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7 August, 2024

Antitrust laws in India

Context: *An Indian start-up lobby has accused Google of anti-competitive practices in online advertising, escalating tensions between new firms and tech giants.*

➢ **Antitrust Law**

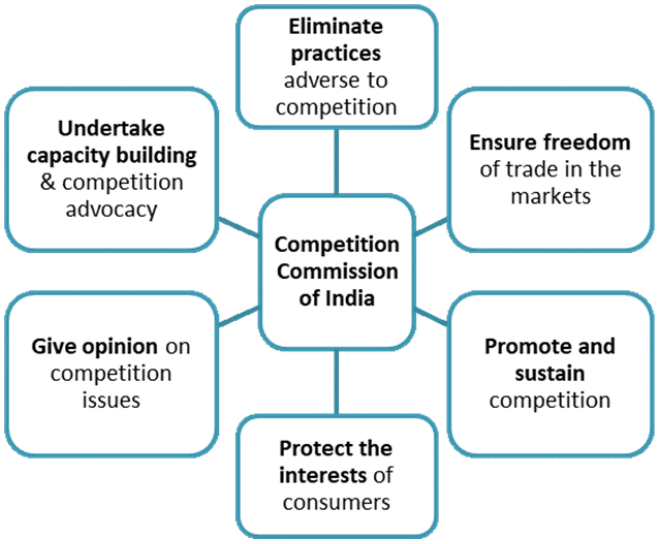
- **Purpose of Antitrust Law:** Also known as Competition Law, it aims to prevent unfair restraints, monopolies, and price-fixing in trade and commerce.
- **Goal**: To ensure fair competition in an open-market economy.
- **India's Antitrust Law:** The Competition Act, 2002.
- **Replaced Law:** It replaced the Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act).
- **Recommendation**: The change was based on recommendations from the Raghavan committee.

➢ **Market Monopoly:**

- Refers to a situation where a single company or group dominates a significant share of a market or industry.
- Involves only one seller or producer providing a product or service with no close substitutes.
- Grants the monopolistic entity substantial market power to influence market conditions, set prices, and control supply.
- **Features**:
  - **Single Seller or Producer:** Only one entity dominates the market as the exclusive provider of a product or service.
  - **High Barriers to Entry:** Significant obstacles such as high startup costs, exclusive resources, regulations, or brand loyalty prevent new competitors from entering.
  - **No Substitutes:** Limited or no alternative options for consumers, with no close substitutes available.
  - **Market Power and Pricing Control:** The monopoly can control prices without significant competition, potentially leading to higher prices and reduced output.
  - **Influence Over Supply:** Control over the quantity produced and the ability to adjust supply to impact market conditions.
  - **Lack of Competition:** Absence of direct competition results in reduced incentives for innovation and efficiency.

➢ **How India Deals with Market Monopoly Practices:**

- **Competition Act, 2002:**
  - Primary legislation addressing antitrust issues in India.
  - Promotes and sustains market competition, prevents anti-competitive practices, and protects consumer interests.
  - Prohibits anti-competitive agreements, abuse of dominant positions, and regulates combinations affecting competition.
- **Competition Amendment Bill, 2022:**
  - Aims to strengthen the regulatory framework, address emerging challenges, and enhance competition law enforcement.
- **Competition Commission of India (CCI):**
  - Regulator under the Competition Act, 2002, responsible for enforcing competition law.
  - Investigates and acts against anti-competitive practices, abuse of dominant positions, and anti-competitive agreements.
- **Competition Appellate Tribunal and NCLAT:**
  - COMPAT was initially responsible for hearing appeals against CCI decisions but was replaced in 2017 by NCLAT.
  - NCLAT now handles appeals related to competition matters.



State of Rural Youth Employment Report 2024

Context*: The "State of Rural Youth Employment Report 2024" reveals that 70-85% of currently employed youth in rural areas want to change their jobs.*

➢ **Youth Employment Challenge:**

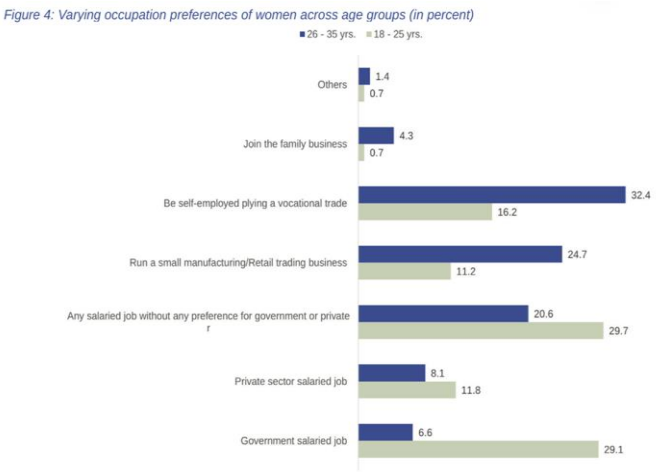
- **Global Context:**
  - 1.8 billion youth worldwide; a third are out of school, unemployed, or in informal jobs.
  - 90% live in developing economies; three in four are women.
  - Youth face challenges from automation, digitization, health crises, climate change, and urbanization.

- **India Context:**
  - ~378 million young people; two-thirds live in rural areas.
  - Rural India represents 70% of the population but contributes only 46% to GDP, with ~80% employed in agriculture.
  - Rural youth have potential but are often disconnected from economic growth.

➢ **Key Report Insights:**

- **Workforce Participation:**
  - Just over half of young men (18-25) are working; only a quarter of women in the same age group are employed.
  - Older men (26-35) show 85% employment; older women show only 40% employment.
  - Primary income source for many is agricultural produce; income from daily wage labor and trade is secondary.
- **Aspirational Work:**
  - 70-85% of current workers seek change, favoring small businesses, salaried jobs, and vocational trades.
  - Younger women (18-25) prefer government jobs; older women (26-35) lean towards self-employment.
  - Significant proportion of non-working youth (95%) are seeking work; some show no aspiration to work.
- **Barriers to Employment:**
  - Key challenges: lack of financial support, limited opportunities, lack of moral support.
  - Female youth report greater challenges with awareness of opportunities and family support.
- **Support Needs:**
  - Youth seek support beyond vocational training: family support, mentorship, guidance, and financial access.
  - For business start-ups: seed capital and working capital are crucial; vocational workers need finance, skill and technology upgradation.
  - Awareness of government programs is higher among women; private sector and NGO trainings are more common.
- **Work Preferences:**
  - Over 60% of men and 70% of women prefer local work even with lower income; income aspirations vary widely.
- **Entrepreneurship:**
  - Vital due to lack of formal jobs; challenges include lack of skills, seed capital, and startup knowledge.
  - Youth need intensive support to succeed in entrepreneurship.
- **Agriculture:**
  - Not considered aspirational due to low productivity and profits.
  - Youth need training, technical support, crop diversification, and access to quality inputs.

Figure 4: Varying occupation preferences of women across age groups (in percent)



Base: 18-25 yrs. female 434; 26-25 yrs. female 649

➢ **Recommendations and Way Forward:**

- **Place-Based Approach:**
  - Focus on district-level economic development and labor absorption.
  - Aim to keep youth close to their villages while creating opportunities for migration if desired.
- **Implementation:**
  - Tested in Ramgarh, Jharkhand, and Barwani, Madhya Pradesh, benefiting over 50,000 youth.
  - Expand to fifteen new districts and aim to reach 100 rural districts by 2030.

Refugee Policy of India

Context: *The recent fall of government has led to questions on how should India react to the changes in power structure in the Eastern neighbourhood.*

➢ **Lack of Specific Legislation:**

- India lacks dedicated refugee legislation despite increasing refugee inflow.
- Not a signatory to the 1951 Refugee Convention or the 1967 Protocol, which are key legal documents for refugee protection.
- The Foreigners Act, 1946 does not address refugee-specific issues and grants broad powers to the Central government to deport foreign nationals.

➢ **Historical Context:**

- India has a strong tradition of assimilating foreign people and cultures despite the lack of formal refugee laws.
- The Indian Constitution respects the life, liberty, and dignity of all individuals, including foreign nationals.

- The Supreme Court, in National Human Rights Commission vs. State of Arunachal Pradesh (1996), affirmed that non-citizens are entitled to certain fundamental rights, including the right to equality and life.

➢ **Principle of Non-Refoulement:**

- Article 21 of the Indian Constitution encompasses the principle of non-refoulement, which prevents forcing individuals fleeing persecution to return to their country of origin.

➢ **Reasons for Absence of Refugee Legislation:**

- **Refugees vs. Immigrants:** Distinction between refugees and economic immigrants is often blurred. Much debate in India centers on illegal immigration rather than refugee protection.
- **Misuse of Law:** Concerns that a refugee law could be exploited by anti-national elements and lead to financial burdens.
- **Flexibility:** Absence of specific legislation allows India to treat certain groups, such as Rohingyas, as illegal immigrants under the Foreigners Act or the Indian Passport Act.

➢ **Need for Refugee Legislation:**

- **Long-Term Solution:** A national refugee law would shift from a charitable approach to a rights-based approach, providing a practical long-term solution for managing refugee influxes.
- **Human Rights Compliance:** A national law would streamline refugee status determination and guarantee rights in line with international law.
- **Security and Fair Treatment:** Address security concerns while preventing unlawful detention or deportation under national security pretenses.
- **Inconsistent Treatment:** Refugees from Sri Lanka, Tibet, Myanmar, and Afghanistan face inconsistent treatment; Tibetan and Sri Lankan refugees are recognized and assisted, while others are not.

➢ **Current Legal Framework:**

- **Foreigners Act, 1946:** Grants the Central government authority to find, arrest, and deport unauthorized foreign nationals.
- **Indian Constitution, Article 258(1):** Allows removal of unlawful foreigners by force, as per Section 5 of the Passport (Entry into India) Act, 1920.
- **Registration of Foreigners Act, 1939:** Requires foreign nationals on long-term visas to register within 14 days of arrival.
- **Citizenship Act, 1955:** Includes provisions for renunciation, termination, and deprivation of citizenship.
- **Citizenship Amendment Act, 2019 (CAA):** Provides a path to citizenship for persecuted immigrants from Bangladesh, Pakistan, and Afghanistan, who are Hindu, Christian, Jain, Parsi, Sikh, or Buddhist.

NEWS IN BETWEEN THE LINES

National Handloom Day

Today on 7th of August, the 10th National Handloom Day is celebrated in New Delhi, where Vice President Jagdeep Dhankar will confer Sant Kabir Awards and National Handloom Awards to handloom weavers and he will also release the catalogue and Coffee Table Book "Parampara: Sustainability in Handloom Traditions of India."

About the National Handloom Day:

- The National Handloom Day has been celebrated **annually on August 7th since 2015**
- The day was inaugurated in **2015** by Prime Minister Narendra Modi to honour the contributions of handloom weavers and promote handloom products both domestically and internationally.
- This Day has its **roots in the Swadeshi Movement**, which began on **August 7, 1905**, as a response to the British **partition of Bengal**.
- The theme for National Handloom Day 2024 is 'Weaving Sustainable Future' and revolves around the importance of sustainable fashion and eco-friendly choices.
- The theme for 2023 was **"Handlooms for Sustainable Fashion,"** which highlighted the eco-friendly nature of handloom weaving compared to machine-made fabrics.
- Handlooms became a symbol of resistance against British rule and were used to promote Indian crafts and self-sufficiency.
- The values of the Swadeshi Movement were symbolically represented on **August 15, 1947**, when **Jawaharlal Nehru unfurled a hand-spun Khadi flag** to mark India's independence.

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Left-Wing Extremism

Recently, Home Minister of India stated that while the Union government is open to adopting successful state models, "no State will like to implement the West Bengal model" for controlling Left-Wing Extremism (LWE).

About Left Wing Extremism

- Wing Extremism (LWE), also known as **Naxalism** or **Maoism**, is a political ideology and **armed insurgency movement**.
- It aims to bring about **radical social** and **economic change** through the overthrow of existing governments.
- The left-wing extremism movement in India originated from a **1967** uprising in Naxalbari, **West Bengal.**
- These groups are active in regions marked by **rural poverty**, **social disparities** and limited access to government services.
- The affected areas in India are concentrated in **central** and **eastern India**, often referred to as the **"Red Corridor**."
- They advocate for the rights of **marginalized communities** and **land redistribution**.
- LWE groups engage in **armed insurgency**, **guerrilla warfare** and **attacks on security forces** and government establishments.
- They also often resort to **extortion**, **kidnapping** and recruitment of cadres, including child soldiers.

Cotton Textiles Export Promotion Council

Recently, the Cotton Textiles Export Promotion Council reported that the crisis in Bangladesh could affect India's textile exports, which amounted to $1.7 billion, or 17% of total exports, last fiscal.

About the Cotton Textiles Export Promotion Council:

- The Cotton Textiles Export Promotion Council (TEXPROCIL) is an **autonomous, non-profit body.**
- It was **established in 1954**, dedicated to the promotion of cotton textiles exports from India.
- It **acts as the global face of India's cotton textiles**, facilitating exports worldwide.
- It **promotes raw cotton**, **cotton** and **blended yarns**, **woven and knitted fabrics**, **home textiles** and **technical textiles**.
- The Council has a membership of around **3,000 companies**, including large integrated mills and small rural units.
- It **organizes international trade fairs**, **Buyer Seller Meets** and trade delegations.
- It also **provides market updates** and forecasts and defends Indian exporters from non-tariff barriers and anti-subsidy investigations.

Isunnguata Sermia

Recently, on July 9, scientists observed increased methane emissions from the Isunnguata Sermia glacier in Greenland, where cryoconite is causing more meltwater and trapping air bubbles under ice.

About Isunnguata Sermia:

- Isunnguata Sermia (IS) is a **glacier basin** in western Greenland that's one of the largest land-terminating outlets of the Greenland Ice Sheet.
- The basin is about **450 km long** and is located **directly north of the Russell Glacier and K-transect.**
- The ice bed beneath it is **200 to 300 meters** below sea level, while the terminus is 100 meters above.

Methane:

- Methane (CH_4) is a **colorless**, **odorless**, and **highly flammable gas** made up of carbon and hydrogen.
- It is the **main component of natural gas** and is found both above and below ground.
- Methane is a potent **greenhouse gas** that contributes to climate change by trapping heat in the atmosphere.
- According to the 2021 Intergovernmental Panel on Climate Change report, methane is **responsible for 20% of the total radiative forcing from all greenhouse gases**.
- Methane has many uses, including **as a fuel** for heat and light and in the **production of organic chemicals.**

Face to Face Centres

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Place in News

Fiji

Recently, the Prime Minister of India congratulated President Droupadi Murmu on being bestowed the highest civilian award of Fiji, Companion of the Order of Fiji.

Fiji (Capital: Suva)

Location: Fiji is an **island country** in Melanesia, part of Oceania in the South Pacific Ocean.

Boundaries:

Fiji is bounded by the **South Pacific Ocean** (East, West and South), **Tuvalu** and **Wallis and Futuna** (North), **New Zealand** (Northeast) and **Tonga** (Northwest).

Physical Features:

- The highest point in Fiji is **Mount Tomanivi**, also known as Mount Victoria.
- Major rivers in Fiji include the **Rewa**, **Sigatoka**, **Nabukavesi** and **Waidina** rivers.
- Fiji's mineral resources include **gold**, **silver**, **copper** and **limestone**.

Membership: Fiji is a member of several international organizations, including the **United Nations,** the **Commonwealth of Nations**, the **Pacific Islands Forum** and the **World Trade Organization.**

Language: The languages spoken in Fiji are **English** (official), **Fijian** and **Hindi**.

POINTS TO PONDER

- What type of missile is the Astra Mk-1? **– Air-to-Air beyond visual range (BVR) missile**
- What is glioblastoma? **– A type of brain or spinal cord cancer**
- Yamini Krishnamurthy, who recently passed away, was known for her work in which field? **– Classical dance**
- In which state is the Pobitora Wildlife Sanctuary located? **– Assam**
- Which state recently became the first in India to purchase all crops from farmers at MSP? **– Haryana**