations, such as automobile workshops and bidi-making. The Bill seeks to prohibit their employment in all occupations, except: (i) where the child is helping his family or family enterprise outside school hours, and (ii) the audio-visual entertainment industry and sports.
- **Employment of adolescents:** The Bill adds a new category of persons, called 'adolescents', to the Act. Adolescents refer to those between 14-18 years of age. The Bill prohibits their employment in hazardous occupations. These include mines, inflammable substances and hazardous processes (like coal and glass manufacturing). The Bill also requires central and state governments to regulate employment of adolescents in non-hazardous occupations.
- **Penalty for employing children and adolescents:** Violation of the Act is punishable with an imprisonment up to a year, and/or fine up to Rs 20,000. The Bill doubles the penalties in case of an employer (imprisonment up to two years and/or fine up to Rs 50,000). In case of parents of the rescued child or adolescent, the Bill does not allow any penalty to be imposed for a first-time offence. For subsequent offences, a fine up to Rs 10,000 may be imposed.

For more information on the Bill, see here. For a PRS analysis of the amendments circulated by the government, see here.

Environment

Anviti Chaturvedi (anviti@prsindia.org)

Compensatory Afforestation Fund Bill, 2016 passed by Parliament

The Compensatory Afforestation Fund Bill, 2016 was passed by Parliament on July 28, 2016.[29] The Bill seeks to set up an administrative mechanism to regulate the funds collected by the government, when forest land is diverted for non-forest use (such as infrastructure and industrial projects).

Key features of the Bill include:

- **National and State Funds:** Compensatory Afforestation Funds will be set up at the national and state levels. The National Fund will receive 10% of the payments collected from the diversion of the forest land. The State Funds, set up in each state, will receive 90% of these payments.
- **Utilisation of Funds:** The National Fund will primarily be spent on: (i) schemes and activities related to the forestry and wildlife sectors, and (ii) monitoring of the activities undertaken with the National and State Funds. On the other hand, the State Fund will be spent on: (i) planting new forests to compensate for loss of the diverted forest land (called 'compensatory afforestation'), (ii) forest regeneration and protection, (iii)

forest and wildlife related infrastructure development, etc.

- **Fund management authorities:** The National Compensatory Afforestation Fund Management and Planning Authority (CAMPA) and State CAMPAs will be set up to administer the National and State Funds. Each of the National and State CAMPAs will have: (i) a governing body to formulate policy, (ii) a monitoring/ steering group to monitor and supervise utilisation of money, and (iii) an executive committee to decide on which activities the money may be spent.
- The National and State CAMPAs will comprise of Ministers, government and forest officers, experts (including environmentalists, economists and ecologists) and representatives of NGOs, local bodies and tribal communities.

For a PRS analysis of the Bill, see here.

Education

Roopal Suhag (roopal@prsindia.org)

Draft National Education Policy, 2016 released

The Ministry of Human Resource Development released some inputs towards the draft National Education Policy (NEP), 2016 in July 2016.[30] The Ministry is seeking comments on the draft Policy till August 16, 2016. The vision of the draft NEP is an education system that ensures quality education and learning opportunities for all. The draft Policy highlights key challenges in the education sector and establishes a policy framework for action.

Key policy initiatives highlighted in the draft NEP include:

- **Pre-school education:** A program for pre-school education for children in the age group of four to five years will be implemented in coordination with the Ministry of Women & Child Development.
- **Learning outcomes in school education:** Under the Right of Children to Free and Compulsory Education Act, 2009, norms for learning outcomes will be developed and applied uniformly to both private and government schools. The presently existing no-detention policy (promoting all students of a class to the next class) will be amended and limited up to Class 5. At the upper primary stage (Class 6 onwards), the system of detention will be restored.
- **Examination reforms:** In order to reduce failure rates in class 10, examination for the subjects of mathematics, science and English in class 10 will be conducted at two levels, Part A at a higher level and Part B at a lower level. Students who wish to opt for the vocational stream or courses for which mathematics, science and English are not compulsory, will be able to opt for Part B level examination.
- **Teacher development:** At the national level, a Teacher Education University will be set up, with a focus on teacher education and faculty development.
- **Reforms and regulation in higher education:** An Education Commission, comprising academic experts will be set up every five years to (i) assist the Ministry of Human Resource Development in identifying new disciplines, and (ii) undertake curriculum and assessment reforms in higher education.
- **Financing education:** The government will take steps for raising the investment in education sector to at least 6% of GDP.

Institutes of Technology (Amendment) Bill, 2016 passed by Lok Sabha

The Institutes of Technology (Amendment) Bill, 2016 was passed by Lok Sabha on July 25, 2016.[31] The Bill was introduced in the House on July 19, 2016. The Bill amends the Institutes of Technology Act, 1961, which declares certain Institutes of Technology as institutions of national importance.

The Bill adds six new Indian Institutes of Technology (IITs) in Tirupati, Palakkad, Goa, Dharwar, Bhilai, and Jammu. It also seeks to bring the Indian School of Mines, Dhanbad within the ambit of the Act. All these institutions will be declared as institutions of national importance. In addition, the Bill provides for the incorporation of IIT (Indian School of Mines), Dhanbad. It states that until the statutes in relation to IIT (Indian School of Mines), Dhanbad are made under the Act, the statutes applicable to IIT Roorkee will apply to it.

For a PRS Bill summary, please see here.

National Institutes of Technology (Amendment) Bill, 2016 passed by Lok Sabha

The National Institutes of Technology, Science Education and Research (Amendment) Bill, 2016 was passed by Lok Sabha on July 21, 2016.[32] The Bill establishes the National Institute of

Technology (NIT), Andhra Pradesh as an institute of national importance under the National Institutes of Technology, Science Education and Research (NITSER) Act, 2007.

The NIT will be deemed to have been an institute of national importance as on August 20, 2015. This is the day the central government approved its establishment.

For a PRS Bill summary, please see here.

Amendment in the Central Agricultural University Act, 1992 approved by Cabinet

The Union Cabinet approved an amendment to the relevant clauses of the Central Agricultural University Act (CAU), 1992 on July 27, 1992.[33] The amendment includes the state of Nagaland under the jurisdiction of CAU, Imphal. The amendment intends to help the College of Veterinary Sciences in Nagaland produce professional manpower in the field of animal husbandry, and facilitate socio-economic growth in the north-east region.

Social Justice and Empowerment

Prianka Rao (prianka@prsindia.org)

Cabinet approves Transgender Persons (Protection of Rights) Bill, 2016

The Union Cabinet approved the introduction of the Transgender Persons (Protection of Rights) Bill, 2016 on July 20, 2016. The Bill seeks to provide rights and other social and economic benefits to transgender persons.[34]

A private member Bill related to rights of transgender persons was passed by Rajya Sabha in April 2015, and is currently pending in Parliament.[35] For more details on a draft Bill and the private member's Bill, see the Monthly Policy Reviews of January 2016 and April 2015.

Home Affairs

Anviti Chaturvedi (anviti@prsindia.org)

Citizenship (Amendment) Bill, 2016 introduced in Lok Sabha

The Citizenship (Amendment) Bill, 2016 was introduced in Lok Sabha on July 19, 2016.[36] The Bill seeks to amend the Citizenship Act, 1955.

The Citizenship Act, 1955 provides various ways in which citizenship may be acquired. It provides for citizenship by birth, descent, registration, naturalisation, etc. In addition, it regulates registration of Overseas Citizen of India Cardholders (OCIs), and their rights. An OCI is a foreign citizen, who is entitled to some benefits such as a multiple-entry, multi-purpose life-long visa to visit India.

Key features of the Bill include:

- **Eligibility for citizenship:** The Act prohibits illegal migrants from acquiring Indian citizenship. Illegal migrants are those foreigners in India who do not have valid passport or travel documents. The Bill provides that, with the central government's approval, the following groups of persons will not be treated as illegal migrants: Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan.
- **Cancellation of OCI registration:** The Act provides that the central government may cancel registration of OCIs on certain grounds. These include: (i) if the OCI has registered through fraud, and (ii) within five years of registration, has been sentenced to imprisonment for two years or more. The Bill adds one more ground for cancelling registration, that is, if the OCI has violated any law in force in the country.

The Union Cabinet also approved certain facilities for Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan staying on long term visa in India on July 13, 2016.[37] A long term visa allows a person to stay in India for over 180 days. The approved facilities include: (i) opening of a bank account, (ii) permission to purchase property, (iii) provision of driving license, PAN card and Aadhaar number, etc.

For a PRS Summary of the Bill, see here.

Skill development

Roopal Suhag (roopal@prsindia.org)

Pradhan Mantri Kaushal Vikas Yojana approved by Cabinet

The Union Cabinet approved the Pradhan Mantri Kaushal Vikas Yojana (PMKVY) on July 13, 2016.[38] PMKVY aims at skilling one crore people over the next four years (April 2016 to March 2020) with an outlay of Rs 12,000 crore. The scheme will impart fresh training to 60 lakh individuals and certify skills of 40 lakh individuals that have been acquired non-formally.[39] The scheme was launched in July 2015 with the objective of enabling Indian youth to take up industry-relevant skill training and help them secure a better livelihood.

The major features of revised PMKVY include:

- **Training centres:** Training centres under the scheme will be categorized on the basis of their infrastructure, training capacity, past performance and other relevant parameters, to improve the quality of training imparted by them. In addition, targets assigned to these training centres will be on a long term basis along with a review mechanism.
- **Common norms:** The scheme will be aligned to common norms (these norms outline the base cost of training per candidate for different sectors in various job roles).[40] The scheme will be based on a grant based model where the training and assessment cost will be directly reimbursed to training providers and assessment bodies, in accordance with the common norms.
- **Special projects:** A special cell will be created to aggregate demand for training across various sectors. Special projects will be promoted for sector specific skilling initiatives, such as Swacch Bharat, Digital India and Smart Cities. 10%-15% of the respective schemes' budgets will be made available for these special projects.
- **Validation of candidates through Aadhaar number:** Under the scheme, training partners will be required to ensure the validation of the Aadhaar number when enrolling a candidate.
- **Involvement of state governments:** Respective state governments will be responsible for 25% of the total training targets under the scheme.

Transport

Prachee Mishra (prachee@prsindia.org)

Ministry of Civil Aviation releases draft Regional Connectivity Scheme

The Ministry of Civil Aviation released the draft Regional Connectivity Scheme (RCS) on July 1, 2016.[41] The primary objective of the scheme is to improve regional air connectivity by making it affordable. Key features of the Scheme include:

- **Applicability of scheme:** The Scheme will be applicable to RCS airports and heliports. The list of RCS airports and heliports will be published after consultation with the state governments. If an airline operator wants to connect an airport not in the published list, they can approach the Airports Authority of India with an expression of interest.
- **Guiding principles:** RCS will be made operational only in states and at airports which are willing to provide concessions required under the Scheme. A Regional Connectivity Fund (RCF) will be created to subsidise the operation of the RCS. The RCF will be funded by a levy or fee per departure on domestic routes as provided under National Civil Aviation Policy 2016, at rates to be notified by the Ministry.
- **Tenure of Scheme:** The Scheme will be applicable for a period of 10 years from the date of its notification by the Ministry.
- **Financial support:** Financial support to airlines will be provided in the form of (i) concessions by central and state governments (such as reducing excise duty and VAT), and by airport operators (such as not levying landing and parking charges), and (ii) viability gap funding (VGF). VGF will be provided to the selected airline operators from RCF, and state governments will be required to reimburse the applicable share. VGF will be provided for three years from the date of commencement of operations of such RCS flights.
- **Airfare and other specifications:** The airfare per RCS seat will not exceed Rs 2,500. Further, it will not be subject to any levies or charges imposed by the airport operators. The selected airlines will have to commit 50% of the seats on RCS flights as RCS seats. Further, the number of RCS flights to be operated in a week must be at least three and at most seven.

Guidelines for implementation of Shipbuilding Financial Assistance Policy released

The Ministry of Shipping released guidelines for the implementation of the Shipbuilding Financial Assistance Policy on June 16, 2016.[42] The Policy seeks to promote shipbuilding in the country by providing financial assistance to ships constructed in the country.

Key guidelines include:

- **Validity of the Policy:** The Policy will be effective for shipbuilding contracts signed between April 1, 2016 and March 31, 2026.
- **Financial assistance:** Only those ships, which are constructed and delivered within a period of three years from the date of contract, will be eligible for financial assistance under the Policy. This period may be extended up to six years. The financial assistance for standard ships will not exceed Rs 40 crore.
- **Other conditions:** The major portion of the hull of the ship (watertight body of the ship) for which financial assistance is required should be constructed and assembled in India. The installation and commissioning of the major machinery and equipment, and trials of ships should be conducted in India.
- **Grievance redressal:** Any grievances arising from acts of the designated competent authority will be referred to the institutional mechanism. The institutional mechanism will be designated by the Ministry of Shipping.
- **Ships excluded:** Ships excluded from availing the financial assistance include: (i) ships built for Indian owners which are smaller than 24 m in length, (ii) any ships made of wood, (iii) ships which receive any other subsidies for construction, and (iv) ships built for defence purposes.

Urban Development

Prachee Mishra (prachee@prsindia.org)

CCEA approves disinvestment of 15% in NBCC

The Cabinet Committee on Economic Affairs (CCEA) approved the disinvestment of 15% paid up equity of the National Buildings Construction Corporation Limited (NBCC) on July 13, 2016.[43] NBCC is an enterprise wholly owned by the government, under the administrative control of the Ministry of Urban Development.[44] It works primarily on two type of projects: (i) buying land from private or government agencies, developing the land and selling it off; and (ii) re-development of government properties.

The paid up equity capital of NBCC is Rs 120 crore. Currently, the central government has 90% shareholding in NBCC. The face value of each NBCC share is two rupees. The government estimates to raise about Rs 1,706 crore from the disinvestment. The government's disinvestment target for 2016-17 (budget estimate) is Rs 56,500 crore.

Central assistance to Swachh Bharat projects in urban areas increased

The Ministry of Urban Development approved an increase in the central assistance for Swachh Bharat projects in urban areas on July 15, 2016.[45] The Swachh Bharat Mission guidelines were released in December 2014. Components of Swachh Bharat Mission – Urban include: (i) construction of household toilets, (ii) construction of community toilets, (iii) construction of public toilets, (iv) solid waste management, (v) public awareness, and (v) capacity building.[46]

The revised guidelines include:

- Central funding for municipal solid waste management projects, such as waste collection and setting up waste processing plants, has been increased from 20% to 35% of project cost.
- The central support for construction of community toilets has been increased from Rs 27,000 per seat to Rs 39,200 per seat.
- Construction of public toilets has been made eligible for central assistance. The central assistance provided will be Rs 39,200 per toilet seat.
- Construction of urinals, which was not included under the original guidelines, has been made eligible for central assistance at Rs 12,800 per toilet seat.

Guidelines for Deendayal Antyodaya Yojana modified

The Ministry or Housing and Urban Poverty Alleviation has modified some guidelines for the Deendayal Antyodaya Yojana- National Urban Livelihoods Mission (NULM) on July 19, 2016.[47] NULM aims to reduce poverty and vulnerability of urban poor households by enabling them to access gainful self-employment and skilled employment opportunities. The Mission was launched in September 2013.

The modified Mission guidelines include:

- **Self Help Groups (SHGs):** NULM envisages mobilisation of urban poor into SHGs, which serve as a support system for the poor, in meeting their financial and social needs. These SHGs are eligible for bank loans and a revolving fund of Rs 10,000 per group. Earlier, SHGs could be formed by women or male handicapped persons, and at least 70% members were required to be urban poor.[48] Under the modified guidelines, men involved in vulnerable occupations such as sanitation workers, rag pickers, rickshaw pullers etc., can also form SHGs.

- **Applications by beneficiaries:** Earlier, the applications for availing subsidized loans had to be recommended by SHGs. These loans could be used for setting up individual and group enterprises under the Self Employment Programme. The method of availing loans has been modified to allow beneficiaries to directly send loan applications to the banks. Each state will have one bank designated as the nodal agency. This bank will coordinate with all the other banks to increase banking linkages for loan support.
- **Shelters for urban homeless:** Earlier, these shelters were funded by 75% central government funds, and 25% state funds.[49] Now, these shelters can also be funded through Corporate Social Responsibility funds and other donations. Further, construction of multi-storied shelters for urban homeless has also been permitted.

Science and Technology

Anviti Chaturvedi (anviti@prsindia.org)

Regional Centre for Biotechnology Bill, 2016 passed by Parliament

The Regional Centre for Biotechnology Bill, 2016 was passed by Parliament on July 18, 2016.[50] The Bill seeks to give legislative backing to the Regional Centre for Biotechnology Training and Education. The Centre was set up in Faridabad, Haryana, by the central government in 2009. It also seeks to provide it with the status of an institution of national importance.

The Regional Centre was set up in light of an agreement between India and the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 2006. This agreement provided that a research institute related to biotechnology should be established in India, to serve the member countries.[51]

The Regional Centre will conduct masters and doctoral courses in biotechnology and related subjects (eg. medical, agricultural and engineering sciences). Its functioning will be reviewed every four years by government appointed persons.

For more details on the 2016 Bill, please see the PRS Bill Summary here.

Defence

Anviti Chaturvedi (anviti@prsindia.org)

Draft Indian National Defence University Bill, 2015 released

The Ministry of Defence released the Draft Indian National Defence University Bill, 2015 on July 13, 2016.[52] Comments have been invited on the draft Bill until August 21, 2016.[53]

The Bill proposes to set up the Indian National Defence University to promote excellence in the areas of national security, defence technology and management. The University will be an institution of national importance. It will be based in Gurgaon, Haryana.

The University will teach and award degrees in the areas of national security, defence management and technology. The Visitor of the University will be the President of India.

The following defence institutions will also be brought under the jurisdiction of the University: National Defence College (New Delhi), College of Defence Management (Secunderabad), Defence Services Staff College (Wellington) and National Defence Academy (Pune). These institutes will need the approval of the University with regard to: (i) graduation requirements for their academic programmes, and (ii) method of assessment of performance of students.

Consumer Affairs

Tanvi Deshpande (tanvi@prsindia.org)

Draft Bureau of Indian Standards Rules, 2016 released

The Ministry of Consumer Affairs, Food and Public Distribution released draft Rules under the Bureau of Indian Standards Act, 2016 on July 13, 2016.[54] The Act establishes a Bureau for the purpose of standardization, marking and certification of goods, services, articles, processes and systems. The Ministry has invited comments and suggestions on the draft Rules.

Key features of the draft Rules include:

- **Governing Council:** The Bureau will be managed by a Governing Council, which will be headed by the Minister of Consumer Affairs. In addition to members appointed from the central government, the Council will include other members to represent various fields. The draft Rules specify that these members will include Members of Parliament, and representatives from state governments, industry groups, farmers and consumer organisations.

- **Sectional Committees:** The Rules provide for the formation of various Committees under the Bureau. These include technical committees of experts, to formulate Indian Standards for goods, services, processes, etc., and (ii) Division Councils in specific areas such as industry and technology, to advise on relevant subject areas in the formulation of Indian standards. Sectional committees and subcommittees may be formed under Division Councils.
- **Procedure for establishing Indian Standards:** Any person, consumer organization, industrial body, central, state or union territory government department or Ministry, or member of the Bureau may submit a proposal to the Bureau to establish, revise or withdraw an Indian Standard. The standard will be formulated by a Technical Committee established under the Bureau. In case of an urgent need to establish such standards, the Bureau may also establish tentative Indian standards.
- **Market surveillance activities:** The Act states that the Bureau will carry out market surveillance activities of goods, articles, processes, etc. to monitor their quality. The draft Rules specify that these activities include: (i) surveillance of bodies that issue certificates of conformity to standards, and of testing laboratories, (ii) receiving consumer complaints regarding product safety and following up on these complaints, and (iii) undertaking an annual market survey and submitting its report to the relevant Ministry or department.

External Affairs

Anviti Chaturvedi (anviti@prsindia.org)

Prime Minister visits Mozambique, South Africa, Tanzania and Kenya

Prime Minister Narendra Modi visited Mozambique, South Africa, Tanzania and Kenya in July 2016.[55] During the visits, key agreements were signed between India and each of the four African countries. These include:

Mozambique: India and Mozambique signed three agreements with regard to: (i) purchase of pulses from Mozambique to meet India's pulse requirements, (ii) prevention of drug trafficking, and (iii) youth and sports cooperation.[56] India also agreed to donate essential medicines for the Mozambican public health system, including medicines for treatment of AIDS.[57]

South Africa: India and South Africa signed four agreements with regard to information and communication technology, grassroots innovation in science and technology, tourism and cultural cooperation.[58]

Tanzania: India and Tanzania signed five agreements with regard to: (i) line of credit of USD 92 million to Tanzania for improving water supply, (ii) water resource management, (iii) cooperation among small scale industries, (iv) establishment of a vocational training centre in Tanzania, and (v) visa waiver for diplomatic and official passport holders of both countries.[59]

Kenya: India and Kenya signed seven agreements with regard to: (i) line of credit of USD 30 million for Kenyan textile industry, (ii) line of credit of USD 15 million for development of small and medium enterprises in Kenya, (iii) housing policy, (iv) defence cooperation, (v) visa exemption for diplomatic passport holders, (vi) taxation policy, and (vii) expertise sharing in the field of standardisation.[60]

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