



THE DESERVING INDIA

WEEKLY EDITORIALS

30-09-2024 to 5-10-2024

30-09-2024

URBAN Consumption Slowdown

“ India's economic growth may falter due to waning urban consumption and subdued rural demand. ”

India's impressive 8.2% GDP growth in 2023-24 is accompanied by concerns over weakened farm sector performance and slowing private consumption. Private Final Consumption Expenditure (PFCE) growth was just 4%, the weakest since 2002-03 (excluding the pandemic period). The farm sector was hit by an unhelpful monsoon, reducing rural demand, while urban consumption patterns showed a shift towards high-end goods. Despite early signs of rural demand recovery, urban demand has started to weaken, as evidenced by the Reserve Bank of India's consumer confidence survey indicating a decline in current and future confidence levels of urban buyers. S&P Global Ratings expects India's growth to be at 6.8% this year, with high interest rates tempering urban demand further. The Finance Ministry also noted a dip in vehicle sales between April and August as a sign of faltering urban demand. Persistently high food inflation has limited consumers' discretionary spending capacity, threatening the broader economic growth and investment cycle. The article suggests that the government should consider lowering fuel costs and consumer prices to sustain demand during the upcoming festive season and beyond.



01-10-2024

PRIVATE PARTICIPATION in India's Nuclear Energy



The article discusses the government's recent move to involve private players in India's nuclear energy sector through policy reforms and regulatory changes.



In July 2024, the Indian government announced new policies to allow private sector participation in the nuclear energy industry, focusing on partnerships for developing Bharat Small Modular Reactors (BSMR) and other technologies. This move aligns with India's goal to achieve 500 GW of non-fossil fuel energy by 2030 and decarbonize energy production. The Atomic Energy Act, 1962 currently restricts private involvement in nuclear projects, but recent amendments like the Atomic Energy (Amendment) Act, 1987 (No. 29 of 1987) permit private entities in certain capacities, excluding the production and management of atomic energy. The Supreme Court's dismissal of a petition in September 2024 reinforces the government's stance, emphasizing the safety and regulatory framework essential for such projects.

The article mentions the NITI Aayog and NAPCC's push for private investment, proposing structural reforms to support the private sector's role, including easing restrictions under the Civil Liability for Nuclear Damage Act (CLNDA), 2010. The government is expected to collaborate with entities like NPCIL and DAE, ensuring compliance with safety and environmental standards. Finally, the editorial underscores the potential structure of public-private partnerships, similar to India's space sector, where private players can invest in design and support activities. The proposed policy change is expected to address infrastructure challenges and accelerate India's transition to cleaner energy sources.



Waqf Bill

2024 Concerns



“ **The Waqf Bill 2024 undermines Muslim representation and poses legal concerns.** ”

The Waqf Bill 2024 threatens existing protections for managing religious endowments, particularly affecting Muslims. It dilutes the 1983 Uttar Pradesh Sri Kashi Vishwanath Temple Act by excluding non-Hindus from temple administration, and the Religious Endowments Act, 1863, by reducing the role of Muslim communities in managing their own properties. Additionally, the Bill removes the mandatory requirement for a majority of seats in waqf management bodies to be held by Muslims. The Justice Sachar Committee and the earlier JPC report had recognized the importance of Muslim representation in these institutions, but the Waqf Bill 2024 reduces their statutory role.

The Bill also reduces Muslim representation in bodies like the Central Waqf Council and State Waqf Boards. This is especially concerning as the Ministry, for the past two years, has left the secretary position in the council vacant, which legally requires a Muslim appointee. The new Bill bypasses input from the Muslim community, despite their direct interest in waqf affairs. There is also concern about how the internal management of waqfs will be handled, as the Bill dismisses the 2013 Waqf Amendment Act, which ensured oversight and protection against encroachment.

By ignoring stakeholder input and diluting safeguards, the Waqf Bill 2024 undermines religious autonomy for Muslim communities and introduces ambiguity in managing waqf properties.

PATENT CENSORSHIP

“ The Bombay High Court ruled against a controversial amendment that threatened online free speech by imposing undue obligations on intermediaries. ”

On September 20, 2024, the Bombay High Court invalidated a controversial amendment to the Information Technology Rules, 2021, declaring it unconstitutional for infringing on free speech. The amendment required intermediaries, such as social media platforms, to remove or block any content labeled as fake or misleading by a government Fact Check Unit (FCU). If they failed to comply, they would lose their "safe harbor" protections, which shield them from liability for user-generated content.

The amendment raised concerns about censorship, as intermediaries would be forced to act as arbiters of truth, removing content even without clear justification. The court argued that this placed undue burden on intermediaries, threatening their right to free expression, and failed to consider citizens' rights to equal treatment and free speech. A judge found the Rule disproportionate to its objective and vague, with a chilling effect on free expression.

The decision reinforced the long-standing principle that intermediaries should not be held liable for content they did not create or modify, and should retain their safe harbor protection. The ruling stressed that the government cannot arbitrarily impose restrictions on speech without falling within constitutional limits. Free speech, as enshrined in Article 19(1)(a) of the Indian Constitution, can only be curtailed under certain well-defined circumstances, none of which were met by the amendment.



04-10-2024

RANKING OBSESSION



“ The obsession with global rankings is distorting the core mission of India's universities. ”

Universities are meant to teach, mentor future citizens, and advance knowledge through research, but the increasing focus on global rankings is harming their mission. These rankings prioritize research output, such as the number of papers published and citations, over the quality of education, relevance, and broader impact on society. This emphasis on research metrics sidelines the importance of teaching and mentoring, as faculty promotions and job prospects are now determined by research achievements, not teaching abilities. The government's focus on improving rankings results in neglect of funding for education, pushing universities to seek alternative ways to generate funds. This system marginalizes students from weaker economic backgrounds and undermines the role of teachers as mentors. Additionally, the focus on producing research often leads to unethical practices like plagiarism and data manipulation. The article advocates for a separation of research-focused and teaching-focused tracks in universities, ensuring that both areas receive equal attention. Universities must prioritize education and mentorship alongside research to fulfill their role in society, rather than chasing rankings at the expense of core educational goals.



CASTE-BASED DISCRIMINATION IN PRISONS

“ The Supreme Court's ruling calls for ending caste-based discrimination in prisons and revising colonial-era practices in the treatment of prisoners. ”

The Supreme Court has ruled against caste-based discrimination in prisons, highlighting how such colonial-era practices have persisted despite constitutional provisions for equality. The Court examined rules in prison manuals across various States, noting how caste hierarchy influenced labor allocation, prisoner classification, and the treatment of certain groups labeled as "habitual offenders." The ruling declared such practices unconstitutional and directed the revision of prison manuals within three months.

The Court traced these discriminatory practices to colonial administrators, who linked caste with the administration of prison labor, food, and treatment. Menial and polluting tasks were assigned to prisoners from lower castes, while caste privileges for higher-ranking prisoners were preserved. Notably, rules even dictated that food be prepared by prisoners from "suitable castes," and tasks like scavenging and cleaning were imposed on the so-called "scavenger class," violating constitutional prohibitions on untouchability and forced labor.

The Court also emphasized the need to remove vague definitions of "habitual offenders," which unjustly criminalize certain communities. The ruling urges State governments to revise prison regulations and eliminate systemic caste discrimination in prison administration, ensuring that any form of resistance is treated as legitimate, rather than a form of indiscipline.