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Aadhar Authentication

Relevance: Work processes; Recent Trends

Source: The Hindu

Context: According to a Ministry of Home Affairs' notification, the Ministry of Electronics, and Information Technology (MeitY) has allowed the office of Registrar General and Census Commissioner established under the Registration of Births and Deaths Act, 1969 to perform Aadhaar authentication for such registration. The authentication process, however, is not mandatory.

About office of Registrar General and Census Commissioner:

- Registrar General and Census Commissioner of India, founded in 1961 by the Government of India Ministry of Home Affairs, for arranging, conducting, and analysing the results of the demographic surveys of India including Census of India and Linguistic Survey of India.
- The position of Registrar is usually held by a civil servant holding the rank of Joint Secretary.
- The Indian Census is the largest single source of a variety of statistical information on different characteristics of the people of India.
- The first census of India was conducted in the 1870s and attempted to collect data across as much of the country as was feasible.
- The first decennial census took place in 1881. Until 1961, responsibility for arranging, conducting, and analysing the results of the census was exercised by a temporary administrative structure that was put in place for each census and then dismantled.
- From that time on, the office of the Registrar General and Census Commissioner of India has existed as a permanent department of central government; each state and union territory has a supervisory Directorate of Census Operations

About birth and death registration in India:

- History of Civil Registration System (CRS) in India dates to the middle of 19th century.
- In 1886, a Central Births, Deaths and Marriages Registration Act was promulgated to provide for voluntary registration throughout British India.
- Post-independence, Registration of Births and Death Act was enacted in 1969 to promote uniformity and comparability in registration of Births & Deaths across India and compilation of vital statistics.
- Registration of birth, death & still birth is mandatory.
- Registrar General, India at Union Government coordinates and unifies activities of registrations.
- Implementation of RBD Act is vested with State Governments.
- Registration of births and deaths is done by functionaries appointed by State Governments.
- Directorate of Census Operations are sub-ordinate offices of Office of Registrar General, India and these offices are responsible of monitoring of the Act in their concerned State/UT.
- Under Section 3(3) of the Registration of Births and Deaths Act, 1969, the Registrar-General may issue general directions regarding registration of births and deaths in the territories to which this Act extends and shall take steps to co-ordinate and unify the activities of Chief Registrars in the matter of registration of births and deaths and submit

to the Central Government an annual report on the working of this Act in the said territories.

- Under Section 7(1) of the Registration of Births and Deaths Act, 1969, State Government may appoint a Registrar for each local area comprising the area within the jurisdiction of a municipality, panchayat or other local authority or any other area or a combination of any two or more of them. The State Government may also appoint in the case of a municipality, panchayat, or other local authority, any officer or other employee thereof as a Registrar.

What changes have been allowed to facilitate Aadhaar authentication?

- According to the gazette notification, the Registrar appointed under Section 7(1) of the Registration of Births and Deaths Act, 1969 shall be allowed to perform Yes or No Aadhaar authentication, on voluntary basis, for verification of Aadhaar number being collected along with other details as sought in the reporting forms of births or deaths.
- The purpose of the authentication is to establish the identity of child, parent, and the informant in case of births, and of the parent, spouse, and the informant in case of deaths during registration of births or deaths.
- The State government and Union territory administration shall adhere to the guidelines with respect to the use of Aadhaar authentication as laid down by MeitY.
- Authentication process though not mandatory, aims to promote ease of living and better access to services based on the Aadhaar Authentication for Good Governance (Social Welfare, Innovation, Knowledge) Rules 2020.

Aadhaar authentication for good governance (social welfare, innovation, knowledge) rules 2020:

- The Rules has been made by the Central Government, in consultation with Unique Identification Authority of India under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.
- As per the Rules, Central Government may allow Aadhaar authentication by requesting entities in the interest of good governance, preventing leakage of public funds, promoting ease of living of residents, and enabling better access to services for them, for the following purposes, namely:

(a) usage of digital platforms to ensure good governance.

(b) prevention of dissipation of social welfare benefits; and

(c) enablement of innovation and the spread of knowledge.

- The rules however provided that Aadhaar authentication shall be on a voluntary basis.
- The Ministry or States desirous of utilising Aadhaar authentication shall prepare a proposal to justify such authentication and submit it to the Centre for making a reference to the Unique Identification Authority of India (UIDAI).

Proposed amendments in Aadhaar authentication for good governance rules in April 2023:

- Based on the amendment, any entity other than a Government Ministry or Department that desires to use Aadhaar authentication for the purpose of:
  - promoting ease of living and enabling better access to services, or

  - usage of digital platforms to ensure good governance, or
  - preventing dissipation of social welfare benefits, or
  - enabling innovation and spread of knowledge,
- It shall prepare a proposal giving justification as to how the authentication sought is for one of the said purposes and in the interest of State and submit the same to the concerned Ministry or Department of the Central Government in respect of Central subjects and of the State Government in respect of State subjects.
- If the Ministry/Department is of the opinion that the proposal submitted fulfils such a purpose and is in the interest of the State, it will forward the proposal along with its recommendation to MeitY.

DGP Appointment in Punjab

Relevance: Union-state-local relations; Imperatives of development management and law and order administration; District administration and democratic decentralization

Source: The Indian Express

Context: The new Punjab Police Amendment Bill, 2023, passed by the state assembly recently, paves way for the Punjab government to appoint a new Director General of Police (DGP) without seeking procedural clearance from the Union Public Service Commission (UPSC), laid down by the Supreme Court (SC).

Procedure of Appointing the DGP so far:

As per the procedure, after vacancy of the DGP is announced, the state would send the names of all eligible officers to UPSC that would in turn appoint a three-member panel to pick the candidate for the top job.

About the act:

- After this amendment, the panel of three officials would be constituted by a seven-member committee set to feature a retired chief justice or a retired judge from the Punjab and Haryana high court as its chairperson.
- The chief secretary, a nominee of the UPSC, a nominee of Punjab Public Service Commission, administrative secretary of home department, a nominee of Union ministry of external affairs and a retired DGP of Punjab Police constitute the other six members.
- The amendment also states that the committee shall prepare a panel of three senior officers from the pool of eligible names based on the selection criteria, which would include the length of service, work record and range of experience.
- The DGP appointed following the amendments will have a minimum tenure of three years.
- In case of vacancy for the post of DGP, the state government may give the additional charge to any officer of an equivalent rank.
- Another important section of the bill states: “The provisions of this section (section 6) shall prevail notwithstanding anything contained in any judgement, order or decree of any court.”
- Ever since the SC had laid down procedures for appointment of the DGP through UPSC in its judgement in the case of “Parkash Singh and others vs Union of India”, the Punjab government had been raising this issue on various instances.

The procedure for appointment of DGP laid down in the judgement is:

- Director General of Police of State to be chosen by State Government from among the three senior-most officers of the Police Department who have been empanelled for promotion by the UPSC (non-political body).

- On the basis of their tenure, exemplary performance history, and breadth of expertise, UPSC will nominate the three seniormost officers to head the police.
- Security of tenure: The chosen DGP should serve for a minimum of two years, regardless of the date of his retirement or superannuation.
- Removal of the DGP: If the incumbent DGP violates the All-India Services (Discipline & Appeal) Rules, is found guilty in a court of law or a corruption case, or becomes incapable of performing his duties, the State Government may remove him or her in consultation with the State Security Commission.
- Later in 2018, the Supreme Court amended the following rules to clarify the procedure set forth in the Prakash Singh Judgement:
- At least three months prior to the day the current DGP retires, all States must submit their suggestions to the UPSC in anticipation of openings in the position of DGP.
- States are not permitted to nominate anyone as an acting DGP.
- The UPSC should appoint applicants for the position of DGP since they have nearly two years of service left, which will allow them to remain in the position for a short time after their superannuation.
- Any state or federal law or rule that runs afoul of the direction must be put on hold to some extent.
- In 2019, the Supreme Court made it clear that a DGP officer's maximum residual tenure should be six months following his superannuation.

These modifications were implemented as a result of the following state policies:

States began appointing acting director generals of police to avoid the requirement to appoint UPSC nominees.

Candidates were chosen for DGP positions on the final retirement date. This led them to continue holding the position of DGP even after approximately two years of retirement.

Concerns of the states with procedure given by the SC:

- Since public order and police are state matters under Schedule VII of the constitution, states have demanded autonomy when choosing the DGP of the Police.
- The State government shall be solely responsible for managing all issues relating to the promotion, posting, and transfer of IPS officials within the State at all levels.
- States accept that UPSC lacks both the authority and the knowledge necessary to name the state's DGP.
- According to Article 320 of the Constitution, the UPSC is only permitted to specify criteria for promotions, transfers, and the eligibility of applicants for such positions.
- However, the Constitution does not grant the UPSC the authority to choose or appoint officers.
- When selecting officers for the position of DGP, the UPSC considers a minimum residual tenure of two years. As a result, the process disqualifies numerous qualified officers.

Thus, allowing states to select their DGPs is necessary. The Supreme Court should establish wide guidelines for selecting DGPs based on merit-based standards and grant states the freedom to select the most qualified candidate for the crucial position of DGP.

Centre approves Special Assistance to States for Capital Investment 2023-24

Relevance: Centre-State relations

Source: PIB

Context: The Department of Expenditure, Ministry of Finance, Government of India, has approved capital investment proposals of Rs. 56,415 crores in 16 States in the current financial year. Approval has been given under the scheme entitled 'Special Assistance to States for Capital Investment 2023-24'.

More about the scheme:

- In view of a higher multiplier effect of capital expenditure and in order to provide boost to capital spending by States, the scheme 'Special Assistance to States for Capital Investment 2023-24' was announced in the Union Budget 2023-24.
- Under the scheme, special assistance is being provided to the State Governments in the form of a 50-year interest-free loan up to an overall sum of Rs. 1.3 lakh crore during the financial year 2023-24.
- The projects span various sectors including health, education, irrigation, water supply, power, roads, bridges and railways.
- Funds for meeting the state share of the Jal Jeevan Mission and Pradhan Mantri Gram Sadak Yojana have also been provided under this scheme to enhance the pace of the projects in these sectors.
- The highest amount of assistance totalling Rs 9,640 crore will be given to Bihar. It will be followed by Madhya Pradesh at Rs 7,850 crore and West Bengal at Rs 7,523 crore.
- The lowest allocation will go to Goa at Rs 386 crore. It will be followed by Rs 388 crore to Sikkim and Rs 399 crore to Mizoram.

Parts of the scheme:

- **Part I**: It is the largest with allocation of Rs. 1 lakh crore. This amount has been allocated amongst States in proportion to their share of central taxes & duties as per the award of the 15th Finance Commission. Other parts of the scheme are either linked to reforms or are for sector specific projects.
- **Part II**: In this part of the scheme, an amount of Rs. 3,000 crores have been set aside for providing incentives to States for scrapping of State Government vehicles and ambulances, waiver of liabilities on old vehicles, providing tax concessions to individuals for scrapping of old vehicles and setting up of automated vehicle testing facilities.
- **Part III & IV**: These parts aim at providing incentives to States for reforms in Urban Planning and Urban Finance. The amount of Rs. 15,000 crore is earmarked for Urban Planning Reforms, while additional Rs. 5,000 crore is for incentivising the States for making Urban Local Bodies creditworthy and improving their finances.
- **Part V**: Under this part of the scheme the scheme aims at increasing the housing stock for the police personnel and their families within the police stations in urban areas. The amount of Rs. 2,000 crore is earmarked for this purpose.
- **Part VI**: Another objective of the Scheme is to promote national integration, carry forward the concept of "Make in India" and promote the concept of "One District, One

Product (ODOP)" through construction of Unity Mall in each State. The amount of Rs. 5,000 crores have been set aside for this purpose under this part of the scheme.

- **Part VII**: With an allocation of Rs. 5,000 crore is for providing financial assistance to States for setting up libraries with digital infrastructure at Panchayat and Ward level for children and adolescents.
- **Part VIII**: The scheme provides incentive for implementing "Just in Time" of CSS funds by state government to vendors and beneficiaries using RBI's e-Kuber and for timely release of Central and State share of funds to Single Nodal Agency accounts.

The scheme guidelines include mandatory conditions which the States need to fulfil in order to avail benefits under any Part of the Scheme. These are:

- Full compliance with the official name of all CSSs and any guidelines/instructions issued by the Government of India regarding branding of CSSs, in all schemes of all ministries. However, correct translation of the official name of CSSs in local language is permitted.
- Integration of State treasuries with Public Finance Management System (PFMS) and exchange of data between State treasuries and PFMS in respect of all State Linked Scheme for CSS in a state for which the state has received funds from the Central Government in the past 21 days.
- Deposit of central share of interest earned in Single Nodal Agency accounts till 31st March 2023 in the Consolidated Funds of India and submission of certificate to this effect in the format, signed by the Finance Secretary of the State Government.

Capital expenditure:

Capital expenditure is the money spent by the government on the development of machinery, equipment, building, health facilities, education, etc. It also includes the expenditure incurred on acquiring fixed assets like land and investment by the government that gives profits or dividends in future.

Capital spending is associated with investment or development spending, where expenditure has benefits extending years into the future. Capital expenditure includes money spent on the following:

- Acquiring fixed and intangible assets
- Upgrading an existing asset
- Repairing an existing asset
- Repayment of loan

City Investments to Innovate, Integrate and Sustain 2.0 (CITIIS 2.0)

Relevance: Urbanisation

Sources: PIB, The Hindu, CITIIS website

Context: The Union Government has approved the 'City Investments to Innovate, Integrate and Sustain 2.0 (CITIIS 2.0)'. The program has been conceived by the Ministry of Housing and Urban Affairs (MoHUA) in partnership with the French Development Agency (AFD), Kreditanstaltfür Wiederaufbau (KfW), the European Union (EU), and National Institute of Urban Affairs (NIUA). The period of the program would be for 4 years.

About CITIIS 2.0

- The program envisages to support competitively selected projects promoting circular economy with focus on integrated waste management at the city level, climate-oriented reform actions at the State level, and institutional strengthening and knowledge dissemination at the National level.

- CITIIS 2.0 aims to leverage and scale up the learnings and successes of CITIIS 1.0.
- CITIIS 2.0 will supplement the climate actions of Government of India through its ongoing National programs (National Mission on Sustainable Habitat, AMRUT 2.0, Swachh Bharat Mission 2.0 and Smart Cities Mission), as well as contributing positively to India's Intended Nationally Determined Contributions (INDCs) and Conference of the Parties (COP26) commitments.

CITIIS 2.0 has 3 major components:

- **Component-1**: Financial and technical support for up to 18 Smart Cities for projects promoting circular economy with focus on Integrated Waste Management.
- **Component-2**: All states and Union Territories will be eligible for support on Climate action on-demand basis. The states will be provided support to:

(a) set up/strengthen their existing state climate centres/ climate cells/ equivalents

(b) create state and city-level climate data observatories

(c) facilitate climate-data-driven planning, develop climate action plans

(d) build capacities of municipal functionaries.

To achieve these objectives, the Program Management Unit (PMU) at NIUA will coordinate the provision of technical assistance and strategic support to state governments.

- **Component-3**: Interventions at all three levels– Centre, State and City– to further climate governance in urban India through institutional strengthening, knowledge dissemination, partnerships, building capacity, research, and development to support scale-up across all States and Cities.

What is CITIIS 1.0?

CITIIS, or the City Investments to Innovate, Integrate and Sustain, is a sub-component of the Government of India's Smart Cities Mission.

It was jointly launched program of the Ministry of Housing and Urban Affairs, Agence Francaise de Development (AFD), the European Union (EU), and the National Institute of Urban Affairs (NIUA), with a total outlay of ₹933 crore (EUR 106 million).

CITIIS 1.0 consisted of three components:

- Component 1: 12 city-level projects selected through a competitive process.
- Component 2: Capacity-development activities in the State of Odisha.
- Component 3: Promoting integrated urban management at the national level through activities undertaken by NIUA, which was the Program Management Unit (PMU) for CITIIS 1.0
- Technical assistance was made available under the program at all three levels through domestic experts, international experts, and transversal experts.
- It has resulted in the mainstreaming of innovative, integrated, and sustainable urban development practices through a unique challenge-driven financing model based on the principles of competitive and cooperative federalism.

Disaster Management in India

Relevance: Disaster management

Source: The Hindu, NDMA Website