

# Monthly Policy Review

## July 2018

---

### Highlights of this Issue

#### [Monsoon Session 2018 of Parliament begins; 11 Bills introduced in Parliament \(p. 2\)](#)

Bills introduced include the Banning of Unregulated Deposit Schemes Bill, 2018, the Arbitration and Conciliation (Amendment) Bill, 2018, and the Micro, Small and Medium Enterprises (Development) Amendment Bill, 2018.

#### [Parliament passes five Bills in the ongoing Monsoon Session \(p. 2\)](#)

These include the Fugitive Economic Offenders Bill, 2018, the Prevention of Corruption Bill, 2013, the Specific Relief Bill, 2018 and the State Banks (Repeal and Amendment) Bill, 2018.

#### [Committee constituted to recommend data privacy law submits report and draft Bill \(p. 4\)](#)

The Committee studied issues with respect to data protection, and made recommendations to address them. The Committee also suggested a draft Data Protection Bill.

#### [Six Bills passed by Lok Sabha; one by Rajya Sabha in Monsoon Session \(p. 8\)](#)

These include the Right to Education (Second Amendment) Bill, 2017, the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018, and the Insolvency and Bankruptcy Code (Second Amendment) Bill, 2018.

#### [Cabinet approves introduction of DNA Technology \(Use and Application\) Bill, 2018 \(p. 11\)](#)

The Bill aims to: (i) expand the application of DNA-based forensic technologies to strengthen the justice delivery system in the country, and (ii) utilise DNA-based technologies for solving crimes, and identifying missing persons.

#### [Six higher educational institutions declared Institutions of Eminence \(p. 10\)](#)

Of the six institutions, three are in the public sector and the remaining in the private sector. These institutions were selected on the basis of recommendations made by an expert committee.

#### [GST Council recommends amendments to the Acts related to GST \(p.4\)](#)

The Council made recommendations on amendments regarding eligibility under the composition scheme and the reverse charge mechanism.

#### [CCEA approves Minimum Support Prices for Kharif crops for the 2018-19 season \(p. 15\)](#)

MSPs for Kharif crops for the 2018-19 marketing season have been fixed at a level of at least 1.5 times the cost of production. The MSP for paddy has been increased by 13% and has been fixed at Rs 1,750 per quintal.

#### [Standing Committees submit reports on various subjects \(p. 8, 14, 15, 16, 18, 19, 20\)](#)

The subjects include the impact of Chinese goods on Indian industry, safety in petroleum sector, security situation in the north eastern states, development of inland fisheries, Swachh Bharat Mission, and functioning of panchayats.

#### [Three Committees constituted to examine various issues \(p. 9, 15, 17\)](#)

They will examine and make recommendations about: (i) issues facing stressed thermal power projects, (ii) re-categorisation of offences under the Companies Act, 2013, and (iii) recent instances of lynching and mob violence.

#### [Law Commission releases report on regulating betting and gambling \(p. 7\)](#)

The Commission noted that while it is desirable to ban betting and gambling, it is difficult to prevent these activities altogether. Therefore, the Commission recommended regulation of gambling and betting.

---

**August 1, 2018**

## Parliament

Ahita Paul ([ahita@prsindia.org](mailto:ahita@prsindia.org))

### Monsoon session of Parliament begins

The Monsoon Session 2018 of Parliament began on July 18, 2018. It will have 18 sittings till August 10, 2018.<sup>1</sup> In this session, 25 Bills have been listed for consideration and passing. These included the Fugitive Economic Offenders Bill, 2018, the Right of Children to Free and Compulsory Education (Second Amendment) Bill, 2017, the Muslim Women (Protection of Rights on Marriage) Bill, 2017, and the National Medical Commission Bill, 2017. Of these, five Bills have been passed by Parliament so far. These include the Fugitive Economic Offenders Bill, 2018, the Specific Relief (Amendment) Bill, 2017, and the Prevention of Corruption (Amendment) Bill, 2013.

In addition, 11 Bills have been introduced so far. These include six Bills which replace Ordinances, including the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018, the Insolvency and Bankruptcy Code (Second Amendment) Bill, 2018, and the Criminal Law (Amendment) Bill, 2018. Other Bills introduced include the Unregulated Deposit Schemes Bill, 2018.

So far, Lok Sabha has passed six Bills, including the National Council for Teacher Education (Amendment) Bill, 2017, and the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018.

For more details on the legislative agenda during the Monsoon Session 2018, see [here](#).

## Macroeconomic Development

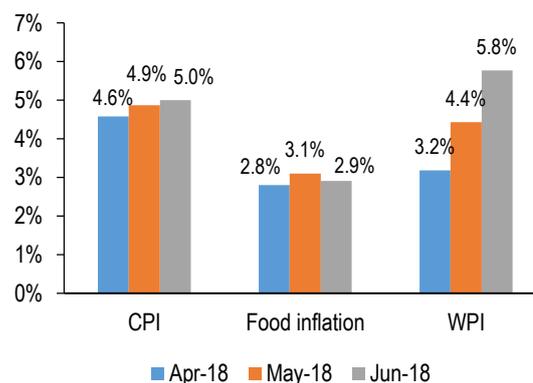
Roopal Suhag ([roopal@prsindia.org](mailto:roopal@prsindia.org))

### Retail inflation at 4.8% in first quarter of 2018-19

The Consumer Price Index (CPI) inflation (base year 2011-12) increased from 4.5% in April 2018 to 5% in June 2018, year-on-year.<sup>2</sup> Food inflation was at 2.9% in June 2018.

The Wholesale Price Index (WPI) inflation (base year 2011-12) increased from 3.2% in April 2018 to 5.8% in June 2018, year-on-year.<sup>3</sup> Trends in inflation during the first quarter of 2018-19 are shown in Figure 1.

**Figure 1: Inflation trends in Q1 of 2018-19 (% change, year on year)**



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

## Finance

### The Fugitive Economic Offenders Bill, 2018 passed by Parliament

Roshni Sinha ([roshni@prsindia.org](mailto:roshni@prsindia.org))

The Fugitive Economic Offenders Bill, 2018, was passed by Parliament.<sup>4</sup> It seeks to confiscate properties of economic offenders who have left the country to avoid facing criminal prosecution, or refuse to return to the country to face prosecution. Previously, an Ordinance was promulgated on April 21, 2018.<sup>5</sup> Key features of the Bill include:

- Fugitive economic offender:** A fugitive economic offender has been defined as a person against whom an arrest warrant has been issued for committing an offence listed in the schedule of the Bill, and the value of the offence is at least Rs 100 crore. Further, the person has: (i) left the country to avoid facing prosecution, or (ii) refuses to return to face prosecution. Some of the offences listed in the schedule are: (i) counterfeiting government stamps or currency, (ii) cheque dishonour, (iii) money laundering, and (iv) transactions defrauding creditors. The Bill allows the central government to amend the schedule through a notification.
- Declaration as fugitive economic offender:** After hearing the application, a special court (designated under the Prevention of Money-Laundering Act, 2002) may declare an individual as a fugitive economic offender. It may confiscate properties which are: (i) proceeds of crime, (ii) benami properties, and (iii) any other property, in India or

abroad. Upon confiscation, all rights and titles of the property will vest in the central government, free from encumbrances (such as any charges on the property). The central government may appoint an administrator to manage and dispose of these properties.

- **Bar on filing or defending civil claims:** The Bill allows any civil court or tribunal to prohibit a declared fugitive economic offender, from filing or defending any civil claim. Further, any company or limited liability partnership where such a person is a majority shareholder, promoter, or a key managerial person (such as a managing director or CEO), may also be barred from filing or defending civil claims.

For a PRS analysis on the Bill, see [here](#).

### **The Banning of Unregulated Deposit Schemes Bill, 2018 introduced in Lok Sabha**

Ahita Paul ([ahita@prsindia.org](mailto:ahita@prsindia.org))

The Banning of Unregulated Deposit Schemes Bill, 2018 was introduced in Lok Sabha on July 18, 2018.<sup>6</sup> The Bill provides for a mechanism to ban unregulated deposits and protect the interests of depositors. Key features of the Bill include:

- **Unregulated deposit scheme:** The Bill defines a deposit as an amount of money received through an advance, a loan, or in any other form, with a promise to be returned with or without interest. Such deposit may be returned either in cash or as a service, and the time of return may or may not be specified. Currently, nine regulators oversee and regulate various deposit-taking schemes. These include: (i) the Reserve Bank of India, and (ii) the Securities and Exchange Board of India. All deposit-taking schemes are required to be registered with the relevant regulator. A deposit-taking scheme is unregulated if it is not registered with the regulators listed in the Bill.
- **Offences and penalties:** The Bill defines three types of offences, and penalties related to them. These offences are: (i) running (advertising, promoting, operating or accepting money for) unregulated deposit schemes, (ii) fraudulently defaulting on regulated deposit schemes, and (iii) wrongfully inducing depositors to invest in unregulated deposit schemes by willingly falsifying facts. For example, accepting unregulated deposits will be punishable with imprisonment between two and seven years,

along with a fine ranging from three to 10 lakh rupees.

For a PRS summary of the Bill, see [here](#).

### **The Negotiable Instruments (Amendment) Bill, 2017 passed by Parliament**

Ahita Paul ([ahita@prsindia.org](mailto:ahita@prsindia.org))

The Negotiable Instruments (Amendment) Bill, 2017 was passed by Rajya Sabha on July 26, 2018.<sup>7</sup> It was introduced in Lok Sabha on January 2, 2018 and was passed by the house on July 23, 2018. The Bill amends the Negotiable Instruments Act, 1881. The Act defines promissory notes, bills of exchange, and cheques. It also specifies penalties for bouncing of cheques, and other violations with respect to such negotiable instruments. Key features of the Bill include:

- **Interim compensation:** The Bill seeks to allow a court trying an offence related to cheque bouncing, to direct the drawer (person who writes the cheque) to pay interim compensation to the complainant.
- **Returning the interim compensation:** In case the drawer is acquitted (during trial or by the appellate court), the court will direct the complainant to return the interim compensation (or deposit in case of an appeal case), along with an interest.

For a PRS summary of the Bill, see [here](#).

### **The State Banks (Repeal and Amendment) Bill, 2018 passed by Parliament**

Ahita Paul ([ahita@prsindia.org](mailto:ahita@prsindia.org))

The State Banks (Repeal and Amendment) Bill, 2018 was passed by Parliament.<sup>8</sup> It was introduced in Lok Sabha on July 21, 2017 and passed on August 10, 2017. Rajya Sabha passed the Bill on July 18, 2018. Key features of the Bill include:

- **Repeal:** It seeks to repeal two Acts which established the State Bank of Bikaner, State Bank of Mysore, State Bank of Patiala, State Bank of Travancore, and State Bank of Hyderabad. These banks were subsidiaries of the State Bank of India (SBI), and have been merged with SBI.
- **Amendments to the SBI Act, 1955:** The Bill seeks to amend the State Bank of India Act, 1955 to remove references related to subsidiary banks. These references include:

- (i) the definition of a subsidiary bank in the 1955 Act, and (ii) powers of SBI to act as an agent of the RBI for a subsidiary bank.

### Cabinet approves extension of recapitalisation of Regional Rural Banks

Ahita Paul ([ahita@prsindia.org](mailto:ahita@prsindia.org))

The Union Cabinet approved the extension of the scheme of recapitalisation of Regional Rural Banks (RRBs) up to 2019-20.<sup>9</sup> The scheme of recapitalisation of RRBs was started in 2010-11, and was previously valid till March 31, 2017. Under the extension, an amount of about Rs 343 crore will be utilised to support RRBs whose capital to risk-weighted assets ratio is below 9%. The identification of RRBs requiring recapitalisation, and the amount of capital to be provided, will be decided by the government in consultation with the National Bank for Agriculture and Rural Development.

### GST Council recommends amendments to the Acts related to GST

Suyash Tiwari ([suyash@prsindia.org](mailto:suyash@prsindia.org))

The Goods and Services Tax (GST) Council, in its 28<sup>th</sup> meeting, gave its recommendations on amendments to be made to central and state GST laws.<sup>10</sup> The key amendments recommended by the GST Council include:

- **Eligibility under the composition scheme:** The central and state GST laws allow certain taxpayers with annual turnover of less than Rs one crore to pay GST on turnover, instead of the value of supply of goods and services. The GST Council recommended increasing this limit to Rs 1.5 crore.
- **Services:** At present, persons engaged in the supply of services (other than restaurant services) are not eligible to avail the composition scheme. The Council recommended that such persons should be eligible, provided that the value of supply of these services does not exceed 10% of their turnover in the previous financial year, or Rs 5 lakh, whichever is higher.
- **Reverse charge mechanism:** Under reverse charge mechanism, when an unregistered person supplies goods or services to a registered person, the registered person should pay the GST on such supply. The Council amends this provision to state that it will only apply to a class of registered persons to be notified by the central government.

### Ministry of Finance increases monetary thresholds for appeals by tax departments

Suyash Tiwari ([suyash@prsindia.org](mailto:suyash@prsindia.org))

The Ministry of Finance increased the monetary thresholds for filing appeals by the Central Board of Direct Taxes (CBDT) and the Central Board of Indirect Taxes and Customs (CBIC).<sup>11</sup> These thresholds are applicable for filing appeals before appellate tribunals, High Courts, and the Supreme Court. Table 1 shows the revised limits for filing departmental appeals before these appellate forums.

**Table 1: Monetary thresholds for filing appeals by tax departments (in Rs)**

Appellate Forum	Previous Limit	Revised Limit
Appellate Tribunals	10 lakh	20 lakh
High Courts	20 lakh	50 lakh
Supreme Court	25 lakh	1 crore

Sources: Press Information Bureau; PRS.

- In case of CBDT, these limits will not apply to writ matters and matters related to any direct tax other than income tax. In addition, it will not apply in cases where any disputed amount is not involved or not quantifiable.
- In case of CBIC, these limits will apply in cases related to central excise and service tax.
- For both departments, these limits will not apply to cases which involve substantial point of law. These include cases where: (i) the constitutional validity of the provisions of an Act or rule is under challenge, and (ii) notification, order, instruction, or circular has been held illegal or ultra vires.

With this revision, the departments will also withdraw the pending cases having dispute amount below the new thresholds. As a result, CBDT will withdraw 41% of the cases filed by it at various courts. Similarly, CBIC will withdraw 18% of the cases filed by it.

## Information Technology

Roshni Sinha ([roshni@prsindia.org](mailto:roshni@prsindia.org))

### Expert Committee submits report on data privacy

The Committee of Experts on a Data Protection Framework for India (Chair: Justice B. N. Srikrishna) submitted its report and draft Bill to the Ministry of Electronics and Information Technology on July 27, 2018. The Committee was

constituted in August, 2017 to examine issues related to data protection, recommend methods to address them, and draft a data protection Bill.

The Committee observed that the regulatory framework has to balance the interests of the individual with regard to his personal data and the interests of the entity such as a service provider who has access to this data. It noted that the relationship between the individual and the service provider must be viewed as a fiduciary relationship. This is due to the dependence of the individual on the service provider to obtain a service. Therefore, the service provider processing the data is under an obligation to deal fairly with the individual's personal data, and use it for the authorised purposes only.

Key provisions of the draft Bill include:

- **Grounds for processing data:** The Bill allows processing of data by fiduciaries if consent is provided. Further, processing of sensitive personal data (e.g., caste, religion, and sexual orientation of the individual) requires explicit consent. However, in certain circumstances, processing of data may be permitted without consent of the individual.
- **Obligations of fiduciaries:** Entities with access to personal data have several obligations, including: (i) to process data fairly and reasonably, and (ii) to give notice to the individual at the time of collecting data to various points in the interim.
- **Data Protection Authority:** The Bill provides for the establishment of a Data Protection Authority to: (i) protect interests of individuals, (ii) prevent misuse of personal data, and (iii) ensure compliance with the Bill. It will consist of a chairperson and six members, with knowledge of at least 10 years in the field of data protection and information technology.
- **Rights of the individuals:** The Bill sets out certain rights of individuals. These include: (i) right to obtain confirmation from the fiduciary on whether its personal data has been processed, (ii) right to seek correction of inaccurate, incomplete, or out-of-date personal data, and (iii) right to have personal data transferred to any other data fiduciary in certain circumstances.
- **Offences and penalties:** Under the Bill, the Authority may levy penalties for various offences by the data fiduciary including (i) failure to perform its duties, (ii) data processing in violation of the Bill, and (iii) failure to comply with the directions issued by the Authority.
- **Amendments to other laws:** The Bill makes consequential amendments to the Information Technology Act, 2000. It also amends the Right to Information Act, 2005, and to permit non-disclosure of personal information where harm to the individual outweighs public good.

A PRS summary of the report and draft Bill is available [here](#).

## Law and Justice

### Arbitration and Conciliation (Amendment) Bill, 2018 introduced in Lok Sabha

*Roshni Sinha (roshni@prsindia.org)*

The Arbitration and Conciliation (Amendment) Bill, 2018 was introduced in Lok Sabha.<sup>12</sup> It seeks to amend 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. Key features of the Bill are:

- **Arbitration Council of India:** The Bill seeks to establish an independent body called the Arbitration Council of India (ACI) for the promotion of arbitration, mediation, conciliation and other alternative dispute redressal mechanisms. Its functions include: (i) framing policies for grading arbitral institutions and accrediting arbitrators, (ii) making policies for the establishment, and maintenance of uniform professional standards for all alternate dispute redressal matters, and (iii) maintaining a depository of arbitral orders made in India and abroad.
- **Composition of the ACI:** The ACI will consist of a Chairperson who is either: (i) a Judge of the Supreme Court; or (ii) a Judge of a High Court; or (iii) Chief Justice of a High Court; or (iv) an eminent person with expert knowledge in conduct and administration of arbitration. Other members will include an eminent arbitration practitioner, an academician with experience in arbitration, and government appointees.
- **Appointment of arbitrators:** Under the Act, parties were free to appoint arbitrators. In case of disagreement on an appointment, the parties could request the Supreme Court, or the concerned High Court, or any person or institution designated by such Court, to appoint an arbitrator.

- Under the Bill, the Supreme Court and High Courts may designate arbitral institutions, which parties can approach for the appointment of arbitrators. For international commercial arbitration, appointments will be made by the institution designated by the Supreme Court. For domestic arbitration, appointments will be made by the institution designated by the concerned High Court. In case there are no arbitral institutions available, the Chief Justice of the concerned High Court may maintain a panel of arbitrators to perform the functions of the arbitral institutions.
- **Relaxation of time limits:** Under the 1996 Act, arbitral tribunals are required to make their award within a period of 12 months for all arbitration proceedings. The Bill proposed to remove this restriction for international commercial arbitrations.

For a PRS summary of the Bill, see [here](#).

### Specific Relief (Amendment) Bill, 2018 passed by Parliament

*Roshni Sinha (roshni@prsindia.org)*

The Specific Relief (Amendment) Bill, 2018, was passed by Parliament.<sup>13</sup> It amends the Specific Relief Act, 1963. The Act provides for the following remedies to a party whose contract has not been performed: (i) the aggrieved party may ask the court to require performance of the contract (known as specific performance); or (ii) it may seek monetary compensation. Key features of the Bill include:

- **Specific performance:** Under the Act, specific performance may be granted by the court, at its discretion, in the following circumstances: (i) when monetary compensation is inadequate; or (ii) when monetary compensation cannot be easily ascertained. The Bill seeks to remove these conditions and permit specific performance by courts as a general rule.
- **Substituted performance:** The Bill inserts a provision allowing an aggrieved party (i.e., party whose contract has not been performed) with the option of arranging for performance of the contract by a third party or through his own agency. The aggrieved party has to give a written notice to the nonperforming party of at least 30 days before obtaining substituted performance.
- **Injunctions:** Under the Act, courts can grant injunctions to aggrieved parties. The Act provides circumstances in which the injunction cannot be given, for example, to

stop a party from filing a complaint in a criminal matter. The Bill seeks to prohibit courts from granting injunctions in certain infrastructure project contracts, if such an injunction would hinder or delay the completion of the project. The Bill provides a list of project categories under certain infrastructure sectors and their sub-sectors.

- **Special courts:** The Bill provides that certain civil courts may be designated as special courts by state governments, in consultation with the Chief Justice of the respective High Court. These special courts will deal with cases related to infrastructure projects. Such cases must be disposed of within 12 months.

For a PRS summary of the Bill, see [here](#).

### The Commercial Courts (Amendment) Bill, 2018 introduced in Lok Sabha

*Gayatri Mann (gayatri@prsindia.org)*

The Commercial Courts, Commercial Division, and Commercial Appellate Division of High Courts (Amendment) Bill, 2018 was introduced in Lok Sabha.<sup>14</sup> The Bill amends the Commercial Courts, Commercial Division, and Commercial Appellate Division of High Courts Act, 2015, and replaces an Ordinance promulgated in May 2018.<sup>15</sup> The Act enables the creation of commercial divisions in High Courts, and commercial courts at the district level to adjudicate commercial disputes.

- **Reduction in pecuniary limits:** Under the Act, commercial courts and commercial divisions in high courts can decide disputes with a value of at least one crore rupees. The Bill reduces this limit to an amount of at least three lakh rupees or a higher value to be notified by the central government.
- **Establishment of certain commercial courts:** Under the Act, state governments may constitute commercial courts at district judge level, after consulting the concerned High Court. The Act bars such commercial courts to be constituted in cases where the High Court has the original jurisdiction to hear commercial cases. The Bill removes this bar and allows states to constitute commercial courts where high courts have ordinary original civil jurisdiction.
- **Commercial Appellate Courts:** In areas where High Courts do not have ordinary original civil jurisdiction, state governments may notify commercial appellate courts at the district judge level. Appeals against the order of a commercial court (below the level

of a district judge) will lie before the Appellate Court.

- **Mediation:** A provision for mandatory mediation has been provided in those cases where no urgent relief is being sought by the parties to the dispute. The mediation process is required to be completed within a period of three months (may be extended by another two months).

For a PRS analysis on the Bill, see [here](#).

## Law Commission submits report on a legal framework for betting and gambling

*Roshni Sinha (roshni@prsindia.org)*

The Law Commission of India (Chair: Dr. Justice B.S. Chauhan) submitted a report examining whether betting may be legalised in India.<sup>16</sup> The report follows a Supreme Court directive in 2016 where the Court asked the Commission to examine the possibility of a law to regulate betting. The Commission noted that while it is desirable to ban betting and gambling, it is difficult to prevent these activities altogether. Therefore, the Commission recommended regulation of gambling and betting. Key recommendations include:

- **Power to regulate gambling and betting:** Betting and gambling is a state subject under the Constitution. Therefore, the Commission notes that state legislatures may frame a law to regulate betting and gambling. However, it stated that Parliament may enact a model law to regulate betting and gambling, which states may adopt. Parliament may also enact laws under Article 249 (in national interest) or Article 252 (if two or more states consent). With regard to online gambling and betting, it observed that Parliament has the competence to enact a law.
- **Regulations governing gambling and betting:** The Commission recommended that gambling and betting should only be permitted by licensed operators from India. For participants, it recommended that there should be a cap on the number of such transactions for a specific period, i.e., monthly, half-yearly or yearly. It also recommended that transactions between operators and participants should be made cashless and penalties should be imposed for cash transactions.
- In order to protect the public from the ill-effects of these activities and to increase transparency and state supervision, the Commission recommended that all betting

and gambling transactions should be linked to the Aadhaar/PAN Card of the operator and participant. Further, any income derived from betting or gambling should be made taxable under the Income Tax Act (IT Act), 1961, the Goods and Services Tax Act (GST), 2017, and other relevant laws.

- **Prohibited persons:** The Commission recommended that minors, or those who receive subsidies from the government, or those who do not fall within the purview of the IT Act, 1961, or the GST, 2017 should be barred from participating in online or offline gambling platforms.

For a PRS Report Summary, see [here](#).

## Personnel and Public Grievances

*Roshni Sinha (roshni@prsindia.org)*

### Prevention of Corruption Bill, 2018 passed by Parliament

The Prevention of Corruption Bill, 2018 was passed by Parliament.<sup>17</sup> The Bill seeks to amend the Prevention of Corruption Act, 1988. The Bill was introduced in Rajya Sabha in August 2013 and referred to a Standing Committee. Key features of the Bill passed by Parliament include:

- **Giving a bribe:** The Bill introduces the offence of giving a bribe as a direct offence. However, a person who is compelled to give a bribe will not be charged with the offence if he reports the matter to law enforcement authorities within seven days.
- **Criminal misconduct:** The Bill redefines the provisions related to criminal misconduct to only cover two types of offences: (i) fraudulent misappropriation of property; and (ii) illicit enrichment (such as amassing of assets disproportionate to one's known sources of income).
- **Prior approval for investigation:** Before a police officer conducts any investigation into an offence alleged to have been committed by a public servant, prior approval of the relevant government or competent authority should be taken. Such approval would not be necessary in cases which involves the arrest of a person on the spot on the charge of taking a bribe.
- **Time period for trial of cases:** As per the Bill, endeavour should be made to complete the trial by special judge within two years.

This period may be extended for up to six months at a time, for recorded reasons. However, the total period for completion of trial may not exceed four years.

For a PRS analysis of the Bill, see [here](#).

### Standing Committee submits report on Lokpal Rules

The Standing Committee on Personnel, Public Grievances, Law and Justice (Chairperson: Mr. Bhupender Yadav) submitted its report on “Draft Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets for Condonation or Exemption) Rules, 2017”.<sup>18</sup> These Rules are proposed to be notified under the Lokpal and Lokayuktas Act, 2013. They prescribe the form and manner for declaration of assets and liabilities of public servants.

The 2013 Act requires a public servant to declare his assets and liabilities, and that of his spouse and dependent children. Previously, the Act itself specified the form and manner of the declaration. However, the Lokpal and Lokayuktas (Amendment) Act, 2016 amended this provision to state that the form and manner of making such a declaration will be prescribed by the central government through rules. The Rules were drafted pursuant to the 2016 Amendment Act.

The Standing Committee examined the Rules and made the following recommendations:

- **Time period for declaration:** As per the Rules, a public servant is required to make a declaration of assets and liabilities within six months of assuming office. Public servants already in office are required to file a declaration on or before July 31, 2018. Further, revised declarations need to be filed within six months if there is any change in the details provided in earlier declarations. Instead of this process, the Committee recommended that declarations only be filed once a year. This will allow public servants to file a single return in a year even if it includes several transactions.
- **Determining threshold amount:** Under the Rules, assets and liabilities below a certain value are exempted from declaration. This minimum value of assets may be prescribed by the competent authority, having regard to the nature of public servant and the office held. The Committee emphasised that the minimum value should be reasonable and should be revised at regular intervals.

For a PRS Report Summary, see [here](#).

## Corporate Affairs

### The Insolvency and Bankruptcy (Amendment) Bill, 2018 passed by Lok Sabha

Prachee Mishra ([prachee@prsindia.org](mailto:prachee@prsindia.org))

The Insolvency and Bankruptcy Code (Second Amendment) Bill, 2018 was passed by Lok Sabha.<sup>19</sup> The Bill amends the Insolvency and Bankruptcy Code, 2016, and replaces the Insolvency and Bankruptcy Code (Amendment) Ordinance, 2018 that was promulgated on June 6, 2018.<sup>20</sup> The Code provides a time-bound process for resolving insolvency in companies and among individuals. Key features of the Bill include:

- **Financial creditors:** The Code defines a financial creditor as a person to whom financial debt is owed. Such debt includes any amount raised that has the commercial effect of a borrowing. The Bill clarifies that an allottee under a real estate project will be considered a financial creditor. An allottee includes any person to whom a plot, apartment, or building has been allotted, sold, or transferred by a promoter (real estate developer or development authority). These allottees will be represented by an authorised representative on the committee of creditors.
- **Applicability of the Code to Micro, Small and Medium Enterprises (MSMEs):** The Code prohibits certain persons from bidding for the company in the resolution process. This includes persons whose account has been classified as a Non-Performing Asset (NPA) for a year, and any guarantor for a defaulting debtor. The Bill provides that the ineligibility criteria for resolution applicants regarding NPAs and guarantors will not be applicable to persons applying for resolution of MSMEs. The central government may modify or remove other provisions of the Code while applying them to MSMEs.
- **Voting threshold of committee of creditors:** The Code specifies that all decisions of the committee of creditors be taken by a majority of at least 75% of the financial creditors. The Bill lowers this threshold to 51%. For certain key decisions, the voting threshold has been reduced from 75% to 66%. These include: (i) appointment and replacement of the resolution professional, and (ii) approval of the resolution plan.

For a PRS analysis of the Bill, see [here](#).

### Committee constituted to review offences under Companies Act, 2013

*Roshni Sinha (roshni@prsindia.org)*

A committee has been constituted to review the offences under the Companies Act, 2013.<sup>21</sup> The Committee will examine the following: (i) whether offences categorised as compoundable (attracting fine or imprisonment or both) may be considered as mere 'defaults' or 'civil wrongs', where only a penalty may be imposed in the first instance, and on default to pay penalty, the offence may be re-categorised as an offence triable by court, (ii) whether non-compoundable offences (attracting imprisonment or imprisonment and fine) need to be re-categorised as compoundable offences, and (iii) to examine the existing mechanism for levy of penalty under the Companies Act, 2013. The Committee will be chaired by the Secretary of the Ministry of Corporate Affairs, and eight other members including members from the industry.

## Education

*Gayatri Mann (gayatri@prsindia.org)*

### The RTE (Second Amendment) Bill, 2017 passed by Lok Sabha

The Right of Children to Free and Compulsory Education (Second Amendment) Bill, 2017 was passed by Lok Sabha.<sup>22</sup> The Bill was introduced in Lok Sabha on August 11, 2017. It is currently pending in Rajya Sabha.

The Right of Children to Free and Compulsory Education Act, 2009 prohibits detention of children till they complete elementary education i.e., class 8. The Bill seeks to amend this provision to empower the central or state government to allow schools to hold back a child in class 5, class 8, or in both classes.

The Bill seeks to amend this provision to state that a regular examination will be held in class 5 and class 8 at the end of every academic year. If a child fails in the examinations, he will be given additional instruction, and will take a re-examination. If he fails in the re-examination, the relevant central or state government may decide to allow schools to detain the child.

Note that, the Standing Committee on Human Resource Development (Chair: Dr. Satyanarayan Jatiya) submitted its report on the Bill in

February 2018. It reinstated that learning of children must be assessed through examinations.

For more details on the Bill, see [here](#).

### The National Council for Teacher Education (Amendment) Bill, 2017 passed by Lok Sabha

The National Council for Teacher Education (Amendment) Bill, 2017 was passed by Lok Sabha.<sup>23</sup> The Bill was introduced in Lok Sabha on December 18, 2017. It amends the National Council for Teacher Education Act, 1993. The Act establishes the National Council for Teacher Education (NCTE) which regulates the teacher education system and the standards it is required to maintain.

The Bill seeks to grant retrospective recognition to institutions: (i) notified by the central government, (ii) funded by the central government or state/union territory government, (iii) which do not have recognition under the Act, and (iv) which must have offered teacher education courses on or after the establishment of the NCTE until the academic year 2017-2018. It also seeks to grant retrospective permission to such institutions to start a new course or offer training in teacher education.

For more details on the Bill, see [here](#).

### The National Sports University Bill, 2018 introduced in Lok Sabha

The National Sports University Bill, 2018 was introduced in Lok Sabha.<sup>24</sup> It replaces the National Sports University Ordinance, 2018 that was promulgated on May 31, 2018.<sup>25</sup> The Bill provides for the establishment a National Sports University in Manipur.

- **Establishment of the University:** The National Sports University will be headquartered in Manipur. It may establish outlying campuses (within or outside India), colleges, or regional centres. The University will: (i) undertake research on physical education, (ii) strengthen sports training programmes, and (iii) collaborate internationally in the field of physical education, among others.
- **Functions of the University:** Key powers and functions of the University include: (i) prescribing courses of study and conducting training programmes, (ii) granting degrees, diplomas, and certificates, (iii) providing facilities through a distance education system, and (iv) conferring autonomous status on a college or an institution.

For a PRS summary of the Bill, see [here](#).

### Government declares six educational Institutions of Eminence

The Ministry of Human Resource Development recently declared six higher educational institutions as Institutions of Eminence.<sup>26</sup> Of these six institutions, three are in the public sector and the remaining in the private sector. These institutions were selected on the basis of recommendations of the Empowered Expert Committee (Chair: Mr. N. Gopalaswami).<sup>27</sup>

In February 2018, the University Grants Commission constituted an Empowered Expert Committee to recommend ten public and ten private higher educational institutions to emerge as world-class teaching and research institutions i.e., as Institutions of Eminence.<sup>28</sup> These institutions would be allowed greater autonomy in admitting foreign students, fixing fees, and recruiting foreign faculty, among others.

The institutions selected by the Ministry are: (i) Indian Institute of Science, Bangalore, (ii) Indian Institute of Technology, Bombay, (iii) Indian Institute of Technology, Delhi, (iv) Jio Institute, Pune; (v) Birla Institute of Technology & Sciences, Pilani and (vi) Manipal Academy of Higher Education, Manipal.

### UGC releases regulations on minimum qualifications for appointment of teachers

The University Grants Commission (UGC) released new regulations to alter the conditions of recruitment, and promotion of university teachers and academic staff.<sup>29</sup> In February 2018, the UGC released draft regulations for public feedback.<sup>30</sup> Key features of the regulations are:

- **Direct recruitment of assistant professors:** As per the regulations, the minimum eligibility criteria for direct recruitment of assistant professors will be: (i) a master's degree with 55% marks, and the candidate should have cleared the National Eligibility Test or have a Ph. D degree; or (ii) a Ph. D. degree from a foreign university ranked among the top 500 universities. However, from July 1, 2021, Ph. D. will be mandatory for direct recruitment of assistant professors.
- **Appointment of professors:** A Ph. D. degree will be mandatory for the appointment and promotion of professors, associate professors, and assistant professors. In addition, up to 10% of the existing sanctioned strength of professors in universities will be appointed as senior professors. These senior professors can be appointed through: (i) direct recruitment, or (ii) promotion as per criteria set out under the Career Advancement Scheme.
- **Teacher evaluation grading system:** Currently, professors are evaluated on the basis of the performance based appraisal system which measure the quality of teaching by linking it to their academic performance. The regulations replace this system with a new teacher evaluation grading system which adds a research based score as well. This score measures the number of research papers published in UGC listed journals, books published, and works translated in other languages.

### Cabinet approves increasing capital base of HEFA to Rs 10,000 crore

The Cabinet approved the proposal for expanding the scope of the Higher Education Financing Agency (HEFA) by increasing its capital base to Rs 10,000 crore.<sup>31</sup> In addition, the HEFA has been tasked to mobilise Rs 1,00,000 crore to meet the infrastructure needs of higher educational institutions under Revitalizing Infrastructure and Systems in Education by 2022.

The HEFA was established in May 2017 with an authorised capital of Rs 2,000 crore.<sup>32</sup> It seeks to promote the creation of high quality infrastructure in premier educational institutions. In the existing arrangement, the entire principle amount is repaid by the institution over ten years, and the interest amount is serviced by the government by providing grants to the institution. So far, funding proposals of Rs 2,016 crore have been approved by the HEFA.<sup>31</sup>

The Cabinet approved the following five categories for financing under HEFA:

- **Technical institutions established before ten years:** Will repay the whole principal amount from internal resources.
- **Technical institutions started between 2008 and 2014:** Will repay 25% of the principal amount from internal resources, and receive grants for the balance amount.
- **Central universities started prior to 2014:** Will repay 10% of the principal amount from internal resources, and receive grants for the balance amount.
- **Central universities started after 2014:** Grants will be provided for complete servicing of loan (principal and interest).
- **Other educational institutions and grant-in-aid institutions:** This includes all newly set up AIIMSs and Kendriya Vidyalayas

which will be provided with complete servicing of the loan.

## Science and Technology

*Roshni Sinha (roshni@prsindia.org)*

### Cabinet approves introduction of the DNA Technology (Use and Application) Bill, 2018

The Union Cabinet approved the introduction of the DNA Technology (Use and Application) Bill, 2018.<sup>33</sup> The Cabinet identified the following purposes of the Bill: (i) expand the application of DNA-based forensic technologies to support and strengthen the justice delivery system of the country, (ii) utilise DNA-based technologies for solving crimes, and to identify missing persons, (iii) provide for mandatory accreditation and regulation of DNA laboratories, (iv) ensure that DNA test results are reliable and the privacy rights of citizens with respect to the data remain protected, and (v) enable the matching between persons who have been reported missing and unidentified dead bodies found in various parts of India, and also to establish the identity of victims in mass disasters.

For a copy of the Bill to be introduced, see [here](#).

## Health

*Gayatri Mann (gayatri@prsindia.org)*

### Bill to supersede the Homoeopathy Central Council passed by Lok Sabha

The Homoeopathy Central Council (Amendment) Bill, 2018 was introduced and passed by Lok Sabha.<sup>34</sup> It amends the Homoeopathy Central Council Act, 1973 and replaces the Homoeopathy Central Council (Amendment) Ordinance, 2018 that was promulgated on May 18, 2018.<sup>35</sup> The Act sets up the Central Council of Homoeopathy which regulates homoeopathic education and practice.

- **Supersession of the Central Council:** The Bill amends the 1973 Act to provide for the supersession of the Central Council. The Central Council will be reconstituted within one year from the date of its supersession. In the interim period, the central government will constitute a Board of Governors to exercise the powers of the Central Council.
- The Board of Governors will consist of up to seven members including: (i) persons of

eminence in the field of homoeopathy education, and (ii) eminent administrators, appointed by the central government. The central government will select one of these members as the Chairperson of the Board.

- **Permission for existing homoeopathy colleges:** The Bill states that: (i) if any person has established a homoeopathy medical college, or (ii) if an established homoeopathy medical college has opened new courses or increased its admission capacity before the passage of the Bill, it will have to seek permission from the central government within one year. If the person or homoeopathy medical college fails to seek such permission, then any medical qualification granted to a student from such medical college will not be recognised under the Act.

For a PRS summary of the Bill, see [here](#).

### Bill to amend the National Trust for welfare of persons with disabilities introduced in Rajya Sabha

The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities (Amendment) Bill, 2018 was introduced in Rajya Sabha.<sup>36</sup> It amends the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999.<sup>37</sup>

The 1999 Act sets up a National Trust to enable persons with disability to live independently by: (i) promoting measures for their protection in case of death of their parents, (ii) evolving procedures for appointment of their guardians and trustees, and (iii) facilitating equal opportunities in society.

- **Tenure of the Board:** Under the Act, the Chairperson and members of the Board of the National Trust can hold office for a term of three years from the date of their appointment or until their successors are appointed, whichever is longer. The Bill amends this provision to fix the tenure of the Chairperson and members of the Board to three years. Further, the Bill states that the central government will initiate the process for appointment of the Chairperson or any member of the Board, at least six months prior to the expiry of his tenure.
- **Resignation of Chairperson:** The Act states that if the Chairperson or members of the Board resign, they will continue in office until the appointment of their successor is made by the central government. The Bill amends this provision to allow the

Chairperson or members of the Board to hold office till their resignation is accepted by the central government.

- **Vacancy in office of the Chairperson:** In case of a vacancy in the office of the Chairperson, the central government may direct an officer of appropriate level to perform the functions of the Chairperson until such vacancy is filled in.

For a PRS summary of the Bill, see [here](#).

## Housing and Urban Affairs

*Prachee Mishra (prachee@prsindia.org)*

### The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017 passed by Rajya Sabha

The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017 was passed by Rajya Sabha.<sup>38</sup> The Bill was introduced in Lok Sabha on July 18, 2017, and passed by Lok Sabha on December 20 2017. The Bill will have to be passed by Lok Sabha again to incorporate the change regarding the year of passage.

The Bill amends the Requisitioning and Acquisition of Immovable Property Act, 1952. The Act provides for the central government to requisition property for its own purpose, which further must be a public purpose. Under certain conditions it can also acquire such property. Features of the Bill are:

- **Retrospective application:** The Bill will deemed to have come into force on March 14, 1952. This is the date of the enactment of the Act.
- **Re-issue of notice:** Under the Act, when acquiring a requisitioned property, the central government has to issue a notification with regard to such an acquisition. Before issuing such a notice, the government has to provide the property owner (or any person interested in the property), an opportunity to be heard. The property owner at such hearing has to provide reasons for why the property should not be acquired.
- The Bill provides that the government may re-issue the acquisition notice to the property owner (or a person interested in the property) to give them adequate opportunity for a hearing. This re-issue would be irrespective of any past court orders or judgments setting aside any past notices for

acquisition. However, the re-issue of notice will not apply to cases where the compensation has already been awarded and accepted by the claimants.

- **Interest payable on compensation:** In cases where a notice has been re-issued, the property owner (or a person interested in the property) will be entitled to an interest on the compensation payable to them. The interest will be calculated for the period from when the first notice was issued till the date of the final payment of compensation. This interest will be the same as the annual rate of interest, prevalent at any relevant time, on the domestic fixed deposit offered by the State Bank of India.

For a PRS summary of the Bill, see [here](#).

## Transport

*Prachee Mishra (prachee@prsindia.org)*

### The Airports Economic Regulatory Authority of India (Amendment) Bill, 2018 introduced

The Airports Economic Regulatory Authority of India (Amendment) Bill, 2018 was introduced in Lok Sabha by the Minister of State for Civil Aviation, Mr. Jayant Sinha.<sup>39</sup> It amends the Airports Economic Regulatory Authority of India Act, 2008. The Act established the Airports Economic Regulatory Authority of India (AERA). The AERA regulates tariffs and other charges for aeronautical services provided at civilian airports with annual traffic above 15 lakh passengers. It also monitors the performance standard of services across these airports. Key features of the Bill are:

- **Definition of major airports:** The Act defines a major airport as one with annual passenger traffic over 15 lakh, or any other airports as notified by the central government. The Bill increases the threshold of annual passenger traffic for major airports to over 35 lakh.
- **Tariff determination by AERA:** Under the Act, the AERA is responsible for determining: (i) the tariff for aeronautical services at different airports every five years, (ii) the development fees of major airports, and (iii) the passengers service fee. It can also call for necessary information to determine tariffs and perform any other tariff-related functions, including amending the tariffs if necessary in the interim periods.

- The Bill provides that the AERA will not determine: (i) the tariff, (ii) tariff structures, or (iii) the development fees, in certain cases. These cases will include those where such tariff amounts were a part of the bid document, on the basis of which airport operations are awarded. The AERA will be consulted before incorporating such tariffs in a bid document, which will be notified.

For a PRS summary of the Bill, see [here](#).

### Amendments proposed to the Central Motor Vehicles Rules, 1989

The Ministry of Road Transport and Highways has notified draft amendments to the Central Motor Vehicles Rules, 1989.<sup>40,41</sup> Key amendments proposed include:

- FASTags, and vehicle tracking system devices will be made mandatory for all commercial vehicles obtaining national permit. FASTag is a reloadable tag which enables automatic deduction of toll charges and lets vehicles pass through toll plazas without stopping for cash transactions. The vehicle tracking system devices will be as per the Automotive Industry Standard 140, which is a set of standards published by the Automotive Research Association of India. National permits are granted for the carriage of goods across states (at least four).
- No fitness certification will be required at the time of registration for new transport vehicles sold as fully built vehicles. Such vehicles will be deemed to have a certificate of fitness for a period of two years from the date of registration. Further, fitness certificate of transport vehicles will be renewed every two years for vehicles up to eight years old, and every one year for vehicles older than eight years.

Suggestions and objections to the proposed amendments are invited till August 11, 2018.

## Women and Child Development

*Roshni Sinha (roshni@prsindia.org)*

### Anti-trafficking Bill passed by Lok Sabha

The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 was passed in Lok Sabha.<sup>42</sup> The Bill provides for the prevention, rescue, and rehabilitation of trafficked persons.

Key features of the Bill include:

- **National Anti-Trafficking Bureau:** The Bill provides for the establishment of a National Anti-Trafficking Bureau to investigate trafficking cases and implement provisions of the Bill. The Bureau will comprise of police officers, and any other officers as required. The Bureau may take over the investigation of any offence under the Bill, that has been referred to it by two or more states.
- **Functions of the Bureau:** Key functions of the Bureau include: (i) coordinating and monitoring surveillance along known routes, (ii) facilitating surveillance, enforcement and preventive steps at source, transit and destination points, and (iii) maintaining coordination between law enforcement agencies, non-governmental organisations, and other stakeholders.
- **Anti-Trafficking Units:** The Bill also provides for the setting up of Anti-Trafficking Units (ATUs) at the district level. ATUs will deal with the prevention, rescue, and protection of victims and witnesses, and for the investigation and prosecution of trafficking offences. In districts where an ATU is not functional, this responsibility will be taken up by the local police station.
- **Anti-Trafficking Relief and Rehabilitation Committee:** The Bill provides for the establishment of Anti-Trafficking Relief and Rehabilitation Committees (ATCs) at the national, state, and district levels. These Committees will be responsible for: (i) providing compensation to victims, (ii) repatriation of victims, and (iii) re-integration of victims in society, among others.
- **Penalties:** The Bill specifies the penalties for various offences including for (i) trafficking of persons, (ii) promoting trafficking, (iii) disclosing the identity of the victim, and (iv) aggravated trafficking (such as trafficking for bonded labour and begging). For example, aggravated trafficking will be punishable with rigorous imprisonment of 10 years up to life imprisonment, along with a minimum fine of one lakh rupees.

For a PRS summary of the Bill, see [here](#).

## Petroleum and Natural Gas

Prachee Mishra ([prachee@prsindia.org](mailto:prachee@prsindia.org))

### Standing Committee submits report on Safety, Security and Environmental Aspects in Petroleum Sector

The Standing Committee on Petroleum and Natural Gas (Chairperson: Mr. Pralhad Joshi) submitted its report on ‘Safety, Security and Environmental Aspects in Petroleum Sector’.<sup>43</sup> Key observations and recommendations of the Committee include:

- **Safety, security and environment protection in the petroleum sector:** The Committee noted that the petroleum industry handles highly inflammable hydrocarbons, and operates processes under high temperature and pressure. Further, the industry has a significant influence on environmental pollution through exploration and production operations, oil spillage, and refining operations. Therefore, safety, security and environment protection in this industry is important and its safe operations are necessary both for the employees and the society at large. It recommended that all these operations should be continuously monitored, and the legal framework strengthened to enhance safety and minimise the environmental impact.
- **Role of the Safety Council:** Data submitted by Oil Industry Safety Directorate indicates that the major cases of accidents across the oil and gas industry occur due to: (i) not following the standard operating procedures (SOPs), (ii) violation of work permit system, and (iii) knowledge gap. The Committee also noted that the Safety Council, an apex body under the Ministry of Petroleum and Natural Gas, has not played its regulatory role in safety matters and procedures in the hydrocarbon sector. Further, there is no set procedure to fix the accountability for accidents in oil and gas installations. The Committee recommended that the Safety Council should seek compliance in the oil and gas industry within a fixed time frame. Failure to comply should be followed by penalties. The Ministry of Petroleum and other agencies entrusted with enforcement of safety regulations should fix accountability for any cases of violation of SOPs.

For a PRS summary of the report, see [here](#).

## Home Affairs

Roshni Sinha ([roshni@prsindia.org](mailto:roshni@prsindia.org))

### Criminal Law (Amendment) Bill, 2018 passed by Lok Sabha

The Criminal Law (Amendment) Bill, 2018 was passed by Lok Sabha.<sup>44</sup> The Bill replaces the Criminal Law (Amendment) Ordinance, 2018 promulgated on April 21, 2018.<sup>45</sup> It amends certain laws related to rape of minors. Key features of the Bill include:

#### Amendments to IPC, 1860

- **Enhanced punishment for rape:** Under IPC, 1860, the offence of rape is punishable with a rigorous imprisonment of at least seven years up to life imprisonment, along with a fine. The minimum imprisonment has been increased from seven years to ten years.
- **New offences:** The Bill creates new offences to increase punishment for rape of minor girls.

**Table 1: New offences under the IPC, 1860**

Age	Offence	IPC, 1860	2018 Bill
Below 12 years	Rape	<ul style="list-style-type: none"> <li>• Minimum: 10 years</li> <li>• Maximum: life imprisonment</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum: 20 years</li> <li>• Maximum: life imprisonment or death</li> </ul>
	Gang Rape	<ul style="list-style-type: none"> <li>• Minimum: 20 years</li> <li>• Maximum: life imprisonment</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum: life imprisonment</li> <li>• Maximum: life imprisonment or death</li> </ul>
Below 16 years	Rape	<ul style="list-style-type: none"> <li>• Minimum: 10 years</li> <li>• Maximum: life imprisonment</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum: 20 years</li> <li>• Maximum: no change</li> </ul>
	Gang Rape	<ul style="list-style-type: none"> <li>• Minimum: 20 years</li> <li>• Maximum: life imprisonment</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum: life imprisonment</li> <li>• Maximum: no provision</li> </ul>
16 years and above	Rape	<ul style="list-style-type: none"> <li>• Minimum: 7 years</li> <li>• Maximum: life imprisonment</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum: 10 years</li> <li>• Maximum: no change</li> </ul>

Sources: Indian Penal Code, 1860; The Criminal Law (Amendment) Bill, 2018; PRS.

- **Repeat offenders:** Under the IPC, 1860, a person who commits rape for the second time may be punished with life imprisonment or death. This provision has now been extended to cover rape under the new offences.

For a PRS analysis of the Bill, see [here](#).

### Standing Committee submits report on security situation in North East India

The Standing Committee on Home Affairs (Chair: Mr. P. Chidambaram) submitted its report on the impact of the security situation in the Northeast.<sup>46</sup> Key recommendations of the Committee include:

- **Arunachal Pradesh:** The Committee observed that, unlike other states, Arunachal Pradesh has seen a rise in the number of insurgency-related incidents and civilian casualties. The Committee recommended that the government intensify its efforts to contain spillover insurgency activities from other states in Arunachal Pradesh.
- **Assam:** The Committee noted that Assam has the highest rate of violent crimes among all states of India. It felt that this may be due to poor rehabilitation and settlement of surrendered insurgents. Therefore, it recommended that the central government closely monitor their activities in coordination with the state government.
- The Committee also noted that a large number of victims kidnapped in Assam in 2016 are still missing. It noted that more than 81% of these victims are female and that there may be a connection between these abductions and human trafficking. The Committee recommended that an interstate investigation should be carried to find out reasons for the high rate of kidnappings of women.
- **Nagaland:** The Committee noted there was a delay in concluding the Naga Peace Talks, which had resulted in growing unrest among the Naga tribal Hohos. The Committee recommended that the government conclude peace talks at the earliest. It also recommended that the Ministry of Home Affairs prepare a generous and detailed rehabilitation-cum-settlement scheme for the insurgent groups that will surrender as a part of the agreement.
- **Application of Armed Forces (Special powers) Act (AFSPA):** The Committee noted the Ministry has stated that there has been an improvement in the security situation in Assam. However, on the other hand the area declared as disturbed under the AFSPA has been increased. The Committee also noted that the state government of Assam has notified the whole state as a disturbed area. The Committee recommended that the central and state

government hold discussions on the issue and come to a conclusion about the necessity of AFSPA in Assam.

- **Modernisation of Police Forces:** The Committee noted that the funds provided to the North Eastern states under the Modernisation of Police Forces Scheme reduced from Rs 180 crore in 2013-14 to Rs 46 crores in 2016-17. The Committee recommended that the Ministry of Home Affairs increase the allocation of funds to the North Eastern states during the current financial year to adequately modernise their police forces.

For a PRS Report Summary, see [here](#).

### High Level Committee constituted to check mob violence and lynching

A committee has been constituted to review the incidents of mob violence and lynching in the country and formulate measures to address these problems.<sup>47</sup> The Committee will be chaired by the Union Home Secretary and will comprise the following members: (i) Secretary, Department of Justice, (ii) Secretary, Department of Legal Affairs, (iii) Secretary, Legislative Department and, (iv) Secretary, Social Justice and Empowerment. The Committee is required to submit its recommendations to the government within four weeks.

Further, a Group of Ministers will be constituted to consider the recommendations of the Committee. The Committee will be headed by the Minister of Home Affairs, and will comprise: (i) Minister of External Affairs, (ii) Minister of Road Transport and Highways, Shipping, Water Resources, River Development and Ganga Rejuvenation, (iii) Minister of Law & Justice, and (iv) Minister of Social Justice and Empowerment. The recommendations of the Group will be submitted to the Prime Minister.

## Agriculture

*Suyash Tiwari (suyash@prsindia.org)*

### Cabinet approves Minimum Support Prices for Kharif crops of 2018-19

The Cabinet Committee on Economic Affairs approved the Minimum Support Prices (MSPs) for Kharif crops for the 2018-19 marketing season.<sup>48</sup> The MSPs have been fixed at a level of at least 1.5 times the cost of production. Table 2 shows the change in MSPs for Kharif crops as compared to 2017-18.

**Table 2: MSPs notified for Kharif crops for the 2018-19 marketing season (in Rs/quintal)**

Crop	2017-18	2018-19	Change (in %)
Paddy (common)	1,550	1,750	12.9
Paddy (grade A)	1,590	1,770	11.3
Jowar (hybrid)	1,700	2,430	42.9
Jowar (maldandi)	1,725	2,450	42.0
Bajra	1,425	1,950	36.8
Maize	1,425	1,700	19.3
Ragi	1,900	2,897	52.5
Arhar (tur)	5,450	5,675	4.1
Moong	5,575	6,975	25.1
Urad	5,400	5,600	3.7
Groundnut	4,450	4,890	9.9
Soyabean	3,050	3,399	11.4
Sunflower seed	4,100	5,388	31.4
Sesamum	5,300	6,249	17.9
Nigerseed	4,050	5,877	45.1
Cotton medium staple	4,020	5,150	28.1
Cotton long staple	4,320	5,450	26.2

Sources: Press Information Bureau; PRS.

### Cabinet approves fair and remunerative price of sugarcane for 2018-19 season

The Cabinet Committee on Economic Affairs approved the Fair and Remunerative Price (FRP) of sugarcane for the sugar season starting from October 1, 2018.<sup>49</sup> The FRP has been fixed at Rs 275 per quintal for a basic recovery rate of 10%. Basic recovery rate is determined by the recovery of sugar from the sugarcane and depends on various factors such as the sucrose content in sugarcane, production practices, and operation of the sugar mill. This notified FRP is 77.4% over the cost of production for the 2018-19 season, which is Rs 155/quintal.

A premium of Rs 2.75 per quintal has been fixed for each 0.1 % increase in recovery over 10%. In sugar mills where recovery is below 9.5%, the price has been fixed at Rs 261.25 per quintal.

### Standing Committee submits report on Development of Inland Fisheries and Aquaculture

The Standing Committee on Agriculture (Chair: Mr. Hukmdev Narayan Yadav) submitted a report on ‘Scheme on Development of Inland Fisheries and Aquaculture – An Analysis’ on July 25, 2018.<sup>50</sup> Key recommendations include:

- **Diversification:** The Committee observed that the share of freshwater aquaculture in inland fisheries has increased from 34% in mid-1980s to 80% in recent years. It recommended diversification of fish production in other areas like integrated fish farming, cold water

fisheries, riverine fisheries, capture fisheries, and brackish water fisheries, among others.

- **Funding:** The Committee observed that only Rs 400 crore was allocated out of the approved central outlay of Rs 598 crore in 2017-18. Given that only a portion of this would be allocated to inland fisheries and aquaculture, it noted that this allocation is insufficient and should be increased. It also observed that utilisation certificates (UCs) amounting to Rs 290 crore were pending as on March 31, 2017. It noted that under-utilisation of funds leads to the vicious cycle of lower allocation and downsized targets. It recommended corrective measures for liquidation of outstanding UCs in a time bound manner.
- **Scientific and Sustainable Methods:** The Committee noted that Recirculatory Aquaculture System (RAS) is a scientific and sustainable method of fish farming which can be used to increase production. RAS is a production system that continuously filters and recycles water, enabling large-scale fish farming that requires a small amount of water without causing pollution. It recommended that fish farmers should be encouraged to take up RAS practices, aided with easy availability of required funds and infrastructure.
- **Availability of resources:** The Committee stressed that fisheries should be treated at par with agriculture so that fish farmers get easier access to institutional credit and insurance. It recommended that states make policies to lease out water bodies and to ensure deserving prices to fishers.

For a PRS Report Summary, see [here](#).

## Labour and Employment

Roshni Sinha ([roshni@prsindia.org](mailto:roshni@prsindia.org))

### Standing Committee submits report on functioning of ESI Scheme

The Standing Committee on Labour (Chairperson: Dr. Kirit Somaiya) submitted its report on “Employees’ State Insurance Corporation (ESIC) – Coverage of Establishments, Recovery of Arrears and Functioning of the Hospitals and Dispensaries under the Scheme” on July 26, 2018.<sup>51</sup> Key observations and recommendations of the Committee include:

- **Strengthening centre-state coordinate:** Under the Employees State Insurance Act, 1948 (ESI Act), the Employee State

Insurance Corporation (ESIC) has the authority to collect contributions from workers. However, the state government (through the state-run Employee State Insurance Scheme (ESIS)) is responsible for providing medical services and other benefits to workers. The Committee felt that this duality of roles has adversely impacted the effectiveness of the scheme. The Committee also observed that the ESIC collects double of what is spent on benefits for workers, without ensuring adequate medical infrastructure. Therefore, the Committee recommended revisiting the ESI Act to provide for stronger co-ordination between the centre and state governments to meet the objects of the Act.

- **Regulator for ESIC/ESIS:** The Committee noted that the regulation of the insurance sector has been made mandatory for all types of insurance schemes, including health insurance, life insurance, and general insurance schemes. However, the Committee noted that there is no regulator for ESIC/ESIS. Therefore, the Committee recommended that ESIC/ESIS be brought within the ambit of the regulatory system.
- **Reviewing of eligibility:** The Committee recommended reviewing eligibility of benefits given to workers by carrying out an audit of ESIS. This will ensure that no eligible person is deprived of the benefits under the scheme.
- **Surplus funds:** The Committee noted that ESIC has a corpus fund of more than Rs 73,303 crores as on March, 2018. The Committee observed the contributions being paid by the employees is in the nature of a cess imposed by ESIC and are being used for other purposes. The Committee recommended that the ESIC obtain a legal opinion on the legality of maintaining such a corpus fund and inform the Committee.
- **Linking with Ayushman Bharat:** The Committee noted that a National Health Protection Scheme called “Ayushman Bharat” has been launched to cover poor and vulnerable families. It further noted that the ESIC also provides medical benefits to workers under the ESIS. So far, the ESIC had not finalised its policy of linking up with Ayushman Bharat. The Committee recommended that ESIC should finalise its policy in this regard at the earliest.

For a PRS Report Summary, see [here](#).

## Comments invited on draft amendment to Trade Unions Act, 1926

The Ministry of Labour and Employment released a draft Trade Unions (Amendment) Bill, 2018.<sup>52</sup> The Bill amends the Trade Unions Act, 1926. The 1926 Act relates to the registration and regulation of trade unions. Under the Trade Unions Act, 1926, there is no provision for giving statutory recognition to trade unions.

The Bill seeks to amend the Act to provide for recognition of trade unions or a federation of trade unions at the central level by the central government, and at the state level by respective state governments. The trade unions or the federation of trade unions at the central level will be recognised as Central Trade Unions, and at the state level as State Trade Unions.

## Power

*Roshni Sinha (roshni@prsindia.org)*

### High Level Committee constituted for stressed thermal power projects

A Committee has been constituted to resolve issues facing Stressed Thermal Power Assets and to revive them.<sup>53</sup> The Committee will be headed by the Cabinet Secretary with representatives from the: (i) Ministry of Railways, (ii) Ministry of Finance, (iii) Ministry of Power, (iv) Ministry of Coal, and (v) lenders having major exposure to the power sector.

The Committee will look to maximise the efficiency of investments made in these assets by examining various aspects, including: (i) changes required to be made in the fuel allocation policy, (ii) changes in regulatory framework, (iii) mechanisms to facilitate sale of power, and (iv) ensuring timely payments.

## Water

*Roopal Suhag (roopal@prsindia.org)*

### CCEA approves special package for irrigation projects in drought prone areas of Maharashtra

The Cabinet Committee on Economic Affairs (CCEA) approved a special package for the completion of 83 minor irrigation projects and 8 major/medium irrigation projects in Marathawada, Vidharbha and other drought prone areas of Maharashtra.<sup>54</sup> The special

package will help to create additional irrigation potential of 3.77 lakh hectares. Total central assistance of Rs 3,831 crore will be provided for the implementation of these projects.

### CAG submitted report on National Projects of Ministry of Water Resources

The Comptroller and Auditor General (CAG) of India submitted its report on ‘National Projects of the Ministry of Water Resources, River Development and Ganga Rejuvenation’.<sup>55</sup> The audit was conducted for the period 2008-17. Major findings and recommendations of the CAG include:

- **Underperformance of the scheme:** In February 2008, the government approved a scheme of national projects, under which it identified 16 major water resource development and irrigation projects. These projects were previously under the Accelerated Irrigation Benefits Programme. However, the progress of these projects had declined due to various factors. These include land acquisition, inter-state coordination, financial constraints, and issues relating to rehabilitation and re-settlement of the affected population. The scheme was aimed to ensure coordinated and focussed action to expedite the execution and completion of these 16 projects. The performance audit of the scheme has revealed that this objective of the scheme remains unachieved.
- Of the 16 national projects, only five projects with an estimated irrigation potential of 25 lakh hectare are under implementation. Of this, 14.5 lakh hectare irrigation potential has been created, but only 5.3 lakh hectare (36.5%) is being utilised. The remaining 11 projects with an estimated irrigation potential of 10.4 lakh hectare are yet to commence.
- **Delays in execution:** Execution of projects has been delayed due to administrative delays, non-adherence to rules, poor contract management, and lack of effective and timely monitoring.
- To expedite the implementation of the scheme, the CAG has recommended that these projects may be taken up in a mission mode. Nodal officers may be designated at the central level to effectively monitor the progress of the projects.

A PRS Summary of the report is available [here](#).

## Rural Development

*Roopal Suhag (roopal@prsindia.org)*

### Standing Committee submitted report on Swachh Bharat Mission- Gramin

The Standing Committee on Rural Development (Chair: Dr. P Venugopal) submitted its report on the ‘Swachh Bharat Mission- Gramin in States/ UTs’.<sup>56</sup> The Swachh Bharat Mission- Gramin (SBM-G) was launched on October 2, 2014 to accelerate efforts to achieve universal sanitation coverage, improve cleanliness, and eliminate open defecation in India by October 2, 2019. Key findings and recommendations of the Committee include:

- **Sanitation coverage and behavioural change:** The Committee is of the view that sanitation coverage figures may not reflect the actual progress of the Mission on ground. It stated that even a village with 100% household toilets cannot be declared Open Defecation Free (ODF) till all the inhabitants start using them. It recommended that the government needs to take adequate steps to bring about behavioural change in rural India and inculcate a sense of hygiene among the inhabitants. This should be done through mechanisms such as awareness campaigns.
- **Quality of toilets:** The Committee stated that it is aware of the low quality of raw materials being used in the construction of toilets under SBM-G. It raised serious concerns over this issue and urged the Ministry of Drinking Water and Sanitation to ensure that the standard quality raw materials are used for constructing toilets.
- **Availability of water:** Construction of toilets without adequate availability of water will be an impediment to achieving 100% sanitation coverage in rural areas. The Committee recommended that provision of water availability should be prioritised along with construction of toilets to attain ODF status across all villages.
- **Data accuracy:** 77% of households in rural India have access to toilets, and about 93% of them use toilets regularly. However, the Committee noted that in the past, the fall back rate of ODF declared villages was very high, either due to: (i) filing of wrong information regarding attaining of ODF status, or (ii) non-sustainability of toilets. This has led to ODF villages going back to open defecation, while as per records, they remain ODF. The Committee recommended

that information on ODF declared villages must be collected accurately on a continuous basis, either through an institutional mechanism or through resurveys.

For a PRS Report Summary, see [here](#).

### Standing Committee submitted report on improvement in the functioning of panchayats

The Standing Committee on Rural Development (Chair: Dr. P Venugopal) submitted its report on 'Improvement in the functioning of Panchayats'.<sup>57</sup> The participation of local people for development of rural areas through the Panchayati Raj System was provided in the Indian Constitution through the 73rd amendment. Key findings and recommendations of the Committee include:

- **Devolution of powers:** Local government, including panchayats, is a state subject in the Constitution, and consequently, the devolution of power and authority to panchayats has been left to the discretion of states. The Ministry of Panchayati Raj has issued comprehensive guidelines for the effective functioning of panchayats. However, the Committee noted that the mandatory meetings of panchayats were not taking place and had poor attendance, especially from women representatives. The Committee recommended that state governments should put a quorum in gram sabha meetings for participation of panchayat representatives.
- **Funding of panchayats:** Grants from Finance Commission play an important role in the implementation of schemes by panchayats. These grants are intended to be used to support and strengthen the delivery of basic services including water supply, sanitation, sewerage and solid waste management and any other basic service within the functions assigned to panchayats under relevant legislations. The Committee noted that some state governments have delayed releasing funds to panchayats. They subsequently had to pay interest to panchayats and wherever panchayat accounts were not audited, the grants were not released.
- The Committee recommended that the Ministry should monitor the release and expenditure of Finance Commission grants to ensure that there is no delay in their release. It should also be ensured that grants are utilised in a proper and effective manner. Panchayats should also be encouraged to

carry out local audits regularly so that Finance Commission grants are not delayed.

For a PRS Report Summary, see [here](#).

## Defence

*Roopal Suhag (roopal@prsindia.org)*

### Estimates Committee submitted report on preparedness of armed forces

The Estimates Committee (Chair: Dr. Murli Manohar Joshi) submitted its report on 'Preparedness of Armed Forces – Defence Production and Procurement'.<sup>58</sup> Key findings and recommendations of the Committee include:

- **Expenditure on defence services:** The Committee noted that defence expenditure as a percentage of GDP has ranged between 2% in 2014-15 to 1.6% in 2017-18. The defence expenditure at 1.6% of GDP in 2017-18 was the lowest since 1962 when the India-China war was fought. It stated that in the current geo-political scenario, India cannot afford complacency with regard to defence preparedness. It recommended that adequate financial resources for defence preparedness should be allocated, both for current needs and future expansion and modernisation plans.
- **Proportion of capital procurement budget:** The Committee noted that the share of capital procurement budget in the defence budget has been continuously declining. It has decreased from 39% in 2013-14 to 34% in 2018-19. In addition, procurement in the forces is not being made in accordance with the Long Term Integrated Perspective Plan (a 15 year perspective plan for each of the three services- Army, Air Force, and Navy), but being adjusted as per budgetary allocations. Decrease in capital expenditure has an adverse impact on the modernisation process of armed forces. The Committee recommended that provisions for adequate allocation of capital budget should be made and fully utilised.
- **Self-reliance in defence:** India is one of the largest importers of defence goods and services in the world. The Department of Defence Production, while deposing in front of the Committee, stated that of the total defence production, 40% is produced indigenously and 60% is imported. Further, the dependence on foreign suppliers for military hardware results in huge

expenditure on import of defence equipment. The indigenisation (domestic production) level in the defence sector is increasing at a very slow rate.

- The Committee urged the government to take immediate initiatives to decrease the country's dependence on imports. It suggested that the government should ensure usage of local content in defence platforms and hardware is increased.

For a PRS Report Summary, see [here](#).

## Commerce and Industry

Ahita Paul ([ahita@prsindia.org](mailto:ahita@prsindia.org))

### Standing Committee submits report on impact of Chinese goods on Indian industry

The Standing Committee on Commerce (Chair: Mr. Naresh Gujral) submitted a report on 'Impact of Chinese Goods on Indian Industry' on July 26, 2018.<sup>59</sup> Bilateral trade between India and China increased from USD 38 billion in 2007-08 to USD 89.6 billion in 2017-18. While imports from China increased by USD 50 billion, exports increased by USD 2.5 billion during the same period. Trade with China constitutes more than 40% of India's total trade deficit. Key observations and recommendations of the Committee include:

- **Anti-dumping duty:** Dumping refers to the practice of exporting goods at a price lower than their market value in the originating country. The importing country conducts detailed investigations and imposes anti-dumping duty for these goods. The Committee noted that: (i) India's anti-dumping duties on Chinese goods are being evaded by misclassification of products, and (ii) the government is reluctant to review the effectiveness of anti-dumping measures undertaken by it. The Committee suggested that the government: (i) address the problem of lax implementation of anti-dumping duties, and (ii) rationalise the duties and make them more in line with current domestic production costs.
- **Impact on various industries:** The Committee noted that the import of Chinese goods has adversely affected domestic pharmaceutical, solar, textile, toy and bicycle industries. It recommended various actions to promote these industries, including: (i) providing infrastructure support, (ii) reviewing free trade agreements

with Least Developed Countries to check rerouting of goods originating in China, and (iii) banning import of products like toys and firecrackers to prevent health hazards to the population.

For a PRS Report Summary, see [here](#).

### The Micro, Small and Medium Enterprises Development (Amendment) Bill introduced in Lok Sabha

The Micro, Small and Medium Enterprises Development (Amendment) Bill, 2018 was introduced in Lok Sabha on July 23, 2018.<sup>60</sup> The Bill amends the Micro, Small and Medium Enterprises Development Act, 2006. Key features of the Bill include:

- **Basis for classification of MSMEs:** The Act classifies micro, small and medium enterprises (MSMEs) on the basis of investment in: (i) plant and machinery, for enterprises engaged in the manufacturing or production of goods, and (ii) equipment, for enterprises providing services. The Bill replaces this with a uniform classification for all MSMEs.
- Under the Bill, all MSMEs, whether they are manufacturing or service-providing enterprises, will be classified on the basis of their annual turnover. An enterprise is classified as: (i) a micro enterprise if annual turnover is less than Rs 5 crore, (ii) a small enterprise if annual turnover is between Rs 5 and Rs 75 crore, and (iii) a medium enterprise if annual turnover is between Rs 75 and Rs 250 crore.

For more details on the bill, see [here](#).

### Department of Industrial Policy and Promotion released Ease of Doing Business rankings of states

The Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce and Industry, released the rankings of states and union territories on the Ease of Doing Business, 2017 on July 10, 2018.<sup>61</sup> The DIPP, in collaboration with the World Bank, conducted annual reforms for all states and union territories under the Business Reforms Action Plan 2017. The reform exercise consisted of 372 action points to ease regulations and systems in areas such as labour permits, environmental clearances, construction permits, contract enforcement, registration and inspection of property, among others.

States and union territories were ranked on a combined score based on: (i) evidence provided

by the states and union territories on their performance and progress with respect to reforms, and (ii) feedback gathered from the users of the services provided to businesses by the government. The component of feedback was introduced for the first time in the 2017 rankings. The top rankers are Andhra Pradesh, Telangana and Haryana. Jharkhand and Gujarat stood fourth and fifth respectively.

## External Affairs

*Roshni Sinha (roshni@prsindia.org)*

### President of Republic of Korea visits India

The Prime Minister of Republic of Korea visited India. The countries signed 11 MoUs for cooperation in various fields, including: (i) trade, (ii) scientific and technological research, (iii) railway research and development of railway industries, (iv) adoption of biotechnology, and (v) development, modernisation and expansion of state-of-the-art telecommunication services.<sup>62</sup>

<sup>1</sup> Parliament session alert, July 16, 2018, <http://www.prsindia.org/uploads/media/Monsoon%202018/Parliament%20Session%20Alert%20Monsoon%20Session%202018.pdf>.

<sup>2</sup> “Consumer Price Index Numbers on Base 2012=100 for Rural, Urban and Combined for the month of June 2018”, Press Information Bureau, Ministry of Statistics and Programme Implementation, July 12, 2018.

<sup>3</sup> “Index Numbers of Wholesale Price in India (Base: 2011-12=100) Review for the month of June 2018”, Press Information Bureau, Ministry of Commerce and Industry, July 16, 2018.

<sup>4</sup> The Fugitive Economic Offenders Bill, 2018, <http://www.prsindia.org/uploads/media/Fugitive%20Economic%20Offenders/Fugitive%20Economic%20Offenders%20Bill%202018.pdf>.

<sup>5</sup> The Fugitive Economic Offenders Ordinance, 2018, <http://www.prsindia.org/uploads/media/Ordinances/The%20Fugitive%20Economic%20Offenders%20Ordinance%202018.pdf>.

<sup>6</sup> The Banning of Unregulated Deposit Schemes Bill, 2018, Ministry of Finance, July 18, 2018, <http://www.prsindia.org/uploads/media/Banning%20deposit/The%20Banning%20of%20Unregulated%20Deposit%20Schemes%20Bill,%202018.pdf>

<sup>7</sup> The Negotiable Instruments (Amendments) Bill, 2017, Ministry of Finance, January 2, 2018, <http://www.prsindia.org/uploads/media/Negotiable%20instrument/Negotiable%20Instruments%20Amendment%20Bill%202017.pdf>

<sup>8</sup> The State Banks (Repeal and Amendment) Bill, 2017, Ministry of Finance, July 21, 2017, <http://www.prsindia.org/uploads/media/State%20Bank/The%20State%20Banks%20%28Repeal%20and%20Amendment%29%20Bill,%202017.pdf>

### Prime Minister visits Uganda

The Prime Minister visited Uganda. India and Uganda signed four MoUs in relation to: (i) defence cooperation, (ii) visa exemption for diplomatic and official passport holders, (iii) material testing laboratories, and (iv) cultural exchange programmes.<sup>63</sup>

### Prime Minister attends BRICS Summit

The Prime Minister attended the tenth BRICS (Brazil, Russia, India, China, South Africa) Summit in South Africa. The leaders adopted the Johannesburg Declaration<sup>64</sup> India and South Africa signed three MoUs in the areas of outer space exploration, agricultural research and education, and setting up of an artisan skills centre in South Africa.<sup>65</sup>

### Prime Minister visits Rwanda

The Prime Minister visited Rwanda. The countries signed eight MoUs for cooperation in several areas, including trade, defence, dairy production, agriculture, and development of industrial parks.<sup>66</sup>

<sup>9</sup> “Cabinet approves extension of Scheme of Recapitalization of Regional Rural Banks upto 2019-20”, Press Information Bureau, Cabinet, July 4, 2018

<sup>10</sup> “Recommendations made during the 28<sup>th</sup> meeting of the GST Council held in New Delhi on 21<sup>st</sup> 2018”, Press Information Bureau, Ministry of Finance, July 21, 2018

<sup>11</sup> “Major Steps taken for Reducing Tax Litigations”, Press Information Bureau, Ministry of Finance, July 11, 2018.

<sup>12</sup> The Arbitration and Conciliation (Amendment) Bill, 2018, [http://www.prsindia.org/uploads/media/Arbitration/Arbitration%20and%20Conciliation%20\(Amendment\)%20Bill,%202018.pdf](http://www.prsindia.org/uploads/media/Arbitration/Arbitration%20and%20Conciliation%20(Amendment)%20Bill,%202018.pdf).

<sup>13</sup> The Specific Relief (Amendment) Bill, 2018, [http://www.prsindia.org/uploads/media/Specific%20Relief/Specific%20Relief%20\(A\)%20Bill,%202017.pdf](http://www.prsindia.org/uploads/media/Specific%20Relief/Specific%20Relief%20(A)%20Bill,%202017.pdf).

<sup>14</sup> The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018, Ministry of Law and Justice, July 23, 2018, [http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/123\\_2018\\_LS\\_Eng.pdf](http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/123_2018_LS_Eng.pdf).

<sup>15</sup> The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018, May 3, 2018, <http://www.prsindia.org/uploads/media/Ordinances/Commercial%20Division%20of%20High%20Courts%20Amendment%20Ordinance%202018.pdf>.

<sup>16</sup> Report No. 276: Legal Framework: Gambling and Sports Betting Including Cricket in India, Law Commission of India, July, 2018,

<http://lawcommissionofindia.nic.in/reports/Report276.pdf>.

<sup>17</sup> The Prevention of Corruption (Amendment) Bill, 2018, <http://www.prsindia.org/uploads/media/Corruption/PCA-as%20passed%20by%20RS.pdf>.

<sup>18</sup> “9<sup>th</sup> Report: Draft Public Servants (Declaration of Assets and Liabilities and Minimum Value of Assets for Condonation or Exemption) Rules, 2017”, Standing

Committee on Personnel, Public Grievances, Law and Justice, July 19, 2018, [http://164.100.47.5/committee\\_web/ReportFile/18/104/97\\_2018\\_7\\_12.pdf](http://164.100.47.5/committee_web/ReportFile/18/104/97_2018_7_12.pdf).

<sup>19</sup> The Insolvency and Bankruptcy Code (Second Amendment) Bill, 2018, July 23, 2018, [http://www.prsindia.org/uploads/media/Insolvency%202018/The%20Insolvency%20and%20Bankruptcy%20Code%20\(Second%20Amendment\)%20Bill.%202018.pdf](http://www.prsindia.org/uploads/media/Insolvency%202018/The%20Insolvency%20and%20Bankruptcy%20Code%20(Second%20Amendment)%20Bill.%202018.pdf).

<sup>20</sup> The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2018, June 6, 2018, [http://www.prsindia.org/uploads/media/Ordinances/Insolvency%20and%20Bankruptcy%20Code%20\(Amendment\)%20Ordinance.%202018.pdf](http://www.prsindia.org/uploads/media/Ordinances/Insolvency%20and%20Bankruptcy%20Code%20(Amendment)%20Ordinance.%202018.pdf).

<sup>21</sup> “MCA has constituted a 10-member Committee to review the offences under the Companies Act, 2013”, Press Information Bureau, Ministry of Corporate Affairs, July 15, 2018.

<sup>22</sup> The Right to Education (Second Amendment) Bill, 2017 (as passed by Lok Sabha), Ministry of Human Resource Development, July 18, 2018, [http://164.100.47.4/BillsTexts/LSBillTexts/PassedLoksabha/166\\_C\\_2017\\_LS\\_Eng.pdf](http://164.100.47.4/BillsTexts/LSBillTexts/PassedLoksabha/166_C_2017_LS_Eng.pdf).

<sup>23</sup> The National Council for Teacher Education (Amendment) Bill 2017, (as passed by Lok Sabha), Ministry of Human Resource Development, July 23, 2018, [http://164.100.47.4/BillsTexts/LSBillTexts/PassedLoksabha/203c\\_Is\\_eng\\_%20Teacher.pdf](http://164.100.47.4/BillsTexts/LSBillTexts/PassedLoksabha/203c_Is_eng_%20Teacher.pdf).

<sup>24</sup> The National Sports University Bill, Ministry of Sports and Youth Affairs, July 23, 2018, [http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/119\\_2018\\_LS\\_Eng.pdf](http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/119_2018_LS_Eng.pdf).

<sup>25</sup> The National Sports University Ordinance, 2018, May 31, 2018, <http://www.prsindia.org/uploads/media/Ordinances/National%20Sports%20University%20Ordinance.%202018.pdf>.

<sup>26</sup> ‘Government declares 6 educational ‘Institutions of Eminence’ ; 3 Institutions from Public Sector and 3 from Private Sector shortlisted’, Ministry of Human Resource Development, July 11, 2018, [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/IOE\\_PR.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/IOE_PR.pdf).

<sup>27</sup> Report of the Empowered Expert Committee, University Grants Commission, July 11 2018, [https://www.ugc.ac.in/pdfnews/3275454\\_IoE-EEC-Final-Report11-May2018-9AM-.pdf](https://www.ugc.ac.in/pdfnews/3275454_IoE-EEC-Final-Report11-May2018-9AM-.pdf)

<sup>28</sup> Notification on the constitution of the Empowered Expert Committee, University Grants Commission, February 20, 2018, [https://www.ugc.ac.in/pdfnews/2796069\\_Notification--EEC--IOE.pdf](https://www.ugc.ac.in/pdfnews/2796069_Notification--EEC--IOE.pdf).

<sup>29</sup> UGC Minimum Qualifications for Appointment of Teachers in Universities and Colleges and Measures for Maintenance of Standards in Higher Education”, University Grants Commission, July 18, 2018, [https://www.ugc.ac.in/pdfnews/4033931\\_UGC-Regulation\\_min\\_Qualification\\_Jul2018.pdf](https://www.ugc.ac.in/pdfnews/4033931_UGC-Regulation_min_Qualification_Jul2018.pdf).

<sup>30</sup> Draft UGC Minimum Qualifications for Appointment of Teachers in Universities and Colleges and Measures for Maintenance of Standards in Higher Education”, University Grants Commission, February 2018, 2018, [https://www.ugc.ac.in/pdfnews/5323630\\_New\\_Draft\\_UGCR-egulation-2018-9-2.pdf](https://www.ugc.ac.in/pdfnews/5323630_New_Draft_UGCR-egulation-2018-9-2.pdf).

<sup>31</sup> ‘Boost to Higher Education’, Press Information Bureau, Cabinet, July 4, 2018.

<sup>32</sup> Cabinet approves establishment of Higher Education Financing Agency for creating capital assets in higher educational institutions, Press Information Bureau, Cabinet, September 12, 2016.

<sup>33</sup> “Cabinet approves DNA Technology (Use and Application) Regulation Bill, 2018”, Press Information Bureau, Cabinet, July 4, 2018.

<sup>34</sup> The Homoeopathy Central Council (Amendment) Bill, 2018, Ministry of AYUSH, July 23, 2018, [http://www.prsindia.org/uploads/media/Homoeopathy%20Bill%202018/Homoeopathy%20Central%20Council%20\(Amendment\)%20Bill.%202018.pdf](http://www.prsindia.org/uploads/media/Homoeopathy%20Bill%202018/Homoeopathy%20Central%20Council%20(Amendment)%20Bill.%202018.pdf).

<sup>35</sup> The Homoeopathy Central Council (Amendment) Ordinance, 2018, May 18, 2018, [http://www.prsindia.org/uploads/media/Ordinances/Homoeopathy%20Central%20Council%20\(A\)%20Ordinance.%202018.pdf](http://www.prsindia.org/uploads/media/Ordinances/Homoeopathy%20Central%20Council%20(A)%20Ordinance.%202018.pdf).

<sup>36</sup> The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities (Amendment) Bill, 2018, Ministry of Social Justice and Empowerment, July 18, 2018, <http://www.prsindia.org/uploads/media/Trust%20Welfare%20Autism/The%20National%20Trust%20for%20the%20Welfare%20of%20Persons%20Bill%202018.pdf>.

<sup>37</sup> The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999, [http://disabilityaffairs.gov.in/upload/uploadfiles/files/National\\_Trust\\_act-english.pdf](http://disabilityaffairs.gov.in/upload/uploadfiles/files/National_Trust_act-english.pdf).

<sup>38</sup> The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017, Ministry of Urban Development, July 18, 2017, <http://www.prsindia.org/uploads/media/Immovable%20Property/Requisitioning%20of%20Immovable%20Property%20Bill%202017.pdf>.

<sup>39</sup> The Airports Economic Regulatory Authority of India (Amendment) Bill, 2018, July 18, 2018, [http://www.prsindia.org/uploads/media/Airport%20Regulatory%20Authority/The%20Airports%20Economic%20Regulatory%20Authority%20of%20India%20\(Amendment\)%20Bill.%202018.pdf](http://www.prsindia.org/uploads/media/Airport%20Regulatory%20Authority/The%20Airports%20Economic%20Regulatory%20Authority%20of%20India%20(Amendment)%20Bill.%202018.pdf).

<sup>40</sup> Notification: G.S.R. 643(E), Ministry of Road Transport and Highways, July 12, 2018, <http://morth.nic.in/showfile.asp?lid=3281>.

<sup>41</sup> “Amendments Proposed to Central Motor Vehicles Rules”, Press Information Bureau, Ministry of Road Transport and Highways, July 17, 2018.

<sup>42</sup> The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018, [http://www.prsindia.org/uploads/media/Trafficking/Trafficking%20of%20Persons%20\(Prevention.%20Protection%20and%20Rehabilitation\)%20Bill.%202018.pdf](http://www.prsindia.org/uploads/media/Trafficking/Trafficking%20of%20Persons%20(Prevention.%20Protection%20and%20Rehabilitation)%20Bill.%202018.pdf).

<sup>43</sup> “24<sup>th</sup> Report: Safety, Security and Environmental Aspects in Petroleum Sector”, Standing Committee on Petroleum and Natural Gas, August 25, 2018, [http://164.100.47.193/Isscommittee/Petroleum%20&%20Natural%20Gas/16\\_Petroleum\\_And\\_Natural\\_Gas\\_24.pdf](http://164.100.47.193/Isscommittee/Petroleum%20&%20Natural%20Gas/16_Petroleum_And_Natural_Gas_24.pdf).

<sup>44</sup> The Criminal Law (Amendment) Bill, 2018, [http://www.prsindia.org/uploads/media/Criminal%20Law%202018/The%20Criminal%20Law%20\(Amendment\)%20Bill.%202018.pdf](http://www.prsindia.org/uploads/media/Criminal%20Law%202018/The%20Criminal%20Law%20(Amendment)%20Bill.%202018.pdf).

<sup>45</sup> The Criminal Law (Amendment) Ordinance, 2018, <http://www.prsindia.org/uploads/media/Ordinances/The%20Criminal%20Law%20Amendment%20Ordinance%202018.pdf>.

<sup>46</sup> “213<sup>th</sup> Report: Security Situation in the North Eastern States of India”, Standing Committee on Home Affairs, July 19, 2018, [http://164.100.47.5/committee\\_web/ReportFile/15/101/213\\_2018\\_7\\_17.pdf](http://164.100.47.5/committee_web/ReportFile/15/101/213_2018_7_17.pdf).

<sup>47</sup> “Government set up high level committee chaired by Union Home Secretary to check mob lynching”, Press Information Bureau, Ministry of Home Affairs, July 23, 2018.

<sup>48</sup> “Boost to farmers’ income”, Press Information Bureau, Cabinet Committee on Economic Affairs, July 4, 2018.

<sup>49</sup> “Cabinet approves determination of Fair and Remunerative Price payable by Sugar Mills for 2018-19 sugar season”, Press Information Bureau, Cabinet Committee on Economic Affairs, July 18, 2018.

<sup>50</sup> Report no. 53, Standing Committee on Agriculture: ‘Scheme on Development of Inland Fisheries and Aquaculture – An Analysis’, Lok Sabha, July 25, 2018, [http://164.100.47.193/Isscommittee/Agriculture/16\\_Agriculture\\_re\\_53.pdf](http://164.100.47.193/Isscommittee/Agriculture/16_Agriculture_re_53.pdf).

<sup>51</sup> “39<sup>th</sup> Report: Employees’ State Insurance Corporation (ESIC) – Coverage of Establishments, Recovery of Arrears and Functioning of the Hospitals and Dispensaries under the Scheme”, Standing Committee on Labour, July 26, 2018, [http://164.100.47.193/lssccommittee/Labour/16\\_Labour\\_39.pdf](http://164.100.47.193/lssccommittee/Labour/16_Labour_39.pdf).

<sup>52</sup> “Amendment of the Trade Unions Act, 1927 to provide provisions for recognition of Trade Unions”, Ministry of Labour and Employment, July 20, 2017, <https://labour.gov.in/sites/default/files/The%20Trade%20Unions%20Amendment%20Bill%2C%202018.pdf>.

<sup>53</sup> “Cabinet approves revision of pay and allowance of Lieutenant Governors of Union Territories”, Press Information Bureau, Cabinet, April 11, 2018.

<sup>54</sup> ‘Cabinet approves Special Package for Irrigation Projects in Vidarbha, Marathwada and other chronically drought prone areas of Rest of Maharashtra’, Cabinet Committee on Economic Affairs, July 18, 2018.

<sup>55</sup> ‘Performance Audit on National Projects of Ministry of Water Resources, River Development and Ganga Rejuvenation’, Report No. 6 of 2018, Comptroller and Auditor General of India, July 20, 2018, <https://cag.gov.in/content/report-no6-2018-performance-audit-national-projects-ministry-water-resources-river>.

<sup>56</sup> ‘Swachh Bharat Mission- Gramin in States/ UTs’, 51<sup>st</sup> Report, Standing Committee on Rural Development, July 19, 2018, [http://164.100.47.193/lssccommittee/Rural%20Development/16\\_Rural\\_Development\\_51.pdf](http://164.100.47.193/lssccommittee/Rural%20Development/16_Rural_Development_51.pdf).

<sup>57</sup> ‘Improvement in the functioning of Panchayats’, 50<sup>th</sup> Report, Standing Committee on Rural Development, July 19, 2018, [http://164.100.47.193/lssccommittee/Rural%20Development/16\\_Rural\\_Development\\_50.pdf](http://164.100.47.193/lssccommittee/Rural%20Development/16_Rural_Development_50.pdf).

<sup>58</sup> ‘Preparedness of Armed Forces – Defence Production and Procurement’, 29<sup>th</sup> Report, Committee on Estimates, July 25, 2018, [http://164.100.47.193/lssccommittee/Estimates/16\\_Estimates\\_29.pdf](http://164.100.47.193/lssccommittee/Estimates/16_Estimates_29.pdf).

<sup>59</sup> Report No. 145, Standing Committee on Commerce, ‘Impact of Chinese Goods on Indian Industry’, Rajya Sabha, July 26, 2018, [http://164.100.47.5/committee\\_web/ReportFile/13/97/145\\_2018\\_7\\_13.pdf](http://164.100.47.5/committee_web/ReportFile/13/97/145_2018_7_13.pdf)

<sup>60</sup> The Micro, Small and Medium Enterprises Development (Amendment) Bill, 2018, Ministry of Micro, Small and Medium Enterprises, July 23, 2018, [http://www.prsindia.org/uploads/media/MSME/The%20Micro](http://www.prsindia.org/uploads/media/MSME/The%20Micro,%20Small%20and%20Medium%20Enterprises%20Development%20(Amendment)%20Bill,%202018.pdf)

[o,%20Small%20and%20Medium%20Enterprises%20Development%20\(Amendment\)%20Bill,%202018.pdf](http://www.prsindia.org/uploads/media/MSME/The%20Micro,%20Small%20and%20Medium%20Enterprises%20Development%20(Amendment)%20Bill,%202018.pdf)

<sup>61</sup> “Andhra Pradesh, Telangana and Haryana Top Rankers in Ease of Doing Business”, Press Information Bureau, Ministry of Commerce and Industry, July 10, 2018

<sup>62</sup> List of MoUs/Agreements signed between India and the Republic of Korea during the State Visit of President of Korea to India, Ministry of External Affairs, <http://mea.gov.in/incoming-visit-detail.htm?30040/List+of+MoUs+Documents+signed+between+India+and+the+Republic+of+Korea+during+the+State+Visit+of+President+of+Korea+to+India>.

<sup>63</sup> List of MoUs signed between India and Uganda during visit of Prime Minister to Uganda (July 23-27), Ministry of External Affairs, July 24, 2018, <http://mea.gov.in/outgoing-visit-detail.htm?30150/List+of+MoUs+signed+between+India+and+Uganda+during+visit+of+Prime+Minister+to+Uganda>.

<sup>64</sup> India-Nepal Statement on New Partnership in Agriculture, Ministry of External Affairs, April 7, 2018, <http://www.mea.gov.in/incoming-visit-detail.htm?29797/IndiaNepal+Statement+on+New+Partnership+in+Agriculture>.

<sup>65</sup> 10<sup>th</sup> BRICS Summit Johannesburg Declaration (July 23-27, 2018), Ministry of External Affairs, July 26, 2018, <http://mea.gov.in/outgoing-visit-detail.htm?30190/10th+BRICS+Summit+Johannesburg+Declaration>.

<sup>66</sup> List of MoUs/Documents signed between India and Rwanda during visit of Prime Minister to Rwanda (July 23-24, 2018), Ministry of External Affairs, July 23, 2018, <http://mea.gov.in/outgoing-visit-detail.htm?30144/List+of+MoUs+Documents+signed+between+India+and+Rwanda+during+visit+of+Prime+Minister+to+Rwanda>.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research (“PRS”). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.