

**“One of the best ways to influence people is to make those around you feel important.”**

**Roy T. Bennett**

**INTERNATIONAL AND BILATERAL****INDIAN OCEAN CONFERENCE**

The United States and Mexico have agreed to overhaul the North American Free Trade Agreement (NAFTA), putting pressure on Canada to agree to new terms on auto trade and dispute settlement rules to remain part of the three-nation pact. If talks with Canada are not wrapped up by the end of this week, Trump plans to notify Congress that he has reached a deal with Mexico, but would be open to Canada joining.

The deal would require 75% of auto content to be made in the NAFTA region, up from the current level of 62.5%. A fact sheet describing the bilateral agreement specified the content would be made in the United States and Mexico.

The deal improves labour provisions, in part by requiring 40% to 45% of auto content to be made by workers earning at least \$16 per hour. That measure could move some production back to the United States from Mexico and should lift Mexican wages.

The United States relented on its demand for an automatic expiration for the deal, known as a “sunset clause.” Instead, the United States and Mexico agreed to a 16-year lifespan for the deal, with a review every six years that can extend the pact for 16 years.

Mexico agreed to eliminate dispute settlement panels for certain anti-dumping cases, a move that could complicate talks with Canada, which had insisted on the panels.

**NAFTA:**

NAFTA is the initial for the North American Free Trade Agreement, an agreement signed by Canada, Mexico, and the United States that reduced or eliminated trade barriers in North America. (Since the U.S. and Canada already had a free trade agreement (signed in 1988), NAFTA merely brought Mexico into the trade bloc.)

Negotiations for the trade agreement began in 1990 under the administration of George H.W. Bush and were finalized under Bill Clinton’s presidency in 1993. The agreement went into effect on January 1, 1994.

**Purpose:**

In 1993 the European Union (EU) created a “single market”—one territory without any internal borders or other regulatory obstacles to the free movement of goods and services. This allowed every country and business in the EU to have access to more than 500 million consumers.

NAFTA, which was approved that same year, was designed to have a similar effect, providing a way to allow the exchange of goods and services to flow more freely across national borders without the artificial restrictions.

NAFTA provided for progressive elimination of all tariffs on any goods qualifying as North American. The deal also sought to protect intellectual property, establish dispute-resolution mechanisms, and, through corollary agreements, implement labor and environmental safeguards.

Since its implementation NAFTA has remained a prime target of trade protectionists (those who advocate taking measures such as taxing imports to “protect” domestic industries from foreign competition).

**INDUS TREATY TALKS TO BEGIN SOON**

India & Pakistan will resume Indus Water Treaty which will be first bilateral engagement since Imran Khan took office as Prime Minister.

**Agenda for the upcoming meeting:**

The upcoming meeting is expected to discuss ways and means for the timely and smooth sharing of hydrological data on shared rivers.

The last meeting of the Pakistan-India Permanent Indus Commission was held in New Delhi in March this year.

During the last meeting, both sides had shared details of the water flow and the quantum of water being used under the 1960 Indus Water Treaty.

The two sides would now finalise the schedule of future meetings of the Permanent Indus Commission and visits of the teams of the Indus commissioners.

However, Pakistan is raising objections on the following grounds:

- The Pakistan side is raising objections to two water-storage and hydroelectric projects being built by India during the talks.
- The Pakistan would raise its concerns over the 1000- MW Pakal Dul and the 48-MW Lower Kalnai hydroelectric projects on the Chenab River.

#### **Indus Water Treaty:**

The 1960 Indus Water Treaty was brokered by the World Bank.

The treaty administers how the waters of the Indus River and its tributaries that flow in both the countries will be utilized.

#### **NATIONAL**

#### **ODISHA TO COME UP WITH SINGLE REVENUE CODE**

The Odisha government has proposed to come up with a single revenue act by merging various revenue laws enacted at different point in times.

In this regard, the state government has prepared the draft 'Odisha Land and Revenue Code' by taking into consideration the Odisha Survey and Settlement Act, 1958, the Odisha Special Survey and the Settlement Act 2012, the Odisha Government Land Settlement Act, 1962, the Odisha Prevention of Land Encroachment Act, 1972, the Odisha Land Reforms Act, 1960, the Odisha Consolidation of Holdings and Prevention of Fragmentation of Land Act 1972 and the Odisha Estates Abolition Act, 1951.

#### **Need for a uniform revenue code:**

The need for a single Revenue Code arises out of the fact that there are many revenue Acts in vogue in Odisha governing the land revenue administration which were enacted years back and are unable to meet the changing needs.

Existence of so many revenue Acts and Rules often create confusion among the field-level revenue functionaries in interpretation of such laws which ultimately leads to delay in disposal of cases and sufferings for the public.

The main purpose is to end the numerous laws and introduction of a single code having simplified procedures and enabling provisions for speedy disposal of the revenue cases which will benefit the public.

The code will be published inviting suggestions and objections from all sections and after scrutiny of feedbacks, necessary changes will be effected and steps will be taken for enactment of the code.

#### **INDIA ALL SET TO INTRODUCE CAP ON SOLAR POWER TARIFFS**

The ministry of new and renewable energy is set to cap India's solar power tariffs at Rs. 2.5 and Rs. 2.68 per unit for developers using domestic and imported solar cells and modules, respectively.

The suggestions could be a source of worry for solar power developers, given that maximum proposed solar tariffs are far lower than what was achieved through the reverse bidding process conducted by both Solar Energy Corp. of India (SECI) and state governments.

This decision can be seen in the light of the fact that solar power tariffs in India plunged to a record low of Rs. 2.44 per unit in July 2018

#### **Other measures to promote domestic manufacturing:**

On 30 July, the government ordered safeguard duty of 25% on solar panels and modules imported from China and Malaysia.

This was done to protect domestic manufacturers and to encourage solar project developers to buy units locally.

About 90% of the solar cells and modules used in India are imported from China and Malaysia & thus seeing current scenario the duty has been temporarily lifted.

India has huge potential for harnessing solar energy

India has set itself an ambitious target of achieving 100GW of solar power by 2022, with the current capacity at about 24GW

India is the world's third-largest energy consumer after the US and China.

#### LAW MINISTRY WRITES TO CHIEF JUSTICE OF INDIA DIPAK MISRA TO RECOMMEND SUCCESSOR

The Union Law Ministry has formally communicated to Chief Justice of India Dipak Misra to recommend the name of his successor

The move was according to the convention laid out in the Memorandum of Procedure (MoP), where the law minister at an appropriate time seeks the recommendation of the outgoing CJI for the appointment of the next CJI

According to the Memorandum of Procedure that governs the appointment of members of the higher judiciary, "appointment to the office of the Chief Justice of India should be of the senior-most judge of the Supreme Court considered fit to hold the office"

Under this process, after receipt of the recommendation of the CJI, the law minister puts it before the Prime Minister who advises the President in the matter of appointment

Whenever there is any doubt about the fitness of the senior-most Judge to hold the office of the Chief Justice of India, consultation with other Judges would be made for the appointment of the next Chief Justice of India.

#### EDITORIAL

#### WAYS TO READ THE CONSTITUTION

Ban on entry in temple for women of certain ages raises the concern over religious freedom, gender equality and the right of women to worship.

Biological reason cannot be held for discrimination against women.

It was argued that discrimination based on notions of purity and impurity is a form of 'untouchability' under article 17.

However this argument was countered with the view that untouchability was only meant for backward classes and not for women.

On the other side, who are in support of the ban have cited

- It as an age-old custom.
- Under Article 25 of the Constitution it forms a part of essential religious practice.
- Article 26 provides for rights to administer and manage religious institutions.

There two approaches to consider both the arguments in context of constitution.

First approach is Originalist Approach, Based "Intent of the framers" of the constitution when they drafted the text.

According to this approach they could not have thought of situation to protect the same-sex relationship rights under article 21.

Similar argument was provided for Homosexuality as well. They asserted, under article 15 the word sex had binary sense (male and female). However, this method of constitution interpretation was severely criticized.

Canadian Supreme has also rejected the Originalist approach as it undermine the freedom and values of individual and restricts the growth and development to changing society needs.

Second approach is Living Tree Doctrine approach, Involved understanding of constitution as evolving and organic instrument.

In this approach, framer's intention matters little but how the constitution will be interpreted matters the most.

They emphasized on Moral reading of the constitution.

Article 17 has provided for untouchability and its practice in any form is prohibited.

It has also provided for removing social stigma associated with certain classes and eradicates inequality.

According to Living Tree approach why the Article 17 interpretation cannot include the discrimination against the women as well.

They argue, the criteria for discrimination between menstruating women, homosexual and impure caste are different but the effect of exclusion is common.

In this essence, it is the right time for Supreme Court to assess not only the freedom of religion and women's right but also constitutional interpretation.

**HOW DAMS CAN CONTROL FLOODS**

Mathew Abraham, Principal Scientist from the Indian Council of Agricultural Research, highlighted that there should be space for greater storage of water in reservoirs before the onset of monsoon.

**Reasons for the Kerala tragedy:**

- Poor development plans that have affected the sustainability of the Western Ghats.
- Unprecedented rainfall.
- Some argued that Kochi airport has been built on fields and wetlands adjacent to the Periyar River which swelled to dangerous levels during the floods.
- Opened dams when they were nearly full, causing heavy floods downstream and greatly affecting the lives of the people there.
- The author highlighted the following benefits of dams after the Kerala tragedy.
- Dams are useful for irrigation and electricity generation.
- Dams are constructed mainly for the purpose of irrigation, power generation, and flood control.
- The large amount of water is stored in reservoirs to ensure greater electricity generation and irrigation.

- However, the role of dams in flood control has always been underestimated.
- In both irrigation and hydel projects, flood control is completely ignored.

**Space in reservoirs:**

- Atmospheric depression that controls wind movement cannot be predicted months in advance.
- It is important that at least 30% of the storage capacity of dams be kept free before the monsoon
- Kerala receives rainfall mainly during the southwest monsoon and northeast monsoon. These rains are controlled by winds that carry clouds from the Arabian Sea and the Bay of Bengal.

**Suggestions:**

Internationally, the water level of a reservoir should be kept below a certain level before the onset of the monsoon season.

Government need to formulate water management policies for reservoirs in such a manner that dams are used to control floods, not cause them

It is high time to think of non-conventional sources for electricity generation such as solar, wind and tidal power.

The practice of solar power generation in Kochi airport can be copied in similar large-scale projects by other government agencies.

The public too should be encouraged to adopt the practice of solar power generation.

It is also crucial to follow good reservoir water management policies.

The State Dam Security Authority should be entrusted with the task of water management in reservoirs and with taking decisions in emergency situations.

The State government, the State Dam Security Authority and the National Water Commission should all be prepared to take bold decisions together on water management so that there are no such devastating floods in the future.

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