Monthly Policy Review

March 2021

Highlights of this Issue

Budget Session 2021 of Parliament ends; Parliament passes 11 Bills in the session (p. 2)

11 Bills including the Government of National Capital Territory of Delhi (Amendment) Bill, the National Bank for Financing Infrastructure and Development Bill and the Insurance (Amendment) Bill were passed.

Union Budget and the Finance Bill, 2021 passed by Parliament (p. 2)

The Bill gives effect to key financial proposals including: (i) addition of Agriculture Infrastructure and Development Cess, (ii) reduced time to reopen tax assessments, and (iii) tax on interest from provident funds.

Second Supplementary Demands for Grants 2020-21 passed by Parliament (p. 3)

The supplementary demands propose an increase of Rs 4,12,653 crore in expenditure over the 2020-21 budget. Five ministries account for 99% of the proposed increase. Increase seen in expenditure on food and fertiliser subsidy.

People above the age of 45 years eligible for COVID-19 vaccination in Phase Two (p. 4)

In the first phase, people above the age of 60 years and people older than 45 years with specified co-morbidities were eligible. All persons older than 45 years will be eligible for vaccination from April 1, 2021.

Guidelines for effective control management of COVID-19 issued (p. 3)

Under the guidelines: (i) the proportion of RTPCR tests among total tests will be increased, (ii) capacity building for health workers and infection prevention practices will be established, and (iii) pace of vaccination will be increased.

Current account deficit at 0.2% of GDP during the third quarter of 2020-21 (p. 4)

Current account balance in the third quarter of 2020-21 recorded a deficit of USD 1.7 billion (0.2% of GDP). In comparison, a deficit of USD 2.6 billion (0.4% of GDP) was recorded during the third quarter of 2019-20.

Supreme Court orders waiver of compound interest during moratorium (p. 7)

The government issued guidelines to compensate borrowers for payment on compound interest in October, 2020. The Supreme Court observed that relief should not be restricted borrowers satisfying specified conditions.

Report on the Assisted Reproductive Technology (Regulation) Bill, 2020 submitted (p. 12)

The Committee suggested that role of ART banks should be clearly defined. The personal data collected during ART services should be converted to a form in which the person to whom the data belongs cannot be identified.

Standing Committees submit reports on various schemes and issues (p. 4)

Standing Committees submitted reports on matters including: (i) strengthening of public distribution system, (ii) targets for renewable energy, (iii) sustainable development goals, and (iv) modernisation of railway stations.

Vehicle Scrapping Policy released (p. 18)

Features include: (i) criteria for scrapping includes emission and safety tests, (ii) commercial vehicles and government vehicles to be deregistered after 15 years, (iii) private vehicles to be deregistered after 20 years.

National Biotechnology Development Strategy 2021-25 released (p. 23)

The strategy is aimed at increasing the size of the biotechnology industry in India from USD 63 billion in 2019 to USD 150 billion by 2025. It seeks to ensure import substitution for key products and equipment in the sector.

Comments invited on Draft Plastic Waste Management (Amendment) Rules, 2021 (p. 22)

The Draft Rules seek to ban certain plastic items (such as ice-cream sticks and plastic cutleries). The minimum thickness of plastic carry bags will be increased from 50 microns to 120 microns.

April 1, 2021

Parliament

Shruti Gupta (shruti@prsindia.org)

Budget Session 2021 concludes

The budget session of Parliament was held from January 29, 2021 to March 25, 2021.[1] The session was divided into two parts with a recess from February 14 to March 7, 2021. The session was scheduled to conclude on April 8, 2021, but was curtailed by eight days and was adjourned sine die on March 25, 2021.[2] In this session, the Union Budget, the Finance Bill, 2021 and second Supplementary Demand for Grants were passed. The 2021-22 budget proposes total expenditure of Rs 34,83,236 crore in 2021-22.[3] The second supplementary Demand for Grants propose an increase of Rs 4,12,653 crore in expenditure over the 2020-21 budget estimate.[4]

13 Bills were introduced during the session, of which, three bills had been promulgated as Ordinances earlier. Of the 13 Bills, eight Bills were passed within the session. These include the Government of National Capital Territory of Delhi (Amendment) Bill, 2021, the National Bank for Financing Infrastructure and Development Bill, 2021, and the Insurance (Amendment) Bill, 2021. In total, Parliament passed 11 Bills (excluding the Finance and Appropriation Bills).

The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021 and the Marine Aids to Navigation Bill, 2021 were passed by Lok Sabha and are pending before Rajya Sabha. The National Institutes of Food Technology, Entrepreneurship and Management Bill, 2019 was passed by Rajya Sabha and is pending in Lok Sabha.

Other Bills that were introduced and are pending include the National Institute of Pharmaceutical Education and Research (Amendment) Bill, 2021 and the Airports Economic Regulatory Authority of India (Amendment) Bill, 2021.

For details of the legislative agenda during the session, see here. For details on the functioning of Parliament during the session, please see here.

Union Budget 2021-22

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Finance Bill, 2021 passed by Parliament

The Finance Bill, 2021 was passed by Parliament to give effect to the government's financial proposals for the financial year 2021-22.[5] Key features of the Bill include:

- **Income tax rates:** The Bill makes no change in the income tax rates for individuals and corporations.
- **New cess:** The Bill provides for an Agriculture Infrastructure and Development Cess for financing agriculture infrastructure and other development activities. The cess is levied on import of certain goods such as alcoholic beverages, coal, cotton, gold, and silver, on which the existing customs duty has been cut by an equivalent amount to levy the cess. The cess has also replaced a part of the excise duty levied on petrol (Rs 2.5 per litre) and diesel (Rs 4 per litre).
- **Tax on interest earned from provident funds:** Under the Income Tax Act, 1961, the interest earned from provident funds is exempted from tax. The Bill provides that if the total contribution to the fund in a year exceeds Rs 2.5 lakh, the interest earned on such excess contribution will be taxable. If a fund receives no contribution from the employer, this threshold will be Rs 5 lakh.
- **Reduction in time limit for reopening an assessment:** Under the Act, income tax assessments can be reopened up to four years after the assessment (six years if the unassessed income is Rs 1 lakh or more). The Bill reduces the time limit for reopening assessments to three years (ten years if the unassessed income is Rs 50 lakh or more).

In addition, the Finance Bill, 2021 consisted of certain non-tax proposals, such as the following amendments to the LIC Act, 1956 and the Securities Contracts (Regulation) Act, 1956:

- The Bill amends the LIC Act, 1956 to: (i) create a board of directors, (ii) issue shares, (iii) allow the central government to reduce its shareholding to up to 51% of the equity (but not below 75% in the first five years), and (iv) cap voting rights of shareholders other than the central government at 5%.
- The Bill amends the Securities Contracts (Regulation) Act, 1956 to allow pooled investment funds, which collect money from investors, to borrow money or issue debt securities. The Bill makes consequential amendments to the Recovery of Debts due to Banks and Financial Institutions Act, 1993 and the SARFAESI Act, 2002.

Second Supplementary Demands for Grants for 2020-21 passed by Parliament

The second Supplementary Demands for Grants (DFG) for 2020-21 were passed by Parliament.[6] The second Supplementary DFG proposed an incremental cash outgo of Rs 4,12,653 crore, i.e., an increase of Rs 4,12,653 crore in expenditure over the 2020-21 budget. Earlier, in September 2020, the first Supplementary DFG was passed to approve additional cash outgo of Rs 1,66,984 crore.[7] Table 1 shows the Ministries proposed to see the highest cash outgo under the second Supplementary DFG 2020-21. These Ministries account for 99% of the proposed cash outgo.

Table 1: Cash outgo proposed across major Ministries under second Supplementary DFG

Ministry	Cash outgo proposed (Rs crore)	As a percentage of 2020-21 revised estimate
Total Expenditure	4,12,653	12%
of which:		
Consumer Affairs, Food and Public Distribution	3,08,296	68%
Chemicals and Fertilisers	65,552	48%
Defence	20,626	4%
Road Transport and Highways	10,000	10%
Rural Development	3,458	2%

Sources: Second Supplementary Demands for Grants 2020-21, Ministry of Finance; Union Budget Documents; PRS.

The expenditure items proposed to be financed through the incremental cash outgo include:

- **Food subsidy:** Nearly three lakh crore rupees has been approved for payment of food subsidy, of which nearly Rs 2.66 lakh crore will be provided to the Food Corporation of India (FCI) and the remaining amount to states for procurement on behalf of FCI. Note that in 2020-21, the allocation for food subsidy to FCI has increased by 341% from Rs 0.78 lakh crore at the budgeted stage to Rs 3.44 lakh crore at the revised stage.[8] Of this, Rs 1.25 lakh crore is estimated to be spent on clearing the unpaid subsidy dues of FCI for previous years.[9] The remaining subsidy to FCI and states would go towards payment of the subsidy cost incurred in 2020-21.
- **Fertiliser subsidy:** Rs 64,598 crore has been approved for payment of fertiliser subsidy. This is proposed to be spent for clearing the subsidy dues pertaining to previous years which had remained unpaid due to insufficient budgetary allocation.[10]

COVID-19

As of March 31, 2021, there were 1,20,39,644 confirmed cases of COVID-19 in India.[11] Of these, 1,14,34,301 had been cured/discharged and 1,62,468 persons had died.[11] As of March 31, 2021, 6,30,54,353 individuals have been vaccinated.[11] For details on the number of daily cases in the country and across states, see here.

With the spread of COVID-19, the central government has announced several policy decisions to contain the spread, and financial measures to support citizens and businesses who would get affected. For details on the major notifications released by centre and the states, please see here.

Guidelines for effective control and national directives for management of COVID-19 issued

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The Ministry of Home Affairs issued the revised guidelines to manage the COVID-19 pandemic, which will come into effect from April 1, 2021.[12,13] The Ministry had last issued guidelines to contain the spread of COVID-19 in January, 2021.[14] The guidelines provided for: (i) opening up of economic activities in a phased manner through Standard Operating Procedures, (ii) imposition of lockdowns only in containment zones, and (iii) directives to manage Covid-19 in workplaces and public spaces.

The revised guidelines are focused on enforcing the 'test-track-treat' protocol, ensuring adequate precautions, and supporting the ongoing vaccination drive.[12] Its key features include:

- **Testing:** The guidelines specify that: (i) COVID-19 tests should be conducted uniformly across states, (ii) adequate testing should be done in districts reporting higher number of cases, and (iii) the proportion of RT-PCR tests among the total tests should be increased to at least 70%.
- **Tracking and containment:** The guidelines state that individuals in contact with people who have tested positive must be tracked and isolated. Containment zones should be demarcated by district authorities based on guidelines issued by the Ministry of Health and Family Welfare. Only essential activities will be permitted within containment zones, which will be administered by local authorities.
- **Treatment:** The guidelines specify that the following should be ensured: (i) quick isolation of people tested positive, (ii)

capacity building of health workers at all levels, and (iii) infection prevention and control practices across all states.

- **Vaccination:** The guidelines note that the pace of vaccine administration is uneven across different states and advised state governments to ramp up vaccination efforts based on recommendations of the National Expert Group on Vaccine Administration.

COVID-19 vaccination for people above the age of 45 years from April 2021

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The countrywide COVID-19 vaccination drive was rolled out on January 16, 2021.[15] In the first phase, vaccines were administered to healthcare and frontline workers (including police, civil defence, paramilitary personnel, and municipal government workers).

On March 1, 2021, COVID-19 vaccination commenced for all people over the age of 60 years and for people older than 45 years with specified co-morbid conditions.[15] Notified co-morbidities include: (i) heart failure with hospital admission in the past one year, (ii) disabilities due to acid attacks with involvement of respiratory system, persons with high support needs, or intellectual disabilities, and (iii) lymphoma or leukaemia, among others.[16]

From March 24, 2021, online registration for COVID-19 vaccine was started for persons above the age of 45 years.[17] They will be eligible to get vaccinated from April 1, 2021.[17]

As of March 31, 2021, 6.3 crore people have been vaccinated.[11]

Standing Committee submitted report on impact of COVID-19 on PSUs

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In March 2021, the Standing Committee on Industry (Chair: Dr. K. Keshava Rao) submitted its report on the subject 'Impact of COVID-19 on Public Sector Undertakings (PSUs) and the initiatives taken by the PSUs under Atmanirbhar Bharat Abhiyaan'. Key observations and recommendations include:

- **Economic impact on Central Public Sector Enterprises (CPSEs)**: The Committee noted the decrease in production and the severity of operational disruptions in CPSEs due to the lockdown. CPSEs are companies owned by the central government. For example, in the first half of 2020-21 (Apr-Sep), natural gas production by CPSEs was down by 10% and production of steel and allied products by CPSEs was down by 21%, as compared to the first half of 2019-20. The Committee recommended that a detailed study should be conducted to understand the actual impact of the lockdowns on the performance of the CPSEs. Consequently, the government should make the necessary intervention to mitigate the impact.

For a PRS Summary of the Report, see here.

Macroeconomic Development

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Current account deficit at 0.2% of GDP during the third quarter of 2020-21

India's current account balance in the third quarter (October-December) of 2020-21 recorded a deficit of USD 1.7 billion (0.2% of GDP).[18,19] In the third quarter of 2019-20, a deficit of USD 2.6 billion (0.4% of GDP) was recorded. In comparison, a surplus of USD 15.1 billion (2.4% of GDP) was recorded in the second quarter of 2020-21.

The decrease in current account balance from the second quarter of 2020-21 to the third quarter of 2020-21 was primarily due to a rise in the merchandise trade deficit (excess of imports over exports) from USD 14.8 billion in the second quarter to USD 34.5 billion in the third quarter of 2020-21. The merchandise trade deficit in the third quarter of 2020-21 was lower than the merchandise trade deficit in the third quarter of 2019-20 (USD 36 billion).

Foreign exchange reserves increased by USD 32.5 billion in the third quarter of 2020-21. This is higher than the increase in foreign exchange reserves recorded in the third quarter of 2019-20 (USD 21.6 billion). This is also higher than the increase in reserves by USD 31.6 billion recorded in the second quarter of 2020-21.

Table 2: Balance of Payments, Q3 2020-21 (USD billion)

	Q3 2019-20	Q2 2020-21	Q3 2020-21
Current Account	-2.6	15.1	-1.7
Capital Account	23.6	16.1	33.5
Errors and Omissions	0.6	0.4	0.7
Change in reserves	21.6	31.6	32.5

Sources: Reserve Bank of India; PRS.

Home Affairs

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The Government of National Capital Territory of Delhi (Amendment) Bill, 2021 passed by Parliament

The Government of National Capital Territory (NCT) of Delhi (Amendment) Bill, 2021 was passed by Parliament. The Bill amends the Government of National Capital Territory of Delhi Act, 1991. The Act provides a framework for the functioning of the Legislative Assembly and the government of the NCT of Delhi. The Bill amends certain powers and responsibilities of the Legislative Assembly and the Lieutenant Governor. Its key features include:

- **Restriction on laws passed by the Assembly:** The Bill provides that the term "government" referred to in any law made by the Legislative Assembly will imply Lieutenant Governor (LG).
- **Rules of Procedure of the Assembly:** The Act allows the Legislative Assembly to make Rules to regulate the procedure and conduct of business in the Assembly. The Bill provides that such Rules must be consistent with the Rules of Procedure and Conduct of Business in the Lok Sabha.
- **Inquiry by the Assembly into administrative decisions:** The Bill prohibits the Legislative Assembly from making any rule to enable itself or its Committees to: (i) consider the matters of day-to-day administration of the NCT of Delhi and (ii) conduct any inquiry in relation to administrative decisions. Further, the Bill provides that all such rules made before its enactment will be void.
- **Assent to Bills:** The Act requires the LG to reserve certain Bills passed by the Legislative Assembly for the consideration of the President. These Bills are those: (i) which may diminish the powers of the High Court of Delhi, (ii) which the President may direct to be reserved, (iii) dealing with the salaries and allowances of the Speaker, Deputy Speaker, and members of the Assembly and the Ministers, or (iv) relating to official languages of the Assembly or the NCT of Delhi. The Bill requires the LG to also reserve those Bills for the President which incidentally cover any of the matters outside the purview of the powers of the Legislative Assembly.
- **LG's opinion for executive actions:** The Act specifies that all executive; action by the government, whether taken on the advice of the Ministers or otherwise, must be taken in the name of the LG. The Bill adds that on certain matters, as specified by the LG, his opinion must be obtained before taking any executive action on the decisions of the Minister/ Council of Ministers.

For a PRS Summary of the Bill, see here.

Rights of Overseas Citizen of India cardholders revised

The Ministry of Home Affairs revised the rights granted to Overseas Citizens of India (OCI) cardholders under the Citizenship Act, 1955.[20] The Citizenship Act, 1955 regulates acquisition and determination of citizenship and also contains provisions regarding registration of OCIs and their rights.[21] Key features of the revised rights include:

- **Visa:** OCI cardholders are currently entitled to a multiple entry lifelong visa.[22] The revised rights add that OCIs will be required to obtain special permits from the concerned Foreigners Registration Officer or the Indian Mission for matters such as: (i) undertaking research or journalistic activities, (ii) undertaking employment or an internship with foreign Diplomatic Missions or foreign government organisations in India, and (iii) visiting protected, restricted or prohibited areas.[20]
- **Exemption from registration:** Currently, OCIs are exempted from registration with the Foreigners Regional Registration Officer or Foreigners Registration Officer for any length of stay in India.[22] The revised rights add that the OCIs who normally reside in India must intimate the jurisdictional Registration Officers by email in case of a change in their permanent residential address and occupation.[20]
- **Parity with NRIs:** Currently, OCIs have parity with NRIs with respect to some rights. For instance, they have the right to pursue: (i) professions such as medicine, law, architecture, and chartered accountancy, and (ii) inter-country adoption of Indian children.[23,24] The revised rights: (i) prohibit OCIs from the sale or purchase of farm houses (in addition to earlier restrictions on the sale or purchase agricultural land and plantation property), and (ii) allow OCIs to appear for exams such as the Joint Entrance Examination (in addition to the participation in tests such as the All-India Pre-Medical Test that are already allowed).[20,23] However, the revised

rights add that OCIs will not be eligible for admission against any seat reserved exclusively for Indian citizens.

Standing Committee report on crimes against women and children submitted

The Standing Committee on Home Affairs (Chair: Mr. Anand Sharma) submitted its report on the subject 'Atrocities and Crimes against Women and Children' on March 15, 2021.[25] Key observations and recommendations of the Committee include:

- **Registration of crimes:** The Committee highlighted that crimes against women and children are often not registered at police stations. It recommended: (i) conducting decoy operations at police stations to ensure that FIRs are registered timely, (ii) developing and promoting online registration of FIRs, (iii) filing zero FIRs, and (iv) recording reasons in case of delay in filing FIRs. It also recommended taking strict actions against police personnel and individuals registering false cases.
- **Conviction rate:** The Committee noted that the conviction rate in crimes against women and children is low. Against a target of 1,023 fast track courts for cases related to rape and matters under the Protection of Children from Sexual Offences Act, 2012, only 597 courts are operational. It recommended: (i) implementing the Online Investigation Tracking System for Sexual Offences to track police investigations, (ii) setting up at least one forensic laboratory in every state capital, (iii) setting up fast track courts in a time-bound manner, and (iii) providing law enforcement with public prosecutors.

For a PRS Summary of the Report, see here.

Finance

Insurance (Amendment) Bill, 2021 passed by Parliament to raise FDI limit to 74%

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The Insurance (Amendment) Bill, 2021 was passed by Parliament.[26] The Bill amends the Insurance Act, 1938. The Act provides the framework for the functioning of insurance businesses and regulates the relationship between an insurer, its policyholders, its shareholders, and the regulator (the Insurance Regulatory and Development Authority of India).

The Act allowed foreign investors to hold up to 49% of capital in an Indian insurance company, which must be owned and controlled by an Indian entity. The Bill increases the limit on foreign investment in an Indian insurance company from 49% to 74%. It also removes restrictions on ownership and control. However, such foreign investment may be subject to further additional conditions as prescribed by the central government.

For PRS summary of the Bill, see here.

National Bank for Financing Infrastructure and Development Bill, 2021 passed by Parliament

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The National Bank for Financing Infrastructure and Development Bill, 2021 was passed by Parliament.[27] The Bill establishes the National Bank for Financing Infrastructure and Development (NaBFID) as the principal development financial institution (DFIs) for infrastructure financing. DFIs are set up for providing long-term finance for such segments of the economy where the risks involved are beyond the acceptable limits of commercial banks and other ordinary financial institutions. Unlike banks, DFIs do not accept deposits from the public. They source funds from the market, government, as well as multi-lateral institutions, and are often supported through government guarantees. Key features of the Bill include:

- **NaBFID:** NaBFID will be set up as a corporate body with authorised share capital of one lakh crore rupees. Shares of NaBFID may be held by: (i) central government, (ii) multilateral institutions, (iii) sovereign wealth funds, (iv) pension funds, (v) insurers, (vi) financial institutions, (vii) banks, and (viii) any other institution prescribed by the central government. Initially, the central government will own 100% shares of the institution which may subsequently be reduced up to 26%.
- **Functions of NaBFID:** NaBFID will have both financial as well as developmental objectives. Financial objectives will be to directly or indirectly lend, invest, or attract investments for infrastructure projects located entirely or partly in India. Central government will prescribe the sectors to be covered under the infrastructure domain. Developmental objectives include facilitating the development of the market for bonds, loans, and derivatives for infrastructure financing.

- **Other DFIs:** The Bill also provides for any person to set up a DFI by applying to Reserve Bank of India (RBI). RBI may grant a licence for DFI in consultation with the central government. RBI will also prescribe regulations for these DFIs.

For a PRS Summary of the Bill, see here.

Supreme Court orders waiver of compound interest during moratorium

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The Supreme Court ordered for the waiver of the compounding of interest on loans during the moratorium period.[28] In March 2020, in view of the COVID-19 pandemic, RBI had allowed lending institutions to grant a six-month moratorium (during March-August 2020) to borrowers on all payments due against their term loans, including interest payment.[29,30] Borrowers who opted for the moratorium and deferred payment of interest were required to pay interest on the deferred interest payment. To provide relief to borrowers from payment of 'interest on interest', the government issued guidelines in October 2020 to compensate them, following the Supreme Court's directions in this regard.[31,32] As per the guidelines, the relief was provided to borrowers, irrespective of whether they opted for the moratorium or not, provided they satisfied the following conditions:

- borrowers had an aggregate outstanding amount of only up to two crore (across all loans and lending institutions), and
- the loan taken belonged to any one of the following categories: (i) housing loans, (ii) education loans, (iii) consumer durable loans, (iv) automobile loans, (v) consumption loans, (vi) personal loans to professionals, (vii) loans to MSMEs (including cash credit and overdraft facilities), and (viii) credit card dues.

In its judgement, the Supreme Court observed that there is no rationale in restricting the relief from the compounding of interest to only those borrowers who satisfy these conditions. It noted that compound interest or 'interest on interest' shall be chargeable on deliberate or wilful default by borrowers and is a kind of penal interest. It further noted that since non-payment of instalments during the moratorium period cannot be called wilful, there is no justification to charge interest on interest or compound interest or penal interest during this period. It ordered that no borrower must be charged with such penal interest or compound interest, and if charged already, the amount must be refunded.

The Supreme Court dismissed the other petitions relating to: (i) complete waiver of interest during the moratorium period, (ii) extension of the loan moratorium period, (iii) stay on classification as non-performing assets, and (iv) demands for additional relief or sector-specific packages.

Insurance Ombudsman (Amendment) Rules, 2021 notified

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The Ministry of Finance notified the Insurance Ombudsman (Amendment) Rules, 2021 to amend the Insurance Ombudsman Rules, 2017.[33] The 2017 Rules provide for the appointment of insurance ombudsmen for hearing disputes relating to personal insurance, group insurance, and policies issued to sole proprietorship and micro enterprises.[34] Key amendments are:

- **Qualification for appointment of ombudsman**: The 2017 Rules specified that a person having experience of the judicial service, civil service, or administrative service will be considered for the position of the ombudsman. The 2021 Rules revise the qualification criteria. The person should: (i) have held the position of Joint-Secretary or equivalent in an all India-service or civil service, or (ii) have served for at least 25 years in the insurance industry and have held a post at least one level below the director of a board. A person will be eligible only if he is between the age of 55 years and 65 years.
- **Term of office:** Under the 2017 Rules, an ombudsman was appointed for a term of three years or until he attains the age of 70 years, whichever is earlier. The 2021 Rules decrease this age limit to 68 years. The 2017 Rules allowed the reappointment of an ombudsman. The 2021 Rules prohibit reappointment of an obmudsman.
- **Manner of complaints and hearing**: The 2017 Rules required a complaint to be filed in writing. The 2021 Rules allow a complaint to be filed online or through email. The 2021 Rules provide for a complaints management system for online submission and tracking of complaints. Further, the ombudsmen may conduct hearings through video conference.
- **Selection committee for ombudsman:** The 2017 Rules provide for a selection committee for the selection of an ombudsman. The 2021 Rules modify the composition of this selection committee as depicted in Table 3.

Table 3: Composition of Selection Committee for Insurance Ombudsmen

2017 Rules	2021 Amendment Rules
Chair	
Chairperson of IRDAI	Chairperson of IRDAI or any other full-time member of IRDAI authorised by the Chairperson
Members	
(i) One representative from Life Insurance Council (ii) One representative from General Insurance Council (iii) One representative of the central government	(i) Two representatives from Banks Board Bureau: one with expertise in life insurance and one with expertise in general insurance (ii) One individual with a track record of advancing the cause of consumer protection in the insurance sector or promotion of consumer rights (iii) One representative of the central government

Note: IRDAI: Insurance Regulatory Development Authority of India, Banks Board Bureau is the autonomous body set up by the central government for the selection of whole-time directors of public sector insurance companies.
Sources: Insurance Ombudsman Rules, 2017; Insurance Ombudsman (Amendment) Rules, 2021; PRS.

Ministry of Finance releases draft NDB and AIIB Bills for public consultation

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The Ministry of Finance released two draft Bills related to the New Development Bank (NDB) and the Asian Infrastructure Investment Bank (AIIB) for public consultation.[35] NDB and AIIB are banks set up under inter-governmental agreements to mobilise resources for sustainable economic development and infrastructure. NDB was set up under an agreement signed by BRICS countries (Brazil, Russia, India, China, and South Africa) in 2014 for development in BRICS and other emerging market economies. AIIB was set up under an agreement signed by 57 founding countries, including India, in 2014 for infrastructure development in Asia. The draft Bills seek to extend certain privileges and immunities to NDB, AIIB, and their staff and operations, as per the commitments made by India under the NDB and AIIB agreements. These privileges and immunities include:

- **Immunity from judicial proceedings:** The banks will be immune from every form of legal process, except in cases relating to their powers to raise funds, guarantee obligations, or buy and sell or underwrite securities. No action must be brought against the banks by any member country or any of its agencies, except as per the procedure prescribed in the agreements, regulations, or contracts.
- **Immunity to personnel:** All officers and employees of the banks will be immune from legal process with respect to the acts performed by them in their official capacity, except when the banks waive the immunity.
- **Immunity to assets:** Assets and properties of the banks will be immune from actions such as search, seizure, and attachment taken under executive or legislative powers or before a final judgement to this effect. They will be exempt from any restrictions, regulations, controls, and moratoria.
- **Exemption from taxation:** The banks, their properties, assets, income, operations, and transactions relating to their agreements will be immune from all forms of taxation, including any obligation to pay, withhold, or collect any tax or duty. This will also be applicable to salaries and allowances paid by the banks to employees, unless specified otherwise in the agreements signed by India.

The Ministry has invited public comments on the draft Bills until April 4, 2021.

Estimates Committee submits report on recent reforms in the union budget

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The Estimates Committee (Chair: Mr. Girish Bhalchandra Bapat) submitted its report on the subject 'Recent Budgetary Reforms for Better Management of Government Expenditure'.[36] The Committee discussed certain budgetary reforms undertaken by the central government and their impact on the finances of the central and state governments. These reforms include: (i) advancement of the budget cycle with the union budget presentation on February 1, 2021, (ii) merger of plan and non-plan expenditure in the budget, and (iii) merger of the rail budget with the general budget. Key observations and recommendations of the Committee include:

- **State-wise allocation:** The Committee observed that the Union Budget at a Glance document provides an overview of the budget, including the allocation for major schemes by the central government. However, the funds allocated to different states do not reflect in this document. The Committee noted that people are interested in knowing the amount of money allocated to different states by the central government. In its absence, a common man does not have a clarity of the budget allocation, i.e., the amount of money provided by the state government and that provided by the central government. The Committee recommended the central government to incorporate the state-wise allocation details in the union budget documents to bring transparency in transfer of funds to states.

For PRS summary of the report, please see here.

Mining

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The Mines and Minerals (Development and Regulation) Amendment Bill, 2021 passed by Parliament

The Mines and Minerals (Development and Regulation) Amendment Bill, 2021 was passed by Parliament. The Bill amends the Mines and Minerals (Development and Regulation) Act, 1957.[37] The Act regulates the mining sector in India. Key features of the Bill include:

- **Removal of restriction on end-use of minerals:** The Act empowers the central government to reserve any mine (other than coal, lignite, and atomic minerals) to be leased through an auction for a particular end-use (such as iron ore mine for a steel plant). Such mines are known as captive mines. The Bill provides that no mine will be reserved for particular end-use.
- **Sale of minerals by captive mines**: The Bill provides that captive mines (other than atomic minerals) may sell up to 50% of their annual mineral production in the open market after meeting their own needs. The central government may increase this threshold through a notification. The lessee will have to pay additional charges for mineral sold in the open market.
- **Auction by the central government:** Under the Act, states conduct the auction of mineral concessions (other than coal, lignite, and atomic minerals). Mineral concessions include mining lease and prospecting license-cum-mining lease. The Bill empowers the central government to specify a time period for completion of the auction process in consultation with the state government. If the state government is unable to complete the auction process within this period, the auctions may be conducted by the central government.
- **Transfer of statutory clearances**: Upon expiry of a mining lease (other than coal, lignite, and atomic minerals), mines are leased to new persons through auction. The statutory clearances issued to the previous lessee are transferred to the new lessee for a period of two years. The new lessee is required to obtain fresh clearances within these two years. The Bill replaces this provision and instead provides that transferred statutory clearances will be valid throughout the lease period of the new lessee.

For a PRS Summary of the Bill, see here.

Standing Committee submitted report on coal conservation and development of infrastructure for transport of coal

The Standing Committee on Coal and Steel (Chair: Mr. Rakesh Singh) submitted its report on the subject 'Coal Conservation and Development of Infrastructure for Transportation of Coal across the Country'.[38] Key observations and recommendations of the Committee include:

- **Transportation of coal:** The Committee observed that 66% of the total coal in the country is transported through road. It observed that transportation of coal through road adds to dust and air pollution. It recommended that transportation of coal through road should gradually be done away with. It also recommended that Coal India Limited should focus on placing a completely mechanised system for the transportation of coal from pit heads to despatch points through rail or covered conveyor belts.

For a PRS summary of the report, see here.

Standing Committee submitted report on development of leased out iron ore mines and optimum capacity utilisation

The Standing Committee on Coal and Steel (Chair: Mr. Rakesh Singh) submitted its report on the subject 'Development of Leased out Iron Ore Mines and Optimum Capacity Utilisation'.[39] Key observations and recommendations of the Committee include:

- **Delay in approvals and clearances for iron ore mines of SAIL:** The Committee noted that many iron ore mines of Steel Authority of India Limited (SAIL) are awaiting environment clearances and forest clearances. These clearances are either pending with the Central Ministry or respective state governments. It observed that delays in clearances have affected the capacity expansion by SAIL.

For a PRS summary of the report, see here.

Amendments in mineral auction rules to incentivise early commencement of mineral production

The Ministry of Mines notified the Mineral (Auction) Amendment Rules, 2021 to amend the Mineral (Auction) Rules, 2015.[40,41] The 2015 Rules regulate the auction of mines. The 2021 amendments aim to incentivise early commencement of production from auctioned mines. Under the 2015 Rules, the lessee is required to share a percentage of the value of minerals despatched with the state government. The amendments provide that if the lessee commences dispatch before the scheduled date of commencement of production, he will be required to pay only 50% of the required amount for quantity despatched before the scheduled date. This will apply to production from fully explored mineral blocks.

Amendments in mineral concession rules to enable the transfer of the letter of intent in certain cases

The Ministry of Mines notified the Minerals (Other than Atomic and Hydro-Carbons Energy Minerals) Concession (Amendment) Rules, 2021.[42] The 2021 Rules amend the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016.[43] The amendments provide for transfer of the letter of intent in cases where the ownership of the successful bidder may change as per the insolvency resolution process under the Insolvency and Bankruptcy Code, 2016. A letter of intent is issued to a successful bidder of a mining lease. Insolvency is a situation where individuals or companies are unable to repay their outstanding debt. The 2016 Rules did not provide for the transfer of letter of intent to the new owner of the successful bidder.[44]

The new owner of the successful bidder will apply to the state government for the transfer of the letter of intent. The new owner must meet eligibility criteria for participating in the auction of mines as per the 1957 Act. The state government must decide on the application for transfer within 90 days. It may approve or reject the request after recording reasons in writing.

Health

The Medical Termination of Pregnancy (Amendment) Bill, 2020 passed

Shruti Gupta (shruti@prsindia.org)

The Medical Termination of Pregnancy (Amendment) Bill, 2020 was passed by Parliament.[45] The Bill amends the Medical Termination of Pregnancy Act, 1971 which provides for the termination of certain pregnancies by registered medical practitioners. The Bill adds the definition of termination of pregnancy to mean a procedure undertaken to terminate a pregnancy by using medical or surgical methods.

- **Termination of pregnancy**: Under the Act, a pregnancy may be terminated within 12 weeks, if a registered medical practitioner is of the opinion that: (i) continuation of the pregnancy may risk the life of the mother, or cause grave injury to her health, or (ii) there is a substantial risk that the child, if born, would suffer physical or mental abnormalities. For termination of a pregnancy between 12 to 20 weeks, two medical practitioners are required to give their opinion.
- The Bill amends this provision to state that a pregnancy may be terminated within 20 weeks, with the opinion of a registered medical practitioner. Approval of two registered medical practitioners will be required for termination of pregnancies between 20 to 24 weeks. The termination of pregnancies up to 24 weeks will only apply to specific categories of women, as may be prescribed by the central government. The central government will notify norms for medical practitioners whose opinion is required for terminating the pregnancy.
- **Constitution of a Medical Board**: Under the Bill, every state government is required to constitute a Medical Board. It states that the upper limit of termination of pregnancy will not apply in cases where such termination is necessary due to the diagnosis of substantial foetal abnormalities. These abnormalities will be diagnosed by a Medical Board. Medical Boards will consist of the following members: (i) a gynaecologist, (ii) a paediatrician, (iii) a radiologist or sonologist, and (iv) any other number of members, as may be notified by the state government. The central government will notify the powers and

functions of these Medical Boards.

For a PRS analysis of the Bill, see here.

The National Commission for Allied and Healthcare Professions Bill, 2020 passed by Parliament

Prachi Kaur (prachi@prsindia.org)

The National Commission for Allied and Healthcare Professions Bill, 2020 was passed by Parliament.[46] The Bill seeks to regulate and standardise the education and practice of allied and healthcare professionals. Key features of the Bill include:

- **Definitions**: The Bill defines 'allied health professional' as an associate, technician, or technologist trained to support the diagnosis and treatment of any illness, disease, injury, or impairment. Such a professional should have obtained a diploma or degree under this Bill. The duration of the degree or diploma should be at least 2,000 hours (over a period of two to four years).
- **Allied and healthcare professions**: The Bill specifies certain categories of allied and healthcare professions as recognised categories in the Schedule to the Bill. These include life science professionals, trauma and burn care professionals, surgical and anaesthesia related technology professionals, physiotherapists, and nutrition professionals.
- **National Commission for Allied and Healthcare Professions**: The Bill sets up the National Commission for Allied and Healthcare Professions. The Commission is responsible for framing policies and standards, creating and maintaining an online central register of all registered professionals, providing basic standards of education and training, and providing for a uniform entrance and exit examination, among others.
- **State Councils**: State governments must constitute State Allied and Healthcare Councils within six months from the passage of this bill. The Councils will be responsible for enforcing professional conduct, maintaining State Registers, inspecting institutions, and ensuring uniform entry and exit examinations.
- **Offences and penalties**: No persons other than those enrolled in a State Register or the National Register is allowed to practice as a qualified allied and healthcare practitioner. Any person who contravenes this provision will be punished with a fine of Rs 50,000.

For a PRS summary of the Bill, see here.

The National Institute for Pharmaceutical Education and Research (Amendment) Bill, 2021 introduced in Lok Sabha

Aditya Kumar (aditya@prsindia.org)

The National Institute of Pharmaceutical Education and Research (Amendment) Bill, 2021 was introduced in Lok Sabha.[47] It seeks to amend the National Institute of Pharmaceutical Education and Research Act, 1998. The Act established the National Institute of Pharmaceutical Education and Research, Punjab and declared it as an Institution of National Importance. An Institution of National Importance is an autonomous institute established with the power to hold examinations, grant degrees, diplomas, and other academic titles. These institutes of national importance receive funding from the central government. Key amendments in the Bill include:

- **New institutions of national importance:** The Bill declares six additional National Institute of Pharmaceutical Education and Research as Institutions of National Importance. These institutes are located in: (i) Ahmedabad, (ii) Hajipur, (iii) Hyderabad, (iv) Kolkata, (v) Guwahati, and (vi) Raebareli.
- **Establishment of the Council:** The Bill provides for a Council to coordinate the activities among the institutes under the Bill to ensure development of pharmaceutical education and research and maintenance of standards. Functions of the Council include: (i) advising on matters related to course duration, and admission standards in the institutes, (ii) formulating policies for recruitment, conditions of service, and fees, and (iii) examining and approving development plans of the institutes.
- **Board of Governors:** The Bill reduces the number of members in the Board of Governors for each institute from 23 to 12. The Board will be chaired by an eminent academician or professional. The ex officio members of the Board include: (i) the Director of the institute, (ii) the Secretary dealing with medical or technical education in the concerned state government, and (iii) a representative of Drug Controller General of India (DCGI).

For a PRS summary of the Bill, see here.

Standing Committee submits report on the Assisted Reproductive Technology (Regulation) Bill, 2020

Aditya Kumar (aditya@prsindia.org)

The Standing Committee on Health and Family Welfare submitted its report on the Assisted Reproduction Technology (Regulation) Bill, 2020.[48] The Bill seeks to regulate assisted reproductive technology (ART) services in India. ART includes all techniques that seek to obtain a pregnancy by handling the sperm or the oocyte (immature egg cell) outside the human body and transferring the gamete into the reproductive system of a woman.

- **ART banks:** Under the Bill, an ART bank acts as a registered entity for: (i) screening of gamete donors, and (ii) collection, screening and storage of semen. The Committee observed that the role of the ART bank is not clear in the definition. Further, screening of gamete donors is a complicated process, which needs presence of specialised doctors. ART banks may not have such doctors. The Committee recommended that the Department of Health Research should clearly define the role of ART banks, and the specialists required in them. Further, screening of gametes should be done by an ART clinic and the banks should be responsible for collection, storage, and supply of gametes.
- **Data protection and privacy:** The Bill specifies that the data collected by ART clinics and banks (such as procedures being undertaken) must be transferred to a central database (National Registry) within a month of receiving the data. The ART clinics and banks must store this data for at least ten years. The National Registry must share this data with the National Board for the purpose of inspection. The Committee noted that these are personal data which may lead to identification of the commissioning couples, women, or donors. The Committee recommended that the personal data should be converted to a form in which a data principal (person to whom the data belongs) cannot be identified. The data should be collected for a specific purpose and kept for the period required for that purpose. Further, the Bill should include provisions for anonymising the data at the primary source.

For a PRS summary of the report, see here.

Standing Committee report on the Pradhan Mantri Bharatiya Janaushadhi Pariyojana submitted

Aditya Kumar (aditya@prsindia.org)

The Standing Committee on Chemicals and Fertilizers (Chair: Ms. Kanimozhi Karunanidhi) submitted its report on the implementation of the Pradhan Mantri Bharatiya Janaushadhi Pariyojana (PMBJP).[49] PMBJP aims to provide quality generic medicines to all at affordable prices. Under this scheme, dedicated outlets known as Pradhan Mantri Bhartiya Janaushadhi Kendras are opened all over the country to sell generic medicines to the public. Key observations and recommendations of the Committee include:

- **Coverage of the scheme:** The Committee noted that the coverage of the scheme remains inadequate. Currently, 732 districts are covered under the scheme against the target of covering all districts (739) across the country by 2020-21. The Committee recommended conducting a state-wise analysis on the status of the implementation of the scheme. It further recommended the Department of Pharmaceuticals to focus on block level coverage instead of the current focus on district level coverage.

For a PRS summary of the report, see here.

Pradhan Mantri Swasthya Suraksha Nidhi constituted

The Ministry of Family and Health Welfare constituted the Pradhan Mantri Swasthya Suraksha Nidhi (PMSSN).[50] This is a single non-lapsable fund in the public account created with funds from the proceeds of the share of health in the Health and Education Cess. A non-lapsable fund is one where unutilised funds for a financial year are transferred to the next year for utilisation.[50]

PMSSN will be used for various healthcare initiatives including: (i) National Health Mission, (ii) Ayushman Bharat – Health and Wellness Centres, (iii) Ayushman Bharat Pradhan Mantri Jan Arogya Yojana, and (iv) preparedness for healthcare emergencies and response to them.[50]

Standing Committee submits report on Sustainable Development Goals

Shruti Gupta (shruti@prsindia.org)

The Public Accounts Committee (Chair: Mr. Adhir Ranjan Chowdhury) submitted its report on the subject 'Preparedness for the Implementation of Sustainable Development Goals (SDGs)'.[51] In 2015, the United Nations adopted 17 SDGs as targets to be achieved by 2030. These include: (i) no poverty, (ii) zero hunger, and (iii) quality education. The Committee report is based on a 2019 audit by the Comptroller and Auditor General of India (CAG) on NITI Aayog, the Ministry of Health and Family Welfare (MoHFW), and the Ministry of Statistics and Programme Implementation (MOSPI). Key observations and recommendations include:

- **Integration of framework for health targets:** The MoHFW is responsible for fulfilling the SDG of 'Good Health and Well Being'. The Committee observed that a working group set up by the MoHFW to ensure coordination with state governments had not had any meetings. It recommended undertaking efforts to ensure coordination between ministries, and between central and state governments.
- **Public health expenditure:** The Committee observed that allocation towards public health in India is lesser than the 2.5% of the GDP recommended by the National Health Mission. It recommended increasing spending on public health ensure that SDGs linked to health are fulfilled.
- **Public healthcare facilities:** The Committee observed that India has a low number of public health centres. It noted that the government plans to transform 1.5 lakh sub, primary and urban primary health centres and wellness centres by 2022 under the Ayushman Bharat scheme. It recommended posting at least one allopathic doctor with paramedical staff in each wellness centre to enhance healthcare services in remote areas.

For a PRS Summary of the Report, see here.

Women and Child Development

Prachi Kaur (prachi@prsindia.org)

The Juvenile Justice (Care and Protection) Amendment Bill, 2021 passed by Lok Sabha

The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021 was passed by Lok Sabha.[52] The Bill amends the Juvenile Justice (Care and Protection of Children) Act, 2015. The Act contains provisions related to children in conflict with law and children in need of care and protection.[53] The Bill seeks to introduce measures for strengthening the child protection setup. Key amendments include:[52]

- **Serious offences**: The Act provides that the Juvenile Justice Board will inquire about a child who is accused of a serious offence. Serious offences are those for which the punishment is imprisonment between three to seven years. The Bill adds that serious offences will also include offences for which maximum punishment is imprisonment of more than seven years, and minimum punishment is not prescribed or is of less than seven years.
- **Adoption**: The Act prescribes the procedure for the adoption of children by prospective adoptive parents from India and abroad. On the acceptance of the child by prospective adoptive parents, a specialised adoption agency applies to a civil court to obtain the adoption order. In cases where a person living abroad intends to adopt a child from his relative in India, he is required to obtain an adoption order from the court. The adoption order issued by the court establishes that the child belongs to the adoptive parents. The Bill amends this to empower the District Magistrate instead, to issue such adoption orders.
- **Appeals**: The Bill provides that any person aggrieved by an adoption order passed by the District Magistrate may file an appeal before the Divisional Commissioner, within 30 days from the date of passage of such order, which must be disposed within four weeks from the date of filing of the appeal.
- **Designated Court**: The Act provides that an offence against children under the Act, punishable with imprisonment for more than seven years, will be tried in the children's court. Other offences (punishable with imprisonment less than seven years) will be tried by any Judicial Magistrate. The Bill proposes that all offences under the Act be

tried in children's court.

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

Law and Justice

Saket Surya (saket@prsindia.org)

The Arbitration and Conciliation (Amendment) Bill, 2021 passed

The Arbitration and Conciliation (Amendment) Bill, 2021 was passed by Parliament. The Bill amends the Arbitration and Conciliation Act, 1996. The Act contains provisions to deal with domestic and international arbitration and defines the law for conducting conciliation proceedings. The Bill replaces an Ordinance with the same provisions promulgated on November 4, 2020. Key features of the Bill are:

- **Automatic stay on awards**: The 1996 Act allowed a party to file an application to set aside an arbitral award (i.e., the order given in an arbitration proceeding). Courts had interpreted this provision to mean that an automatic stay on an arbitral award was granted the moment an application for setting aside an arbitral award was made before a court. In 2015, the Act was amended to state that an arbitral award would not be automatically stayed merely because an application is made to a court to set aside the arbitral award.

  The Bill specifies that a stay on the arbitral award can be provided (even during the pendency of the setting aside of the application) if the court is satisfied that: (i) the relevant arbitration agreement or contract, or (ii) the making of the award, was induced, or effected by fraud or corruption. This change will be effective from October 23, 2015.

- **Qualifications of arbitrators**: The Act specified certain qualifications, experience, and accreditation norms for arbitrators in a separate schedule. The requirements under the schedule include that the arbitrator must be: (i) an advocate under the Advocates Act, 1961 with 10 years of experience, or (ii) an officer of the Indian Legal Service, among others. Further, the general norms applicable to arbitrators' state that they must be conversant with the Constitution of India. The Bill removes the Schedule for arbitrators and states that qualifications, experience, and norms for accreditation will be specified under the regulations.

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

Civil Aviation

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The Airports Economic Regulatory Authority of India (Amendment) Bill, 2021 introduced in Lok Sabha

The Airports Economic Regulatory Authority of India (Amendment) Bill, 2021 was introduced in Lok Sabha.[54] It amends the Airports Economic Regulatory Authority of India Act, 2008. The 2008 Act established the Airport Economic Regulatory Authority (AERA). AERA regulates tariffs and other charges (such as airport development fees) for aeronautical services rendered at major airports in India.

The 2008 Act designates an airport as a major airport if it has an annual passenger traffic of at least 35 lakh. The central government may also designate any airport as a major airport by a notification. The Bill adds that the central government may group airports and notify the group as a major airport.

For a PRS summary of the Bill, see here.

The Unmanned Aircraft System Rules, 2021 notified

The Ministry of Civil Aviation notified the Unmanned Aircraft System Rules, 2021.[55] The Rules aim to regulate unmanned aircraft systems (UAS) in India. UAS refers to unmanned aircraft and related elements (such as communication systems and ground control stations), which are operated without a pilot. The Rules apply to: (i) all UAS registered in India irrespective of their current location, (ii) a person possessing a UAS or engaged in various aspects of UAS (such as exporting, importing, manufacturing, and operating), and (iii) all UAS in or over India. Key features of the Rules include the following:

- **Manufacturing, trading, owning and operation:** The Rules specify that no UAS (including a prototype) must be manufactured or imported without the permission of the Director General of Civil Aviation (DGCA). The application for grant of the authorisation of import, manufacturing, trade, owning and operation must be made to the DGCA. The authorisation will be valid for of ten years and may be renewed.
- **Operation of UAS:** No UAS must be operated in the country without: (i) a

certificate of manufacture and airworthiness, and (ii) a non-transferable permit, issued by the Director General. The certificate will be granted based on the recommendations of an authorised testing laboratory.

No unmanned aircraft must be operated in certain areas. These include: (i) areas within 5 km from the perimeter of international airports at Mumbai, Delhi, Kolkata, Chennai, Bengaluru, and Hyderabad, (ii) areas within 3 km from the perimeter of a civil, private, defence airports, and military facilities, (iii) areas within 25 km from international borders including Line of Control (LoC) and Line of Actual Control (LAC), and (iv) eco-sensitive zones around national parks and wildlife sanctuaries in India.

- **Offences and penalties:** The Rules specify penalties (ranging from Rs ten thousand to Rs one lakh) for individuals violating various provisions of the Rules. The penalties will be levied at the rate of: (i) 200% if the violation is committed by a small organisation (up to 50 employees), (ii) 300% if a violation is committed by a medium organisation (51-200 employees), and (iii) 400% if the violation is committed by a large organisation (more than 200 employees).

Shipping

The Marine Aids to Navigation Bill, 2021 passed by Lok Sabha

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The Marine Aids to Navigation Bill, 2021 was passed by Lok Sabha.[56] The Bill seeks to provide a framework for the development, maintenance, and management of aids to navigation in India. It repeals the Lighthouse Act, 1927, which provides for the maintenance and control of lighthouses in India.[56] Key features of the Bill include:[56]

- **Application:** The Bill applies to the whole of India including various maritime zones including territorial waters, continental shelf, and exclusive economic zone.
- **Aid to navigation:** The Bill defines aid to navigation as a device, system, or service, external to the vessels designed and operated to enhance the safety and efficiency of navigation of vessels and vessel traffic.
- **Management of General Aids to Navigation and vessel traffic services**: The central government will be responsible for the development, maintenance, and management of all general aids to navigation and vessel traffic services. Its powers with regard to the management of aids to navigation include: (i) establishing, maintaining, adding, altering, or removing any aid to navigation, and (ii) authorising to inspect any such aid which may affect the safety of navigation.
- **Training and certification**: The Bill provides that no person shall be allowed to operate on any aid to navigation (including any ancillary activities), or any vessel traffic service in any place unless he holds a valid training certificate. The central government will accredit training organisations for imparting training to, or conduct assessments of persons in the operation of aids to navigation.
- **Penalties**: The Bill provides certain offences and penalties. For instance: (i) intentionally causing obstruction of, reduction in, or limitation of, the effectiveness of any aid to navigation will be punishable with imprisonment of up to six months, or a fine up to one lakh rupees, or both.

For a PRS summary of the Bill, see here.

Food Processing

National Institutes of Food Technology, Entrepreneurship and Management Bill, 2019 passed by Rajya Sabha

Shruti Gupta (shruti@prsindia.org)

The National Institutes of Food Technology, Entrepreneurship and Management Bill, 2019 was passed by Rajya Sabha.[57] The Bill declares certain institutes of food technology, entrepreneurship, and management as institutions of national importance.

These institutes include the National Institute of Food Technology Entrepreneurship and Management Kundli, and the Indian Institute of Food Processing Technology, Thanjavur.

The Bill declares these institutes as National Institutes of Food Technology, Entrepreneurship and Management.

For a PRS summary of the Bill, see here.

Cabinet approves Production Linked Incentive scheme for food processing

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The Union Cabinet approved the Production Linked Incentive (PLI) scheme for the food processing industry.[58] The scheme aims to support food manufacturing entities in expansion of their processing capacity and incentivise emergence of strong Indian brands through international branding. Under the scheme, the government will incentivise manufacturing of plant machinery in four major food product segments: (i) ready to cook/ eat foods, (ii) processed vegetables and fruits, (iii) marine products, and (iv) mozzarella cheese. Manufacturers with minimum specified sales and willing to make a minimum amount of investment during 2020-23, as specified, will be eligible for receiving benefits under the scheme. However, these conditions will not be applicable in case of innovative/ organic products of small and medium enterprises (SMEs), including eggs, egg products, and poultry meat.

Under the scheme, the government will provide the incentive to the chosen beneficiaries on a yearly basis for a period of six years, during 2021-22 to 2026-27. Rs 10,900 crore has been allocated to the scheme for the six-year period.

Rs 9,040 crore has been allocated for providing the incentives to manufacturers under the scheme, out of which Rs 250 crore has been earmarked for innovative/ organic products of SMEs. In addition, Rs 1,500 crore will be provided as grants to support branding and marketing abroad to incentivise emergence of strong Indian brands. These grants will be provided for in-store branding, shelf space renting, and marketing.

Food Distribution

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Committee report on strengthening Public Distribution System submitted

The Standing Committee on Food, Consumer Affairs, and Public Distribution (Chair: Mr. Sudip Bandyopadhyay) submitted its report on the subject 'Strengthening of Public Distribution System- Augmenting Use of Technological Means and Implementation of One Nation, One Ration Card Scheme' on March 19, 2021.[59] India's Public Distribution System (PDS) provides subsidised food through a network of Fair Price Shops (FPS) to beneficiaries identified by state governments. The One Nation-One Ration Card (ONORC) scheme was launched in 2019 to enable nation-wide portability and allow beneficiaries across India access to PDS. Key observations and recommendations include:

- **Disparity in implementation of ONORC:** The Committee highlighted disparities in implementation by various state governments. For instance, Chhattisgarh and Assam are yet to onboard the portability grid, while 32 other states and union territories have concluded the process. Onboarding the portability grid allows beneficiaries from one state to claim entitlements in other states. It also highlighted that State Vigilance Committees constituted to monitor the implementation of ONORC and functioning of PDS in states do not meet regularly. The Committee recommended the central government's Department of Food and Public Distribution to monitor implementation in states.

For a PRS Summary of the Report, see here.

Standing Committee report on price rise of essential commodities submitted

The Standing Committee on Food, Consumer Affairs and Public Distribution (Chair: Mr. Sudip Bandyopadhyay) submitted its report on the subject 'Price Rise of Essential Commodities-Cause and Effects' on March 19, 2021. Key observations and recommendations of the Committee include:

- **List of essential commodities:** The Committee noted that there are seven commodities (such as drugs, edible oils, and raw jute) notified under the Essential Commodities Act, 1955 (ECA). The Committee highlighted that no major amendment has been made in the list since 2006. The Committee recommended establishing a mechanism to periodically review list of commodities notified under the Act. Further, it recommended including more consumables (specifically related to health) in the list.

For a PRS Summary of the Report, see here.

Social Justice

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Constitution (Scheduled Castes) Order (Amendment) Bill passed by Parliament

The Constitution (Scheduled Castes) Order (Amendment) Bill, 2021 was passed by Parliament.[60] The Bill amends the Constitution (Scheduled Castes) Order, 1950.

The Constitution empowers the President to specify the Scheduled Castes (SCs) in various states and union territories. Further, it permits Parliament to modify this list of notified SCs.

The Bill gives effect to modifications proposed by the state of Tamil Nadu.

For a PRS summary of the Bill, see here.

Corporate Affairs

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Limits on remuneration to managerial persons under the Companies Act revised

The Ministry of Corporate Affairs revised the limits on remuneration to managerial persons under the Companies Act, 2013.[61] The schedules under the Act specify these limits which can be amended by the central government through a notification. Limits on remuneration to other directors (non-managerial) of the company have been added (Table 4). The limits have been increased for managerial persons (Table 5). These limits are based on the effective capital of the company. The effective capital of a company refers to the total money received from shareholders in exchange of the company shares.

Table 4: Limit on the annual remuneration to other directors (non-managerial)

Effective capital	Limit on annual remuneration
Less than Rs 5 crore	Rs 12 lakh
Rs 5 crore and above but less than Rs 100 crore	Rs 17 lakh
Rs 100 crore and above but less than Rs 250 crore	Rs 24 lakh
Rs 250 crore and above	Rs 24 lakh plus 0.01% of the effective capital exceeding Rs 250 crore

Sources: The Companies Act, 2013; S.O. 1256 (E), Ministry of Corporate Affairs, March 18, 2021; PRS.

Table 5: Changes in the limit on the annual remuneration to managerial persons

Effective capital	Earlier limit on annual remuneration	New limit on annual remuneration
Less than Rs 5 crore	Rs 30 lakh	Rs 60 lakh
Rs 5 crore and above but less than Rs 100 crore	Rs 42 lakh	Rs 84 lakh
Rs 100 crore and above but less than Rs 250 crore	Rs 60 lakh	Rs 1.2 crore
Rs 250 crore and above	Rs 60 lakh plus 0.01% of the effective capital in excess of Rs 250 crore	Rs 1.2 crore plus 0.01% of the effective capital in excess of Rs 250 crore

Sources: The Companies Act, 2013; S.O. 1256 (E), Ministry of Corporate Affairs, March 18, 2021; PRS.

Labour and Employment

Code on Wages (Central Advisory Board) Rules, 2021 notified

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The Ministry of Labour and Employment notified the Code on Wages (Central Advisory Board) Rules, 2021.[62] These Rules will apply to all central sector establishments. Key features of the Rules include:

- **Constitution of the Board:** The Code provides for the constitution of the Central Advisory Board. The Rules specify that the Board will include: (i) 12 persons representing employers, (ii) 12 persons representing employees, (iii) 11 independent persons (includes two Members of Parliament, and four people who are professionals in the field of wages and labour), and (iv) five representatives of state governments. Further, one-third of the total members must be women and number of independent members must be less than one-third of total members.
- During disposal of business by the Board, the Chairperson will have the casting vote in an event of equality of votes.
- **Functions of the Board:** The Code provides that the Board will advise the central government on various issues including: (i) fixation of minimum wages, and (ii) increasing employment opportunities for women. The Rules add that the Board will also advise the central government on the issue relating to the fixation of minimum wages of working journalists, and sales promotion employees.
- **Meetings of the Board:** The Chairperson of the Board, by giving a notice of at least 15 days, may call a meeting at any time he thinks fit. Further, the Chairperson must call a meeting within 30 days from the date of receiving a request from at least half of the members for the same.
- At least one-third of the members and at least one representative member each from employers and employees must be present in a meeting for transaction of any business.

Standing Committee report on Prime Minister's Employment Generation Programme submitted

Shruti Gupta (shruti@prsindia.org)

The Public Accounts Committee (Chair: Mr.

Adhir Ranjan Chowdhury) submitted its report on the implementation of Prime Minister's Employment Generation Programme (PMEGP) on March 15, 2021.[63] PMEGP was launched in 2008 with the aim of providing credit-linked subsidy to set up micro enterprises in non-farm sectors by traditional artisans and unemployed youth. The report is based on an audit by the Comptroller and Auditor General of India of the programme for the period 2008 to 2016. Key observations and recommendations include:

- **Nodal banks:** The Committee noted that a single nodal bank for disbursing funds was introduced under PMEGP in 2016 to ensure faster processing of claims and to minimise idle parking of funds. The Corporation Bank was appointed as a nodal bank from 2016 to 2020. The Committee noted that the Corporation Bank released funds in excess of what it was allotted in this period. The Committee recommended instituting adequate checks to ensure that funds are not sanctioned by the nodal bank before validating claims under PMEGP. The Indian Bank was appointed as the nodal bank in 2020. The Committee noted that Rs 154 crore was not disbursed by the Bank as of 2020. The Committee recommended following the prescribed time to ensure that funds are not kept outstanding for a long period.

For a PRS Summary of the Report, see here.

Road Transport

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Vehicle Scrapping Policy released

The Ministry of Road Transport and Highways released the Vehicle Scrapping Policy which aims to create a system to phase out unfit and polluting vehicles.[64] The government estimates this system to create an additional 35,000 job opportunities and attract investments of around Rs 10,000 crore in the country. Key features of the policy include:

- **Criteria:** Criteria for scrapping of vehicles will be based on a fitness test. This will include emission tests, braking, safety equipment and other tests prescribed under the Central Motor Vehicle Rules, 1989. Vehicle fitness for commercial vehicles will be determined by automated fitness centres and through non-renewal of registration certificates, in case of private vehicles. Vehicles failing fitness tests or not getting certificates renewed will be declared as end of life vehicles.
- **Commercial vehicles:** Commercial vehicles will be deregistered after 15 years, in case of failure to get fitness certificates. Further, increased fees for fitness certificates and tests may be applicable on commercial vehicles after 15 years from the date of initial registration.
- **Private vehicles:** Private vehicles will be deregistered after 20 years, if the vehicle is found to be unfit or for failure to renew registration certificates. Re-registration fees will be applicable after 15 years from the date of initial registration.
- **Government vehicles:** All vehicles of: (i) central, state, and local governments, (ii) state transport and public sector undertakings, and (iii) autonomous bodies of the central and state governments will be de-registered and scrapped after 15 years from registration.
- **Incentives:** Incentives will be established for owners of old vehicles to scrap old and unfit cars through registered scrapping centres which will provide scrapping certificates. These incentives include: (i) scrap value (4% to 6% of ex-showroom price for a new vehicle) to be given by scrapping centres, (ii) advisory to state governments to offer road tax rebates of up to 25% for personal vehicles and up to 15% for commercial vehicles, and (iii) waiving of registration fees for purchase of new vehicles against scrapping certificates.

Comments invited on the draft Vehicle Scrapping Rules

The Ministry of Road Transport and Highways released the draft Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021 under the Motor Vehicles Act, 1988.[65] The draft Rules seek to lay down the procedure to establish a Registered Vehicle Scrapping Facility (RVSF), which is an establishment authorised to dismantle and scrap vehicles. Key features of the draft Rules include:

- **Powers and obligations:** State or union territory governments may issue authorisation to RVSFs under the draft Rules. Major functions of RVSFs under the draft Rules include: (i) entering information on scrapping and issuance of Certificates of Scrapping upon the VAHAN database, (ii) verifying records of vehicles produced for scrapping with records of stolen vehicles held by the National Crime Records Bureau and the local police, and (iii) undertaking verification of persons handing over vehicles for scrapping. RVSFs must have necessary cyber security certifications to safely access the VAHAN database and retain copies of verification of individuals for a minimum period of six months.

- **Scrapping:** Vehicles including the following may be offered for scrapping: (i) with lapsed Certificates of Registration, (ii) without a certificate of fitness, (iii) which have been damaged and self-certified by the owner as scrap, and (iv) which have been declared obsolete or beyond economic repair by government organisations. The draft Rules also specify procedures to be followed for scrapping vehicles.

Comments are invited on the draft Rules till April 14, 2021.[65]

Various amendments to the Central Motor Vehicle Rules notified

The Ministry of Road Transport and Highways notified several amendments to the Central Motor Vehicle Rules, 1989.[66,67,68,69] The amendments include the following:

Airbags in front passenger seats

The Central Motor Vehicles (Third Amendment) Rules, 2021 mandate all vehicles to be fitted with airbags for the front passenger seat.[68] The amended Rules will be applicable for new models from April 1, 2021, and August 31, 2021 for existing models.

Fuel requirements and vehicle compatibility

The Central Motor Vehicles (Fourth Amendment) Rules, 2021 came into force in March, 2021.[67] Key amendments include:

- **Requirements for fuel:** Various Standards issued by the Bureau of Indian Standards (BIS) will be used as reference for fuels including ethanol, bio-CNG (Compressed Natural Gas) and hydrogen enriched CNG. BIS is the national standards body of India and operates under the Ministry of Consumer Affairs.[70]
- **Vehicle compatibility:** Vehicles operating on CNG, bio-CNG, and hydrogen enriched CNG must meet all safety requirements specified by the Automotive Industry Standards Committee operating under the Ministry of Road Transport and Highways.[71] Compatibility of vehicles with various ethanol blend fuels, on the other hand may be defined by vehicle manufacturers. However, this must be displayed through a vehicle sticker.

Regulation of certification, testing, and recall of vehicles

The Central Motor Vehicles (Fifth Amendment) Rules, 2021 will be valid from April 1, 2021.[66] Key amendments include:

- **Prototype:** The 1989 Rules require manufacturers and importers of motor vehicles (other than trailers and semi-trailers) to submit a prototype of the vehicle to recognised testing agencies.[69] The amendment specifies that manufacturers and importers of construction equipment vehicles, combine harvesters, and power tillers must also submit prototypes for testing.[66] Further, altered, retrofitted, or adapted motor vehicles must also: (i) be tested or type approved by recognised agencies, (ii) be self-certified by original equipment manufacturers, or (iii) be certified by authorised workshops.
- **Recall**: The amended Rules enable owners of a vehicle, testing agencies, and other authorised sources to make an application to the Vehicle Recall Portal to designate a particular type of vehicle as defective. Designated officers can also make suo-moto applications for this purpose.

Various draft amendments to the Central Motor Vehicle Rules released

The Ministry of Road Transport and Highways released several draft amendments to the Central Motor Vehicles Rules, 1989.[72,73,74,75,76] Comments are invited for the proposed amendments in April, 2021. These include the following amendments:

- **Concession in tax:** Draft amendments to the 1989 Rules propose giving tax concessions to vehicles registered against a certificate of vehicle scrapping.[76] The certificate will be issued by a registered vehicle scrapping facility after the scrapping of a vehicle. In case of non-transport vehicles, the concession will be up to 25% of motor vehicle tax, and will be available for up to 15 years from the date of registration. For transport vehicles, the concession will be up to 15% of the tax and will be available for up to eight years from the date of registration.
- **Fees for registration:** The 1989 Rules lay down fees and other documents including letters of ownership and authority required for issuing registration certificates.[72] The draft Rules seek to: (i) increase fees for

issuing and renewing certificates of registration, and (ii) specify fees for conducting fitness tests and grant renewal of fitness certificates for vehicles older than 15 years.[75]

- **Fuel:** The draft amendments propose that the safety requirements for certain vehicles running on anhydrous ethanol or blends of ethanol with gasoline be established in accordance with Automotive Industry Standards.[72] Comments on the draft Rules are invited till April 11, 2021.

Railways

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Standing Committee submits report on passenger amenities

The Standing Committee on Railways (Chair: Mr. Radha Mohan Singh) submitted its report on 'Passenger Amenities including Modernisation of Railway Stations'.[77] Key observations and recommendations of the Committee include:

- **Underutilisation of funds for passenger amenities:** The Committee observed that the funds earmarked for passenger amenities were underutilised by: (i) 16.3% in 2014-15, (ii) 38.2% in 2015-16, (iii) 4.3% in 2018-19, and (iv) 44.4% in 2019-20. The Committee recommended that the Railways should prepare a realistic budget so that financial and physical targets are optimally achieved.

For a PRS summary of the report, see here.

New and Renewable Energy

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Standing Committee report on action plan for achievement of 175 GW renewable energy target submitted

The Standing Committee on Energy (Chair: Mr. Rajiv Ranjan Singh) submitted its report on the action plan for achieving 175 gigawatts (GW) of renewable energy by 2022.[78] Key observations and recommendations of the Committee include:

- **Solar energy:** National Solar Mission was launched in 2010 to promote solar power in the country. Under this, the central government aims to achieve 100 GW of grid-connected solar energy by 2022. The Committee noted that in over a decade since the launch, only 39 GW of solar energy capacity has been installed in the country. 36 GW of solar energy projects are under implementation. It recommended that the central government should formulate strategic plans for expediting the process to achieve the target within the deadline.
- **Wind energy:** The Committee observed that since 2017-18, the Ministry has not been able to achieve its annual wind energy target. The Committee noted that 36 GW and 32 GW of offshore wind power potential exists off the coast of Gujarat and Tamil Nadu. It recommended that the Ministry should explore wind power potential in other coastal states of India.
- **Financing of projects:** The Committee noted that Rs 2.6 lakh crore will be required over the next two years for the installation of 58 GW of renewable projects. It stated that attracting this investment will not be easy. The Committee recommended that the Ministry of New and Renewable Energy should mobilise long term loans for upcoming renewable projects.

For a PRS summary of the report, see here.

Comments invited on the Draft Policy Framework promoting decentralised renewable energy livelihood applications

The Ministry of New and Renewable Energy invited comments on the Draft Policy Framework for developing and promoting decentralised renewable energy (DRE) livelihood applications.[79] DRE livelihood applications refer to the applications of renewable energy for earning livelihoods (such as solar dryer and biomass powered cold storage). Key features of the framework include:

- **Assessment of demand:** The Ministry will assess the potential and possibilities of deployment of DRE livelihood applications.
- **Financing:** A financing facility will be set up to provide credits to entrepreneurs and end-users. The financial institutions providing credits will be covered under first loss default guarantee. Under this mechanism a third party compensates the lender if the borrower defaults. To support micro-businesses, and marginalised communities, credit facilities will be provided to operation-expenditure based models (such as rental and pay-as-you-go models).
- **Inter-ministerial steering committee:** An inter-ministerial steering committee will be formed to support DRE based livelihood

applications. The Committee will be chaired by the Secretary, Ministry of New and Renewable Energy. The Committee will have representation from ministries including: (i) Agriculture and Farmer Welfare, (ii) Power, (iii) Tribal Affairs, and (iv) Health and Family Welfare.

Basic customs duty imposed on solar cells and modules

Basic customs duty will be imposed on imported solar cells and modules at the rate of 25% and 40%, respectively.[80] This is aimed at promoting domestic solar manufacturing industries. Earlier, no duty was imposed on import of these items. The duties will be applicable from April 1, 2022.

Power

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Guidelines for continuance or exit of distribution companies from the power purchase agreement issued

The Ministry of Power issued guidelines to enable distribution companies (discoms) to either continue or exit from a power purchase agreement (PPA) with centrally owned power generating stations, after completion of the period of the agreement (25 years or as specified in the agreement).[81] The guidelines do not apply to PPAs with a nuclear power generating station. Key features of the guidelines include:

- **Continuance or exit of discoms from the PPA:** The guidelines specify that the state discoms may continue or exit from the PPA after 25 years. The first right to avail power beyond the 25-years period will be with the discom with which the PPA was signed.

  The discoms willing to exit after expiry of the PPA period must give advance notice of six months to the power generating stations. The discoms which have completed the period of 25 years may exit by giving a notice period of six months.

  The exit of the discoms from the agreement must be approved by the concerned state electricity regulatory commission (SERC). SERCs must ensure that the discoms willing to exit the agreement have adequate power required to meet the electricity demand. The discoms are required to clear all the dues before exiting the PPA.

- **Unallocated power:** Unallocated power refers to the power which has not been allocated to any particular discom. It is distributed among the existing discoms in the proportion to the allocated power. The discoms may withdraw from the agreement of any unallocated power. Partial withdrawal from the arrangement of unallocated power is not allowed.

- **Sale of available power by generating stations:** On withdrawal of the discoms from the PPA, the generating stations may sell the available power: (i) to the buyers willing to enter into a PPA through competitive bidding process, (ii) in power exchange markets, and (iii) to the existing discoms by reallocating available power.

Environment

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Environment Impact Assessment Notification, 2006 amended

The Ministry of Environment, Forest and Climate Change amended the Environment Impact Assessment Notification, 2006.[82,83,84] The Notification regulates the social and environment impact of various projects such as dam, mines, airports, and highways. Key amendments include:

- **Exemption from prior environmental clearance:** As per the 2006 notification, certain specified categories of projects (including the expansion or modernisation of existing projects and any change in product-mix in an existing manufacturing unit) are required to obtain prior environmental clearance from the concerned regulatory authority (Ministry of Environment, Forest and Climate Change or State/Union Territory Environment Impact Assessment Authority).

  The amendments exempt certain existing manufacturing units who are increasing their production capacity from obtaining the prior environmental clearance. The exemption may be given if: (i) the increase in production capacity does not lead to increase in pollution load, and (ii) the concerned manufacturing unit implements online continuous monitoring system with at least 95% up time for reporting emission quality to the Central Pollution Control Board.[82] A certificate specifying no increase in the pollution load will be required by the project proponent to obtain the exemption.

- **Exemption from public hearing:** Public hearing is one of the components of the public consultation stage in the process of obtaining prior-environmental clearance. The consultation is aimed at considering and addressing the concerns of locally affected persons and other stakeholders while designing a project.[84]

The amendments exempt the under-construction projects with an expired environmental clearance from conducting the public hearing, if: (i) application for renewal of the clearance has been made, and (ii) at least 50% construction of the project has been completed.[83]

Comments invited on Draft Plastic Waste Management (Amendment) Rules, 2021

The Ministry of Environment, Forest and Climate Change invited comments on the Draft Plastic Waste Management (Amendment) Rules, 2021.[85] These Rules amend the Plastic Waste Management Rules, 2016.[86] The 2016 Rules emphasised on the reduction of plastic waste. Key amendments include:[85]

- **Ban on plastic items:** The draft amendments seek to impose ban on the manufacture, sale, and use of certain plastic items across the country from January 1, 2022. These items include: (i) ear buds with plastic sticks, (ii) plastic sticks for balloons, (iii) plastic flags, (iv) candy sticks, and (v) ice-cream sticks.

  Further, the draft Rules seek to ban manufacture, sale, and use of single use plastic items from July 1, 2022. Single use plastic items refer to plastics which are used only once before being recycled or disposed. These items include: (i) plates, (ii) cups, (iii) cutleries (such as spoons), (iv) wrapping and packaging films, and (v) plastic banners less than 100 microns of thickness. The ban will not be applicable to items made of compostable plastics.

- **Thickness of carry bags:** Currently, the 2016 Rules specify that the thickness of the plastic carry bags made up of virgin plastics (plastics made from un-processed petrochemical resins) or recycled plastics must be at least 50 microns. The draft Rules seek to increase the minimum required thickness of these bags to 120 microns.

  The amendments add that the thickness of sheets of non-woven plastic carry bag must be at least 60 grams per square meter (GSM) or 240 microns.

Communications

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Restrictions placed on procurement of telecom equipment

The Department of Telecommunications added certain conditions on procurement of telecom equipment in various telecom licenses including unified license, unified license-virtual network operator license, and national long distance license.[87] Under these telecom licenses, the central government is empowered to modify terms and conditions of the license.[88,89] These modifications may be made on the grounds of public interest, security of the state, or proper conduct of telecommunication.[88,89]

As per these conditions, the National Cyber Security Coordinator (NCSC) will have the right to impose conditions for the procurement of telecom equipment on grounds of defence of India and national security. NCSC under the National Security Council Secretariat coordinates with different agencies at the national level for cybersecurity matters.[90] NCSC will: (i) notify trusted sources along with associated telecom equipment (trusted products), (ii) notify categories of equipment for which security requirement related to trusted sources will be applicable, and (iii) notify sources from whom no procurement can be done.

From June 15, 2021, the licensees will be allowed to connect only trusted products in their network.[87] Licensees will require permission from NCSC for upgradation of existing network utilising the telecom equipment which has not been designated as trusted products. These conditions will not affect ongoing annual maintenance contracts or updates to already inducted equipment.[87]

TRAI seeks views on licensing framework for satellite-based connectivity for low bit-rate applications

Telecom Regulatory Authority of India (TRAI) released a consultation paper on licensing framework for satellite-based connectivity for low bit-rate applications.[91] Satellite communication allows connectivity in remote and inaccessible areas where terrestrial connectivity is not reasonably accessible either due to cost or terrain constraints. TRAI noted that new types of applications involving low bit-rate communication (i.e., low data transfer per unit of time) are emerging. Such applications require low cost, low power, and small size terminals and can effectively perform the task of signal transfer with minimum loss.

TRAI observed that satellite communication will be crucial for low-bit rate internet of things (IoT) devices which are on the move and frequently go out of reach of terrestrial networks. IoT refers to a system of internet-connected objects that can communicate over a wireless network without human intervention. It observed that IoT based applications through satellite connectivity provide enterprises with newer opportunities to increase operational efficiency, reduce costs, and simultaneously secure goods, personnel, and assets. Such applications have use cases in sectors including transport, agriculture, and disaster management.

The Department of Telecommunications made a reference to TRAI seeking its recommendations on the licensing framework to enable the provisioning of satellite-based low bit-rate applications. The Department noted that the satellite-based low bit-rate applications do not fit suitably in the current license framework due to various technical reasons.

TRAI has sought views on the following key issues: (i) models of satellite-based connectivity for IoT and low-bit-rate applications, (ii) types of satellites to be considered for such communication, (iii) frequency bands for such communication, (iv) whether a new licensing framework is required or existing licensing framework may be suitably amended, (v) licensing framework for captive usage, (vi) whether licensees should be permitted to obtain bandwidth from foreign satellites, and (vii) measures for improving the affordability of satellite-based services in India.

Comments are invited until April 9, 2021.

Science and Technology

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The National Biotechnology Development Strategy 2021-25 released

The Department of Biotechnology released the National Biotechnology Development Strategy 2021-25.[92] The strategy is aimed at making India globally competitive in biotechnology research, innovation, and industry. The strategy document noted that the growth of the biotechnology industry in India is primarily driven by vaccines, and drugs produced by using genetic engineering (altering the genetic makeup of an organism). The size of the biotechnology industry of India is estimated to be USD 63 billion in 2019. The strategy is aimed at increasing it to USD 150 billion by 2025.

The strategy identifies the following as key focus areas: (i) research academic partnership, (ii) venture capital for high-risk science, (iii) expenditure on research and development by industry, (iv) link between research and commercialisation, and (v) quality assurance as per international standards. It proposes the following key initiatives:

- Setting up: (i) 10 strategically located technology clusters, (ii) 5 bio-manufacturing zones in the vicinity of special economic zones, (iii) 100 bio-incubators, (iv) 100 rural bio-resource technology clusters, (v) bio-design centres in IITs, NITs, and IIITs, etc, (vi) biotech angel networks for catalysing early-stage investments, (vii) international incubators in areas such as agriculture and clean energy, (viii) new biotech parks with the active participation of state governments, and (ix) a focused biotechnology mission on national priorities including climate change, climate-resistant crops, and nutrition,
- Ensuring import substitution as well as enhancement of export for key products,
- Developing regulatory guidelines for emerging technologies such as gene editing, defining policy on sharing biological data,
- Developing a National Biosafety and Biosecurity Network for epidemic,
- Promoting skill development in the area of biotechnology and enhancing employability.

Chemicals and Fertilisers

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Standing Committee submits report on demand and supply of petrochemicals

The Standing Committee on Chemicals and Fertilizers (Chair: Ms. Kanimozhi Karunanidhi) submitted its report on 'Demand and Availability of Petrochemicals'.[93] Petrochemicals are chemical products derived from hydrocarbons that, in-turn, are derived from crude oil and natural gas. The petrochemical industry mainly comprises of synthetic fibre/ yarn, polymers, synthetic rubber, synthetic detergent intermediates, performance plastics, and the plastic processing industry. Key observations and recommendations of the Committee include:

- **Petrochemical-specific action plan:** The Committee observed that the demand and supply forecast for 2025 is almost balanced in respect of certain petrochemicals such as polypropylene and purified terephthalic acid.

However, the demand and supply forecast for 2025 is in deficit in respect of many other petrochemicals. Some other petrochemicals including styrene and polycarbonates are being entirely imported as there is no domestic production capacity for them. The Committee recommended that the demand and availability of each petrochemical should be studied separately and appropriate steps should be taken to augment their production so as to meet their demand domestically. Wherever necessary, customs duty should be increased to safeguard the interests of domestic producers and discourage the imports of petrochemicals which are produced in the country. It further recommended that DCPC should facilitate setting up of plants to manufacture the petrochemicals being imported wholly or substantially.

For PRS summary of the report, please see here.

Petroleum and Natural Gas

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Standing Committee submits report related to production of bio-fuels

The Standing Committee on Petroleum and Natural Gas (Chair: Mr. Ramesh Bidhuri) submitted its report related to the subject production of bio-fuels.[94] Bio-fuels are being developed as economic alternatives to fossil fuels and are environment-friendly in nature. Examples include bio-ethanol, bio-diesel, compressed bio gas, bio-jet fuel, and other advanced bio-fuels. Key observations and recommendations of the Committee include:

- **National Policy:** The Committee observed that India imports more than 80% of its crude oil. The National Policy on Bio-Fuels, 2018 was formulated to increase bio-fuel usage in energy and transportation sectors. It aims to substitute fossil fuels and contribute to energy security and climate change mitigation. Under the Policy, the government will utilise biomass and agri-residues and products as raw materials to produce bio-fuels. This is aimed at providing better remuneration to farmers and addressing challenges related to waste management. Considering these multiple objectives, the Committee recommended that the Policy be reviewed periodically to address issues that may arise and ensure its implementation in letter and spirit.

For PRS summary of the report, please see here.

Rural Development

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State-wise wage rates under MNREGA for unskilled workers amended

The Ministry of Rural Development amended the state-wise wage rate for unskilled manual workers under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.[95] The notification will come into force from April 1, 2021. These wages were last amended in March 2020.[96] The highest increase in wage rate was witnessed in Meghalaya. The wage rate was increased by Rs 23, from Rs 203/day in 2020 to Rs 226/day in 2021. The wage rate was not increased for Kerala and remained at Rs 291/day from 2020 to 2021.[95]

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