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The Hindu-Economy(GSIII)-Page 10

Are CSR contributions to agriculture properly tracked?

How much of an impact does agriculture have on India's GDP? What are the key requirements to improve agricultural sustainability? What hinders CSR's potential with respect to agriculture?

Dasari Giridhar
Manan Bhan

The story so far:

A decade ago, India became the first country to legally mandate Corporate Social Responsibility (CSR). Section 135 of the Companies Act 2013 outlines the rules and regulations governing CSR. According to the National CSR Portal, from 2014 to 2023, ₹1.84 lakh crore of CSR funds were disbursed. With the extent of contributions increasing, a question arises: how can CSR help agriculture?

GDP. Now that India's food production is on a relatively stable footing, concerns focus on the degradation of the natural resource base, stagnant farmer incomes, and threats caused by climate change. Lately, there have been clear signs from corporate entities that they wish to contribute to climate action and sustainability in the agricultural sector in India through their CSR budgets. According to an outlook report prepared by a CSR platform last year, 23% of companies surveyed had "environment and sustainability" as their CSR priority area. Capital requirements and infrastructural development are the most

and allied activities, water conservation projects, and energy-efficient irrigation. The recent paradigm shift in agriculture towards sustainability and modern agriculture makes a good case for CSR funds from the private sector.

The main obstacle

There is an important problem that hinders CSR's potential in agriculture: there is currently no way to fully determine the extent of funding going into these projects consistently and distinctively, and to categorise them based on targeted sectors of CSR activities. In other words, current

These are gender equality; agroforestry; poverty, eradicating hunger and malnutrition; technology incubators; animal welfare; environmental sustainability; livelihood enhancement projects; conservation of natural resources; rural development projects; socio-economic inequalities; and women's empowerment. But there's little chance of tracking the funds spent for agriculture-related initiatives alone because these 11 sectors encompass a great variety of activities, many of which are unrelated to agricultural sustainability, thus affecting reporting and limiting sectoral impact assessments.

Given the importance of agriculture for the Indian economy and its place in the country's plans and strategies to engender more sustainable growth and effect a just transition, specifying agriculture as a distinct sector in CSR activities is crucial. Transitioning the reporting framework based on sectors receiving funds would also help streamline and better target the available funds, add more meaning to the contributions, and ensure transparency. Likewise, identifying the prevailing

THE GIST

▼ Nearly 47% of the population depends on agriculture for employment, and the fraction of India's labour force in agriculture is significantly higher than the global average of 25%.

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▼ There is an important problem that hinders CSR's potential in agriculture: there is currently no way to fully determine the extent of funding going into these projects consistently and distinctively, and to categorise them based on targeted sectors of CSR activities.

- India became the first country to legally mandate Corporate Social Responsibility (CSR) through the Companies Act, 2013. From 2014 to 2023, ₹1.84 lakh crore was disbursed in CSR funds. Agriculture, which employs 47% of India's population and contributes 16.73% to GDP, faces challenges like resource degradation, stagnant incomes, and climate change. CSR efforts are increasingly focused on sustainability, with 23% of companies prioritizing environmental goals.
- However, the main challenge is the lack of clear reporting on agriculture-related CSR projects. CSR activities are categorized under broad sectors, making it difficult to track funding specifically for agricultural sustainability. To improve transparency and impact, agriculture should be recognized as a distinct CSR sector, with a more focused reporting framework to address sustainability challenges and better target funds.

The Hindu-Governance(GSII)-Page 14

'Rules cannot change midway of public services recruitment'

Rules on recruitments to public services must be governed by fundamental rights of equality, says a Constitution Bench of top court; 'rules' mean eligibility criteria and selection procedure, it adds

Krishnadas Rajagopal
NEW DELHI

A five-judge Constitution Bench led by Chief Justice of India D.Y. Chandrachud held on Thursday that the eligibility criteria, or the "rules of the game", for selection of candidates to public services could not be changed midway once the recruitment commenced.

"Eligibility criteria for being placed in the select list, notified at the commencement of the recruitment process, cannot be changed midway through the recruitment process unless the extant rules so permit, or the advertisement, which is not contrary to the extant rules, so permits," Justice Manoj Misra, who authored the judgment, concluded.

The Constitution Bench, in the unanimous 44-page



Criteria for being in select list cannot be changed midway unless extant rules or advertisement, which is not contrary to extant rules, so permits
JUSTICE MANOJ MISRA
Supreme Court Judge

be governed by the overarching principles of the fundamental rights of equality and non-discrimination.

Even if the criteria has to be altered, the change will have to meet the requirements of Articles 14 (right to equality) and 16 (equal opportunity in public employment and non-discrimination) of the Constitution and satisfy the test of non-arbitrariness, the court underscored.

However, the judgment said a spot on the select list would not guarantee a can-

instrumentalities could not arbitrarily deny appointment to a selected candidate.

Therefore, Justice Misra said, it would be the state's burden to justify the denial of appointment to a selected candidate.

Justice Misra explained what "the rules of the game" meant.

"The 'game' is the process of selection and appointment. Courts have consistently frowned upon tinkering with the rules of the game once the recruitment process commences.

been played," the judge said.

Two categories

The "rules" roughly fell into two categories – one which prescribes the eligibility criteria or the essential qualifications of the candidates seeking employment; and the other which stipulates the method and manner of making the selection from amongst the eligible candidates.

The court explained that a "recruitment process" began with the issuance of the advertisement calling for applications and ended with filling of the vacancies. The recruitment must follow the extant rules and adopt a procedure which was transparent, non-discriminatory, and non-arbitrary and had a rational nexus to the object sought

Constitutional Bench Ruling on Public Service Recruitment:

- The eligibility criteria for public service recruitment cannot be changed after the process has started, unless permitted by the existing rules or the original advertisement.
- The laws, rules, and procedures for recruitment must adhere to the fundamental rights of equality (Article 14) and equal opportunity (Article 16) under the Constitution.

Any changes in eligibility criteria must meet the test of non-arbitrariness and be consistent with constitutional principles of equality and non-discrimination. Being on the select list does not guarantee appointment, even if vacancies are available. However, the state must justify denying appointment to a selected candidate

India should be part of RCEP, CPTPP: NITI Aayog CEO B.V.R Subrahmanyam

Press Trust of India
NEW DELHI

NITI Aayog CEO B.V.R. Subrahmanyam said on Thursday. India pulled out of the RCEP in 2019 after entering negotiations in 2013. The RCEP bloc comprises 10 ASEAN group members (Brunei, Cambodia, India, Malaysia, Myanmar, Singapore, Thailand, the Philippines, Laos and Vietnam) and six FTA partners – China, Japan, South Korea, Australia and New Zealand. "India is one of few countries which are not a

part of large trade agreements. India should be a part of RCEP (Regional Comprehensive Economic Partnership) and CPTPP (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) and become a member,"

Mr. Subrahmanyam said at an ASSOCHAM event. "...that will be best for India's Micro, Small & Medium Enterprises (MSME) sector. The 40% of India's exports are from MSMEs. Big corporates are not great exporters," he added.

CPTPP is a free trade bloc spanning five continents made up of Pacific rim countries of Canada, Mexico, Peru, Chile, New Zealand, Australia, Brunei, Singapore, Malaysia, Vietnam and Japan. "I don't think we have

captured the 'China plus one' opportunity as much as we could have," Mr. Subrahmanyam said, adding countries like Vietnam, Indonesia, Malaysia, Turkey, and Mexico probably benefited more from 'China plus one' than India.

- India should be a part of the Regional Comprehensive Economic Partnership and Comprehensive and Progressive Agreement for Trans-Pacific Partnership, NITI Aayog CEO B.V.R. Subrahmanyam said.
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SC restores DRI officers' powers to recover dues under Customs Act

EXPRESS NEWS SERVICE
NEW DELHI, NOVEMBER 7

IN A significant decision, the Supreme Court overturned the apex court's 2021 verdict Thursday and ruled that Directorate of Revenue Intelligence (DRI) officers have the authority to issue notices and recover dues under the Customs Act, 1962.

Allowing a petition seeking review of the top court's decision in 2021 in Canon India Pvt Ltd vs Commissioner of Customs filed by the customs department, a bench headed by CJI D Y Chandrachud and comprising Justices J B Pardiwala and Manoj Misra passed the order. Justice Pardiwala authored the 162-page ruling.

In 2021, a three-judge bench

headed by then CJI Sharad Bobde had held that for a DRI officer to exercise the functions of a Customs officer, the Centre must specifically exercise its power to entrust such functions on "other officers" under Section 6 of the Customs Act.

"Subject to the observations made in this judgment, the officers of DRI, Commissionerates of Customs (Preventive), Directorate General of Central Excise Intelligence and Commissionerates of Central Excise and other similarly-situated officers are proper officers for the purposes of Section 28 and are competent to issue show cause notice thereunder," the bench held on Thursday.

"The petition seeking a review of (the) Canon India (judgment) is allowed for the following rea-

sons... In other words, the judgment in Canon India was rendered without looking into the circular and notification, therefore seriously affecting the correctness of the same. The decision in Canon India failed to look into the statutory scheme," it said.

The bench noted that in 1999, a circular was issued by the CBEC, New Delhi that empowered officers of the DRI to issue notices under Section 28 of the Customs Act. The court also found that a notification was issued in 2011 which stated that DRI officers could perform the functions of a "proper officer" under the Customs Act.

The court ordered that all pending cases relating to show-cause notices under Section 28 of the Customs Act must now be decided according to this verdict.

- In a significant ruling, the Supreme Court overturned its 2021 decision and reinstated the authority of Directorate of Revenue Intelligence (DRI) officers to issue notices and recover dues under the Customs Act, 1962. The bench, led by Chief Justice D.Y. Chandrachud, reviewed the 2021 verdict in the Canon India Pvt Ltd vs Commissioner of Customs case, which had previously stated that DRI officers could only exercise the functions of Customs officers if explicitly authorized by the Centre under Section 6 of the Customs Act.
- The court's latest judgment clarified that DRI officers, along with officers from other agencies like the Directorate General of Central Excise Intelligence, are competent to issue show-cause notices under Section 28 of the Customs Act.

HEADLINES OF THE DAY

PIB: Governance(GSII)



- One Rank One Pension (OROP) completes 10 years in 2024,
- OROP ensures that military personnel retiring in the same rank and with the same length of service receive equal pensions, regardless of their date of retirement. It addresses pension disparities caused by inflation, pay scale changes, and evolving service conditions over time.
- The scheme benefits ex-servicemen and their families by periodically updating pensions to close the gap between retirees of different periods.

Key Features: The OROP order, issued on November 7, 2015, established a uniform pension system, guaranteeing that all retired defense personnel of the same rank and service length receive equal pensions, effectively bringing fairness and equity to military pensions.

HEADLINES OF THE DAY

Air: Geography(GSI)

Indonesia: Another Volcanic Eruption Prompts Highest Aviation Alert



- In Indonesia, Mount Lewotobi in East Nusa Tenggara province erupted again today, spewing a column of ash up to 5,000 meters high and prompting the highest aviation alert.
- Mount Lewotobi erupted late Sunday night, resulting in 10 fatalities and injuries to 63. Hot clouds and volcanic materials destroyed hundreds of homes and buildings, triggering fires in the area and displacing over 4,000 residents. Standing at 1,584 meters, Mount Lewotobi is one of Indonesia's 127 active volcanoes.

HEADLINES OF THE DAY

Air: IR(GSII)

India-CARICOM Joint Commission Meeting Focuses On Strengthening Bilateral Ties



- The second meeting of the India-CARICOM (Caribbean Community) Joint Commission was held in virtual mode yesterday. The Indian delegation was led by Secretary (East) in the Ministry of External Affairs Jaideep Mazumdar and the CARICOM side was led by Permanent Secretary, Ministry of Foreign Affairs, International Business, Trade and Energy, Government of the Commonwealth of Dominica, Chair of COFCOR (CARICOM Council for Foreign and Community Relations) Ms. Barbara Dailey. Representatives from CARICOM Secretariat, CARICOM member states and Ministries in Government of India participated in the virtual meeting. The Joint Commission reviewed the entire spectrum of relations between India and CARICOM including economic and commercial, agriculture, health and pharmaceuticals, energy and infrastructure, technology and innovation, human resource and capacity building, culture and people-to-people exchange.