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Vizhinjam Port Project

News: Fishermen under the archdiocese are protesting against the Adani Ports and SEZ Pvt Ltd for Vizhinjam Port Project.

GS Paper 3: Conservation, Environmental Pollution and Degradation, Environmental Impact Assessment.



Importance of Vizhinjam project:

Vizhinjam port is important for the maritime development of the country and Kerala:

- It is located on the southern tip of the Indian Peninsula, **just 10 nautical miles** from the major international sea route and east-west shipping axis, and with a natural water **depth of more than 20 m within a nautical mile** from the coast.
- The commissioning of the port is expected to **leverage the growth of 17 minor ports in the State** along with creating thousands of employment opportunities.

- Vizhinjam's proximity to east-west shipping routes, its natural undredged draft of some 20 metres, and suitability for large vessels all make it a unique site.

Stance of Vizhinjam International Seaport Ltd (VISL) and the Kerala Government on Vizhinjam project

- Officials argue that Vizhinjam seaport is being constructed inside a natural sediment cell which is a pocket-like area in which interruptions to the movement of sand along the coast do not significantly affect the adjacent coastline. Further, around 5 km north of the port, there are rocky headlands and pocket beaches where sediment transport due to longshore drift is relatively low compared to other parts.
- In fact, any port structure could affect its adjacent shores only by way of blocking the longshore drift happening along its coast, which was not taking place in this case. Had the port been developed on a linear coast, adjacent shores would have seen very visible impact. They further argue that the breakwater structure will not divert the wave energy to other locations leading to erosion. The wave fields after hitting the breakwater, cannot prolong. It dies down immediately, according to VISL.
- However, the port development is likely to cause minor accretion for about 2.6 km to the south of the port, the maximum rate being 21.6 m per year reducing to 0.6 m per year by the tenth year and stabilising thereafter, according to a study conducted by L&T-Ramboll Consulting Engineers Limited, a NABET accredited consultant as part of the Environmental Impact Assessment (EIA).
- The Kerala Government made it clear that since the coastal erosion is due to climate change as reported by various agencies, the demand for stopping the port construction cannot be conceded. However, the Government has expressed willingness to address all other issues raised by the fisherfolk including their rehabilitation and livelihood concerns. Chief Minister Pinarayi told the Assembly on Tuesday that an expert committee would be constituted to study the impact of the port work. Earlier, the High Court had made it clear that the work on the seaport project cannot be halted.

Issues associated with Vizhinjam Project:

- **Damage of houses and livelihood means of fisher folk:** According to the protesters, high-intensity erosion of the coastline of

Thiruvananthapuram started only after the construction of a breakwater (only 33 percent of the 3.1 km breakwater has been completed to date).

- **Heavy financial cost to Kerala Government:** Government of Kerala bears 67% of the financing and the Concessionaire (extended to a generous 40 years) 33%, with a low internal rate of return of 3.7% for the Government and 15% for the Concessionaire. Despite the locational advantages, the Adani Vizhinjam Port Pvt. Ltd., finds the deal attractive only with the inclusion of large real estate components in prime port property.
- **Revenue generation is at the cost of a heavy human toll:** Some 350 families that have lost homes to coastal erosion last year, and those living in makeshift schools and camps are just a foretaste of things to come if coastal erosion and extreme cyclones continue unabated.
- **Irreversible destruction of ecology will trigger deadlier natural hazards:** Ports without adequate safeguards in a highly delicate ecology unleash destruction on marine life and the livelihoods of the local population. **Example:** Visakhapatnam and Chennai where deepening of harbour channels in ecologically sensitive areas exacerbated siltation, coastal erosion and accretion.
- Despite the chances of fallout for the shoreline and marine ecosystem from construction of breakwater and dredging no funds have been earmarked for maintenance dredging within operational expenses.
- Project documents hardly address the effects of the port on the precious marine ecosystem and biodiversity, that is a huge priority for Kerala.
- **Factual errors in the vital shoreline assessment in the EIA, 2013:** For example, there is no mention of the ecological consequences of the dismantling of two hills in the Western Ghats to provide rocks for the project, aside from destroying a few promontories at the project site.
- **Recent analysis by National Institute of Ocean Technology (NIOT)** attributes the erosion and accretion to climate change more than port activity that may aggravates the risk as the extreme stress north of the port cannot be explained by global warming.
- **Further complication of erosion due to reclamation, dredging and construction of breakwaters.** Breakwaters have exacerbated the drastic shoreline changes in and around its proximity. In almost all these areas, the coast to the north of the breakwaters is heavily eroded.

Way forward:

- Continuous monitoring of the port activity and its impact on the coast.

- Representation from the fisher-folk community in any expert study to unearth the impact of the port work on the shoreline.
- Constitution of expert committee would be constituted to study the impact of the port work.
- Resettlement and livelihood outlays by the owners over the life of the project like Port projects in China, Kenya, and Vietnam. The project must allocate funds in recognition of people's centuries' old right to the sea and its resources.
- Building safeguards that could potentially run economic growth and socio-economic sustainability in tandem.
- **Need for serious discussion of flora, fauna, and lakes in the environmental impact assessment (EIA):** As recent studies have identified the Vizhinjam-Poovar stretch as a biodiversity hotspot and recommended that the region be recognised as a marine protected area.
- Environmental regulation through pollution penalties that should be high enough and borne by the creators of damages.
- For large-scale infrastructure projects, the financier and the borrower must implement sufficient safeguards to avoid marine pollution and destruction.
- Corrective action by way of hard-engineering solutions such as seawalls and soft responses such as vegetation is in order.
- **Acceptable Environmental Impact Assessment(EIA)** that addresses the gross neglect of the damage to invaluable marine biodiversity including inputs from experts in biology, ecology, and oceanography.
- Independent assessment of safeguards that port authorities must put in place as a precondition for any further construction.

Sharad

SC issues notice to EC, Govt on parties using religious names, symbols.

News: The Supreme Court Monday issued notice on a plea seeking cancellation of registration of political parties that use religious symbols or names of religions in their nomenclature.

GS Paper 3: Salient features of the Representation of People's Act.

Sl. No.	Name of the Party	Name of Election(s)	No. of Assembly constituencies	Common Symbol allotted
1.	Janhit Dal	Legislative Assembly of Bihar, 2020.	In all 243 Assembly Constituencies in the State of Bihar.	<u>Batsman</u>
2.	Bharatiya Aam Awaaj Party	Legislative Assembly of Bihar, 2020.	In all 243 Assembly Constituencies in the State of Bihar.	<u>Capsicum</u>
3.	Rashtriya Jan Kalyan Party Secular	Legislative Assembly of Bihar, 2020.	In all 243 Assembly Constituencies in the State of Bihar.	<u>Winnower</u>
4.	Nehru Janhit Congress	Legislative Assembly of Bihar, 2020.	In all 243 Assembly Constituencies in the State of Bihar.	<u>Cake</u>
5.	Bharatiya Samyukt Kisan Party	Legislative Assembly of Bihar, 2020.	In all 243 Assembly Constituencies in the State of Bihar.	<u>Diesel Pump</u>
6.	Rashtriya Yuva Morcha Dal	Legislative Assembly of Bihar, 2020.	In all 243 Assembly Constituencies in the State of Bihar.	<u>Bandha</u>

What is the significance of symbols in elections?

- In a vast and diverse country like India, where several nondescript and small political parties try out their luck in state elections, symbols are crucial campaigning tools to connect with the voters. Symbols have become a crucial part of the electoral process ever since India held its first national polls in 1951-52.
- Since **nearly 85 per cent of the electorate** were illiterate at that point, visual symbols were allotted to parties and candidates to help them identify the party of their choice.

How many types of symbols are there?

- As per the **Election Symbols (Reservation and Allotment) (Amendment) Order, 2017**, party symbols are either “**reserved**” or “**free**”. While eight national parties and 64 state parties across the country have “**reserved**” symbols, the Election Commission also has a pool of nearly 200 “**free**” symbols that are allotted to the thousands of unrecognized regional parties that pop up before elections.
- **According to EC, there are 2,538 unrecognized parties in India.** For example, if a party recognised in a particular state contests in elections in another state, it can “reserve” the symbol being used by it, provided the symbol is not being used or bears resemblance to that of any other party.

How are symbols allotted to political parties?

- The order, first promulgated in 1968, mandates the Election Commission to provide for “specification, reservation, choice and

allotment of symbols at parliamentary and assembly elections, for the recognition of political parties”.

- As per the guidelines, to get a symbol allotted, a party/candidate has to provide a list of three symbols from the EC's free symbols list at the time of filing nomination papers. Among them, one symbol is allotted to the party/candidate on a first-come-first-serve basis.
- When a recognised political party splits, the Election Commission takes the decision on assigning the symbol. For example, when the Samajwadi Party split, the EC allotted the 'bicycle' to the Akhilesh Yadav faction.

How does the Election Commission decide on party symbol disputes?

- **Authority under which EC decides party symbol disputes:** The Election Symbols (Reservation and Allotment) Order, 1968 empowers the EC to recognize political parties and allot symbols. Under **Paragraph 15 of the Order**, it can decide disputes among rival groups or sections of a recognized political party staking claim to its name and symbol.
- **Legal status of Paragraph 15:** Under Paragraph 15, the EC is the only authority to decide issues on a dispute or a merger. The Supreme Court upheld its validity in **Sadiq Ali and another vs. ECI in 1971**.
- **Aspects EC consider before recognizing one group as the official party:** The ECI primarily ascertains the support enjoyed by a claimant within a political party in its organizational wing and in its legislative wing.
- **Criteria under which ECI establishes claim of majority in these wings:** The Commission examines the party's constitution and its list of office-bearers submitted when the party was united. It identifies the apex committee(s) in the organisation and finds out how many office-bearers, members or delegates support the rival claimants. For the legislative wing, the party goes by the number of MPs and MLAs in the rival camps. It may consider affidavits filed by these members to ascertain where they stand.
- **Ruling that EC gives after a definite finding:** The ECI may decide the dispute in favor of one faction by holding that it commands enough support in its organisational and legislative wings to be entitled to the name and symbol of the recognised party. It may permit the other group to register itself as a separate political party.
- **In case of uncertainty about the majority of either faction:** Where the party is either vertically divided or it is not possible to say with certainty which group has a majority, the EC may freeze the party's

symbol and allow the groups to register themselves with new names or add prefixes or suffixes to the party's existing names.

- **Can a dispute be decided immediately, if elections are round the corner?:** The EC may take time to gather enough material to decide the question. For immediate electoral purposes, it may freeze the party's symbol and advise the groups to fight the elections in different names and on temporary symbols.
- **What happens when rival factions settle their differences in future?:** If reunited, the claimants may approach the EC again and seek to be recognised as a unified party. The EC is also empowered to recognise mergers of groups into one entity. It may restore the symbol and name of the original party.

Supreme Court's verdict in Abhiram Singh Vs C D Commachen:

The Representation of the People Act, 1951, is the law governing the conduct of elections in India. Section 123 (3) of this law mandates that canvassing votes on the grounds of one's own caste, religion or community would be deemed to be a "corrupt" electoral practice, and a candidate found indulging in such practices would face disqualification

To address votes on the grounds of one's own caste, religion or communities Supreme Court's seven judge bench in Abhiram Singh Vs C D Commachen stepped in and ruled that elections must be purged of the various manifestations of religion, caste and community in all forms whatsoever. Therefore, "his" should apply both ways, because the purpose of the law was to prevent communal and parochial appeals from destroying the secular fabric of society and the sanctity of democratic elections.

To what extent it will wipe out identity politics?

Supreme Court bench of seven judges ruling in the **Abhiram Singh Vs C D Commachen case**, if implemented in both letter and spirit, would halt the purveyors of hate right in their tracks. Not only that, they would also be bound by law to be disqualified even if they win elections based on their religious and often sectarian agendas. However the court didn't issue appropriate directions to the EC regarding the implementation of its judgment. For example, every election campaign speech needs to be properly video graphed and recorded, and the EC must make suitable infrastructural arrangements which weaken the efficacy of judgement in eliminating identity politics

Amendment to the Legal Metrology (Packaged Commodities) Rules 2011

News: Department of Consumer Affairs, Legal Metrology Division has notified a draft amendment to the Legal Metrology (Packaged Commodities) Rules 2011.

GS Paper 2: Government Policies and Interventions for Development in various sectors and Issues arising out of their Design and Implementation.



Key features of Legal Metrology (Packaged Commodities) Rules 2011:

- Mandatory declaration of Maximum Retail Price MRP in Indian currency inclusive of all taxes on pre packed products.
- For protection of Consumer rights, Unit Sale Price for all pre packaged commodities meant for retail sale is introduced.
- Declaration of date of manufacture on the pre packaged commodities is made mandatory for pre packed commodities under the revised rules.

What are the mandatory provisions under the Legal Metrology (Packaged Commodities) Rules, 2011?

- It is mandatory under the **Legal Metrology (Packaged Commodities) Rules, 2011** to ensure a number of declarations, such as the name and address of the manufacturer/packer/importer, the country of origin, the common or generic name of the commodity, the net quantity, the month and year of manufacture, the Maximum Retail Price (MRP) and consumer care information. As a consumer-oriented policy, all pre packaged commodities should also be inspected.
- As stated in **Rule 2(h)**, the “**principal display panel**”, in relation to a package, means the total surface area of a package containing the information required in accordance with these rules, namely that all the

information should be grouped together and given in one place — the pre-printed information could be grouped together and given in one place and the online information in another place.

- Additionally, **Rule 9(1)(a)** provides that the declaration on the package must be legible and prominent. The consumers' 'right to be informed' is violated when important declarations are not prominently displayed on the package.
- If there is more than one major product, **Rule 6(1)(b)** states that ".....the name or number of each product shall be mentioned on the package." This sub-rule is, however, not applicable to mechanical or electrical commodities.

What are the current issues?

- As many blended food and cosmetic products are sold on the market, the key constituents need to be mentioned on the product packaging. It is common for consumers to assume that brands' claims are accurate, but such claims are usually misleading.
- **Listing the Unique Selling Point (USP) of a product on the front of the package without disclosing its composition percentage violates consumer rights:** As USP that is also known as a unique selling point, is a marketing strategy designed to inform customers about the superiority of one's own brand or product.
- **Misleading product name:** As packages displaying key constituents must display a percentage of the content used to make the product. For example, if a brand sells aloe vera moisturiser or almond milk/biscuits, then the maximum percentage of the product should be aloe vera and almond, otherwise, the product is misleading.
- Currently, manufacturers list the ingredients and nutritional information only on the back of the packaging.

What are the proposed amendments?

- The Department of Consumer Affairs, Legal Metrology Division has suggested that at least two prime components should be declared on the package's front side along with the brand name.
- The proposed Section 6(1)(ba) states that when a commodity contains more than one constituent, the front side of the package must include a declaration of two or more of the commodities' prime constituents along with the brand name. This declaration must also include the percentage/quantity of the USPs of the product in the same font size as

the declaration of the USPs. However, **mechanical or electrical commodities are excluded from this sub-rule.**

Benefits of proposed amendments:

- When the new provision of Section 6(1) (ba) is added, consumers will not be misled by the fake claims of manufacturers relating to the content in blended foods and cosmetics

Sharad

Call for Joint Space Exercise between India&US

News: India and the U.S. will undertake joint military drills in October in Auli, Uttarakhand. Auli is at an altitude of 10,000 feet and some 95 km from the Line of Actual Control (LAC). The time is ripe for the inaugural India-U.S. joint space military exercise.

GS Paper 3 : Security Challenges.



Military Space programmes all over the world:

Every country worth its weight in salt is working on the military aspects of space.

- In 2019, the U.S. stood up its space force as a branch under the department of the Air Force. At the time, it became the world's only independent space force.
- France conducted its **first space military exercise, ASTERX, in 2021.**
- China is marching ahead to the **Cis-Lunar space (region beyond the geosynchronous orbit)** with an ambition to establish a permanent presence on the Moon by 2024.
- Space doctrine is still evolving with the U.S. urging partner countries to lay down rules and norms. China and Russia have released a draft binding treaty of their own.

Indian Policy response towards militarisation of space:

- Indian Space Research Organisation (ISRO) and Defence Research and Development Organisation (DRDO) successfully demonstrated (dubbed **Mission Shakti**) an **anti-satellite (ASAT) missile test** in 2019.
- India conducted a **simulated space warfare exercise (IndSpaceX)** with an eye on Chinese threats.
- Launch of the **tri-service Defence Space Agency (DSA)** that has permanently taken the military away from the shadows of civil space.
- Setting up of **Defence Space Research Agency (DSRA)** to help develop space-based weapons for the DSA.
- Space is as much recognised as a military domain as land, water, air and cyber.

Why Joint Space Exercise is needed?

- **Joint Space Exercise between India and US will push India's defence partnership into a new orbit:** Space has been singled out as a critical area of cooperation in the recent Defence Technology and Trade Initiative (DTTI) meeting between India and the U.S.
- It will send a strong message to a common adversary as for the first time in history, both countries are jointly staring at a common adversary i.e. China
- It will have other ripple effects for the wider Quad.
- Several Countries are pursuing militarisation of space hence space is an ideal new theatre to push Indo-U.S. military collaboration forward.
- Changing times now require us to innovate on doctrines, technologies and deterrence. Xi Jinping is on his way to building a "world-class" Chinese military by 2049.
- Space has assets that form the bedrock of the modern economy — Global Positioning System or GPS (PNT — position navigation timing), telecom networks, early warning systems for missiles and weather forecasts all are enabled by our satellites in Geosynchronous Earth Orbit (GEO) or Low Earth Orbit (LEO) orbits. Hence, it needs to be protected.

What are the issues that may arise due to India -US joint space exercise?

- It will provoke our eastern neighbour and compel them to draw a new redline.
- Our eastern neighbour will use our western neighbour as a proxy state.
- It will derail the ongoing Core Commanders dialogue in Ladakh.

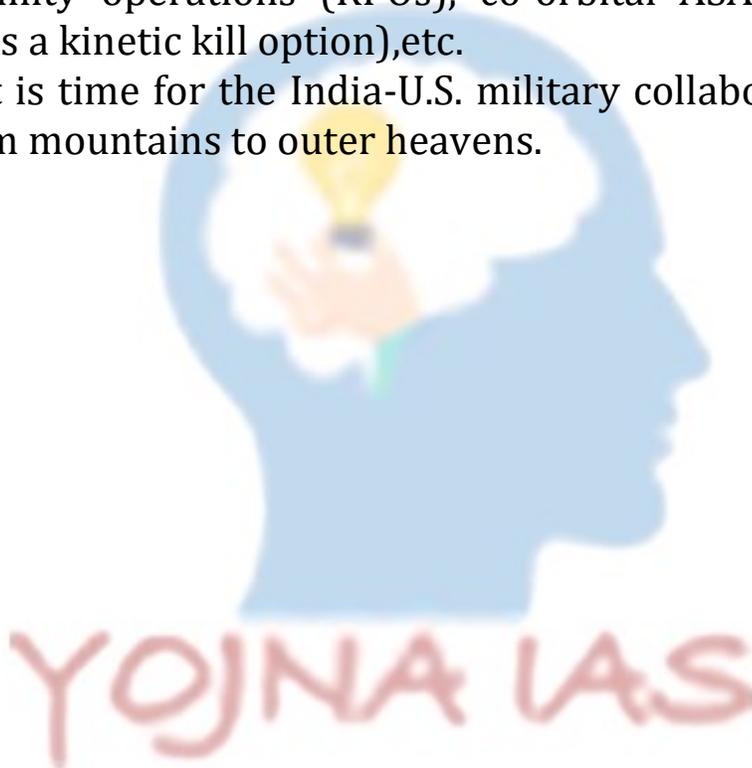
- Trust issues associated with United States.
- It will **fastback militarisation for space**. Our response to all the above is that it is an inevitable trend unfortunately, notwithstanding our action or inaction.

Way Forward:

- **India and the U.S.A should start with a joint anti-satellite (ASAT) missile test as** both countries have demonstrated capability in this. ASAT is essentially a missile launched from the Earth's surface to destroy a satellite passing overhead.
- Gradually from joint anti-satellite (ASAT) missile test to other space military collaborations such as directed energy weapons, rendezvous and proximity operations (RPOs), co-orbital ASATs (in space micro satellites as a kinetic kill option),etc.

Conclusion: It is time for the India-U.S. military collaboration to get bolder and travel from mountains to outer heavens.

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