

THIS UNSEATING OF VICE CHANCELLORS IS FAULTY

Context

- The article highlights that the top court's conclusion that the provisions of the State University Act are repugnant to the regulations of the University Grants Commission under Article 254 is faulty propounding various grounds.
- The article discusses recent Supreme Court of India's decisions in which the court considered state law for the appointment of vice chancellors to be in conflict with central law (UGC regulation)
- These judgements are significant in the context of higher education in a federal country such as India.

Process of the Appointment of a Vice Chancellor under the UGC Regulations, 2018:

- The VC of a university is appointed by the Visitor/Chancellor, from a panel of three to five names recommended by the duly constituted Search cum Selection Committee.
- The President of India is the ex-officio Visitor of all the Central Universities and the Governor of the respective states is the Chancellor of all the state universities.
- A visitor is empowered to call for a set of fresh names in case of dissatisfaction with the given panel.
- This system of appointment is not always uniform across all universities, and the procedures followed by different states differ, as the regulation is a directive and education is a subject matter of **concurrent list (List III)**.

Background

- **Faulty appointment process:** A writ petition was filed before the Kerala High Court (October 21st, 2022) to declare the appointment of Vice Chancellor of the APJ Abdul Kalam Technological University, Thiruvananthapuram as void on the following grounds:
 - The appointment of the Vice Chancellor was against the UGC Regulations.
 - For example, the Search Committee was required to recommend a panel of not less than three suitable persons to the Chancellor, however, in the present case, only one name was recommended

- **Respondent defense:** Unless the UGC Regulations are adopted by the State Government, the University Act enacted by the State shall prevail.
 - The UGC Regulations, 2018 are directory for higher educational institutions under the provisions of the State legislature as the matter has been left to the State Government to adopt and implement the scheme.
- **The Kerala HC:** It dismissed the writ petition relying upon its 2015 judgement by observing that unless the UGC Regulations are specifically adopted by the State Government, the State legislation shall prevail.
- **Review petition in Supreme Court:** The challenge succeeded and the Court quashed the appointment of the VC on the ground that the provision relating to the search committee in the State University Act is in conflict with the UGC Regulations and was therefore void.

Way ahead:

- Article 254 needs to be analysed in depth by the courts before reaching to any conclusion.
- The Supreme Court held (in S. Satyapal Reddy vs Govt. Of A.P. (1994)) that the court has to make every attempt to reconcile the provisions of the apparently conflicting laws and the court would endeavour to give **harmonious construction**.
- The proper test would be whether the provisions of both laws can be given effect or whether both laws can stand alone. In most situations, this would eliminate the need to quash a state legislation on the basis of repugnancy.

BHARAT GAURAV TRAINS SCHEME

Recently, to give promotion of rail based tourism through provision of better quality coaches and viable tour packages, the Bharat Gaurav Trains Scheme has been reviewed.



About:

- In November 2021 the Indian Railways allowed **private players to run theme-based Bharat Gaurav trains** to showcase India's rich cultural heritage and historical places to the people of India, and from abroad.
- **How does it work?**

- **Any operator can lease trains from the Railways** to run on a theme-based circuit as a special tourism package. The operator has the freedom to decide the route, the halts, the services provided and, most importantly, the tariff.
- The service provider can take custody of the trains for a **minimum period of two years and a maximum period of up to the residual life of the coaches.**

Salient Features of Revised Policy:

- Henceforth, only Linke Hofmann Busch (LHB) coaches will be allotted under the Bharat Gaurav Trains scheme.
- Ministry of Railways has decided not to levy the overhead components in the Fixed and Variable Haulage Charges for operation of Bharat Gaurav Trains under the scheme.
- The existing service providers, who have already been allotted ICF rakes would be given option to switch over to LHB rakes for the remaining period of agreement on the revised charges. However, if they opt to continue with already allotted rakes, benefit of revised charges would be available with prospective effect.

ARTICLE 4 OF THE NATO

Poland is expected to submit a request for discussions under NATO's Article 4 after an alleged Russian-made missile hit Polish territory close to the Ukrainian border during the ongoing conflict.



About:

- If the missile's origins are Russian, this is the first time since the start of the conflict in Ukraine in late February that Russian weaponry has impacted a NATO country.

What is The North Atlantic Treaty Organisation (NATO)?

- It came into being **after World War II** as a counter to the Soviet Union's possible expansion attempts in Europe. Then-US President Harry S Truman signed the 12-member treaty on April 4, 1949.

- After the collapse of USSR in 1991, several eastern European nations previously members of the Soviet Union joined NATO. As of now, NATO comprise **30 members**.

Differences between Articles 4 and 5 of the NATO

- **Under Article 4**, any member state can **convene a meeting of NATO members to "consult" when it feels its independence or security are threatened**. It sends a strong political symbol to the greater world that NATO is concerned about a particular situation.
- **Article 5** is known as the "**one-for-all and all-for-one**" article. It states that an "**armed attack**" against one member is an attack against all and sets in motion the possibility of collective self-defense.
- In theory, **Articles 4 and 5 can only be invoked at the request of a NATO member**. However, Article 5 has only been invoked once -- immediately following the September 11, 2001, terrorist attacks against the United States.
- **Article 5 was not invoked when Russia invaded Ukraine**, because **Ukraine is not a NATO member**. But Poland is a NATO member, so if an investigation found any evidence it was a deliberate attack, it could have invoked Article 5.

[COP27 | INDIA, CHINA, BRAZIL, SOUTH AFRICA OPPOSE 'CARBON BORDER TAX'](#)

In News:

- With the COP27 in Sharm El Sheikh (Egypt) reaching its conclusion, a group of countries, including India, has stressed that carbon border taxes, which could cause market distortion and exacerbate the trust deficit among parties, must be avoided.

Carbon Border Tax:

- **Background:**
 - In 2021, the European Union proposed the Carbon Border Adjustment Mechanism (CBAM), which would tax very carbon-intensive items such as cement and steel beginning in 2026.

- **About:**

- A carbon border adjustment tax is a **duty on imports based on the amount of carbon emissions** resulting from the production of the product in question.
- As a price on carbon, it discourages emissions and as a trade-related measure, it affects production and exports.
- If created unilaterally, it is likely to be viewed as unfair by trading partners since it runs the possibility of unfairly protecting local industries from foreign competition in so-called '**green protectionism.**'

- **How does it work?**

- If implemented as intended, EU importers will be required to purchase **carbon certificates equal to the carbon price** paid in the EU if the items had been manufactured locally.
- The certificates' price would be determined by the auction prices in the EU carbon credit market.
- The number of certificates required would be determined yearly by the quantity of commodities imported into the EU and the embedded emissions in those goods.
- The CBAM would first apply to cement, iron and steel, aluminum, fertilizers and electricity imports.

- **Concerns:**

- The US, China, India, Brazil, South Africa and several others, including least-developed countries, have expressed concern over -
 - How to fairly account for emissions related to the production of imported goods?
 - How to duly consider the costs that companies already face in complying with climate regulations in exporting countries?

News Summary:

- **BASIC** (Brazil, India, South Africa and China), a group of large nations that rely heavily on coal, has for several years expressed common concerns and reiterated their right to use fossil fuels while their countries transition to clean energy sources.
- Their joint statement at COP27 expressed “grave concern” that developed countries had backtracked on finance and mitigation commitments and pledges and they have further increased the consumption and production of fossil fuels.

- Adaptation is still not receiving the fair and substantial attention it deserved in the United Nations climate framework process, despite the opportunities and linkages with “loss and damage.”
 - Loss and damage refer to a demand by developing countries for an institutional mechanism to finance countries affected by climate change for existing environmental damage.
- These developed countries continue to press developing countries to move away from the same resources. Such double standards are incompatible with climate equity and justice.
- **Unilateral actions and discriminatory practices**, such as carbon border taxes, must be avoided since they could cause market distortion and exacerbate the trust deficit among signatory countries to United Nations climate agreements.
- BASIC countries demand that developing countries respond in unison to any unfair shifting of responsibilities from developed to developing countries.

INDIA TO HOST TERROR FUNDING MEET: SIGNIFICANCE, OBJECTIVES

In News:

- India will host the Third **No Money for Terror (NMFT)** Conference on November 18-19.
- This Conference aims to progress the discussions on combating terrorist financing held by the international community in the previous two Conferences in Paris (2018) and Melbourne (2019).

No Money for Terror (NMFT) Conference

- The NMFT started in 2018 as an initiative of the **French government** which had, in 1989, laid the foundation of the **Financial Action Task Force (FATF)**.
 - FATF is the international body at the forefront of combating money laundering and terrorist financing.
- The Conference aims to create platform for international discussions on countering terror financing.
- It also includes discussions on technical, legal, regulatory and cooperative aspects of the terrorism financing.
- The continuing activities of the Islamic State and Al Qaeda, despite territorial defeats in Syria-Iraq and Afghanistan respectively, necessitated the NMFT conference.

Previous NMFT Conferences

- **The 2018 conference**
 - It was organized by France, which was attended by some 70 countries and the leaders of almost 20 agencies.
 - The conference agreed on fully criminalizing terrorism financing, even in the absence of a link to a specific terrorist act.
 - It also agreed on enhancing the traceability and transparency of financial flows.
 - The conference also discussed traceability and transparency of non-profit organisations (NPOs) and charitable funds.
- **The 2019 conference**
 - Hosted by Australia with participation from 65 delegations and representatives from 15 international bodies.
 - The conference identified new channels through which terrorism may be financed. These included:
 - kidnapping for ransom
 - emerging technologies such as digital and cryptocurrencies, stored value cards, online payment systems and crowdfunding platforms.
 - It recognised the critical role played by the private sector to detect and prevent misuse of financial systems by terrorists and flagged the need for monitoring of NPOs.

News Summary

- PM Modi will inaugurate the third global ‘no money for terror’ NMFT conference in the national Capital on 18th
- The conference will be organized by the Ministry of Home Affairs.
- India was supposed to host the conference in 2020, but it was postponed due to the pandemic.

Agenda for 2022 terror conference

- The agenda for the NMFT 2022 includes:
 - use of virtual assets and crowdfunding platforms by terrorist entities, their use of the dark web,

- the links between terror financing and legitimate economic activities, and
- payment intermediaries.
- This conference is largely a build-up on concerns raised during the Interpol Conference and UN General Assembly's Counter Terrorism Committee Conference held in Delhi recently.
- India also plans to discuss the misuse of non-profit organisations and non-financial businesses and professions in terror financing, as well as such financing through the Money Transfer Service Scheme and hawala networks.

G20 FINAL DECLARATION WITH MODI IMPRINT ADOPTED BY CONSENSUS

In News:

- The G20 Bali Declaration was finally adopted by consensus even though it failed to gloss over serious differences over Ukraine.

G20 Bali Declaration: Key Highlights

- **On the Russia-Ukraine**
 - The declaration acknowledged differences among members on the Russia-Ukraine war but stressed that it was essential to adhere to international law, including protection of civilians caught in conflicts.
 - Most members strongly condemned the war in Ukraine, but the declaration noted that there were other views and assessments of the situation.
 - It also said that the threat of use of nuclear weapons is inadmissible.
- **Welcomed the Turkey and UN-brokered Black Sea Grain Initiative**
 - that secured a Russia Guarantee to allow the export of Ukrainian grain.
- **Other issues covered**
 - The declaration covered a range of issues, from climate change to corruption, and from Covid vaccination to imparting computer skills to women.
- **The declaration recognised that G20 is not the forum to resolve security issues**

- However, it agreed that security issues can have significant consequences for the global economy.

India emerged as leader, consensus builder

- **Declaration Strengthened India's position** on the following since the beginning of the war
 - respect for UN charter,
 - advocating diplomacy and dialogue,
 - need for peace and stability,
 - against the use and threat of use of nuclear weapons.
- **Declaration echoed PM Modi's remark**
 - The declaration proclaimed "today's era must not be of war", echoing PM Modi's remarks before President Putin on the sidelines of the SCO summit in September.
 - It strongly endorsed PM Modi's emphasis on three key points: threat of use of nuclear weapons is inadmissible, diplomacy and dialogue and today's era must not be of war.
- **India acted as consensus builder**
 - India has emerged as a leader, solution provider and consensus builder through its positive and constructive approach in framing the G20 communique.
 - India played a key and critical role in bringing consensus amongst countries after all meetings round the year failed and there was total deadlock.
 - India worked in partnership with all developing countries and emerging markets to draft the final statement and the preamble to the statement.
 - India made sure that the country's viewpoints are prominently reflected in the statement.

Modi's address at the G-20 Summit in Bali, Session III: Digital Transformation

- Addressing a G20 meeting on digital transformation, PM Modi called for digital access that is truly inclusive.
- He said that it is the responsibility of G20 leaders to ensure that the benefits of digital transformation are not confined to a small part of the human race.

- He also sought a pledge by G20 leaders to work for bringing digital transformation into the life of every human being in the next 10 years.
 - He said that the principle of “data for development” will be an integral part of overall theme of India’s upcoming G20 presidency.
 - **Highlighted India’s own digital transformation**
 - India has developed digital public goods whose basic architecture has in-built democratic principles.
 - Over 40% of the world’s real-time payment transactions took place through UPI last year.
 - India opened 460 million new bank accounts on the basis of digital identity, making India a global leader in financial inclusion today.
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VIKRAM-SUBORBITAL (VKS) ROCKET

ISRO is set to launch India’s first privately built rocket (Vikram-suborbital (VKS) rocket) from Sriharikota.



About:

- VKS rocket is developed by the the non-government entity/startup, Skyroot Aerospace Pvt Ltd (SAPL).
- Apart from being the **nation’s first private launch**, it will also be the maiden mission of Skyroot Aerospace, named ‘Prarambh’. It will carry a total of **three payloads in space, including one from the foreign customers.**

VKS rocket

- It is a **single stage spin stabilized solid propellant rocket** with mass of approx. 550 kilograms.
 - The rocket goes to the **max altitude of 101 kilometers** and splashes into the sea and the overall duration of launch is 300 seconds only.
 - Skyroot was the first startup to sign a Memorandum of Understanding with ISRO for launching its rockets.
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Target Olympic Podium (TOP) Scheme

Recently, Ministry of Youth Affairs and Sports (MYAS) has approved wrestler Vinesh Phogat's proposal to train in Belmeken, Bulgaria, which is a High Altitude training area situated approximately 2600m above sea level.



About

- The funding is being provided under Sports Authority of India's (SAI) Target Olympic Podium Scheme.
- The TOPS Scheme has seen successes in the form of PV Sindhu (badminton) and Sakshi Malik (wrestling), who won the silver and bronze medals respectively in the 2016 Rio Olympics.

TOP Scheme

- **What is it?** It is a flagship program of the **Ministry of Youth Affairs and Sports (MYAS)** which is an attempt to provide assistance to India's top athletes.
- **Launch:** It was started in September 2014 and was revamped in April 2018 to establish a technical support team for managing the TOPS athletes and providing holistic support.
- **Mission Olympic Cell:** It is a dedicated body created to assist the athletes who are selected under the TOP Scheme. The MOC is under the **Chairmanship of the Director General, Sports Authority (DG, SAI)**.
- **TOPS Elite Athletes' Identification Committee:**
 - It was constituted to **identify the elite athletes** who could achieve the Olympic podium.
 - **MYAS is responsible for appointment of TOPS members** with emphasis on ensuring representation from 'High-Priority' sports (Archery, Badminton, Boxing Hockey, Shooting and Wrestling).
 - The total members of the committee are to be decided by MYAS. TOPS constitution does not stipulate minimum/maximum members for the committee.