05 FEBRUARY 2019

1. U.K. clears Mallya's extradition to India

The order for the extradition of liquor baron Vijay Mallya to India has been conformed. The businessman whose legal team had previously indicated their intention to appeal the extradition will now have two weeks to lodge an appeal.

EXTRADITION

Extradition is the legal process by which a person is transferred from one place to another without the person's consent.

This is a legal method to prevent people from evading justice.

When a person commits a crime in a state and then goes to a different one, the person can be sent back to face charges in the state where the crime was committed.

Generally, a country's power to arrest a fugitive only extends within its borders.

If there is no provision for extradition, people can evade justice by moving from one place to another.

Extradition treaties are signed between nations with the intention to transfer criminals from a requested country to a requesting country.

International extradition is allowed by nations only after imposing conditions to the process.

The Mallya saga

The beleaguered businessman's flight to London and extradition order

March 3, 2016: Mallya flees India and takes refuge in London

Feb. 2017: India sends extradition request to the U.K.

April 18, 2017: Scotland Yard arrests Mallya on an extradition warrant after he surrenders at a central London police station. He is released on bail

Dec. 4, 2017: Mallya's extradition trial begins

Dec. 13, 2017: Arthur Road Jail in Mumbai, where Mallya is to be held on extradition, comes into focus as the defence seeks to discredit its suitability

Dec. 10, 2018: Westminster Magistrates' Court judge orders the extradition of Mallya

Feb. 4, 2019: U.K. Home Secretary Sajid Javid signs order for Mallya's extradition to India

Source: PTI

When an extradition treaty is signed, the parties to the treaty provide the offenses for which an individual can be extradited. International extradition matters are negotiated by the executive branch of federal government.

ROLE OF JUDICIARY IN EXTRADITION

However, even if the executive branch is in favor of the foreign nation's request, extradition requests can be turned down by the judicial branch.

The judiciary can dismiss an extradition request if the charges the foreign government leveled against the captive are not crimes in the country where the criminal has escaped to.

The judicial branch can also dismiss an extradition request if the captive has a reasonable fear of facing cruel and unusual punishment if s/he was extradited, or if the captive had a reasonable fear that s/he would not face a fair trial.

A nation cannot surrender a fugitive to another nation or demand return of an offender from the nation if it is against the constitution of the nation.

In India the provisions of Indian Extradition Act, 1962, govern the

Note

extradition of a fugitive from India to a foreign country or vice-versa.

The basis of extradition could be a treaty between India and a foreign country.

Previous Extradition

Underworld don and prime accused in the Mumbai blasts Abu Salem was extradited from Portugal along with wife Monica Bedi.

When India requested Portugal government for the extradition of Abu Salem, Portuguese court ordered their extradition after the Indian government, through its lawyer, gave an assurance that if convicted they would not be sentenced to death.

The assurance was given since European law prohibits extradition of any accused to such a country where capital punishment is in vogue.

As per the Portuguese Constitution, no one can be extradited in respect of offences punishable by death penalty under the law of the state requesting extradition.

Note: India currently (as of March 31 2018) has extradition treaties with 39 countries. The UK is among them.

2. Entire Aravalli area is devastated, rues annoyed Supreme Court

In a stinging attack on the Rajasthan government, the Supreme Court, the State authorities are hand in glove with illegal miners who operate in the fast-depleting Aravalli region.

When the State's counsel submitted that the ground-truthing exercise to ascertain the area where illegal mining had allegedly been conducted remained incomplete due to the recently held Assembly elections and the upcoming LokSabha polls.

Promise belied

The court said the once-lush Aravalli region is devastated after years of indiscriminate and illegal mining. "You are hand in glove and your officers are hand in glove with them (illegal miners). The entire Aravalli area is devastated and the entire flora and fauna there has gone.

The court recounted how the State had promised to finish the exercise in three months on October 29 last year and ordered the personal appearance of the State Chief Secretary.

'Only want compliance'

The court had, in October, expressed shock over 31 "vanished" hills or hillocks in the Aravalli area and had asked the State to stop illegal mining in a 115.34-hectare area.

About Aravali Range

They are aligned in north-east to south-west direction and run for about 800 km between **Delhi** and **Palanpur** in Gujarat.

They are one of the **oldest (very old) fold mountains** of the world and the oldest in India. {Fold Mountains – Block Mountains}

Note

After its formation in Archaean Era (several 100 million years ago), its summits were nourishing glaciers and several summits were probably higher than the present day Himalayas.

Now they are relict (remnants after severe weathering and erosion since millions of years) of the world's oldest mountain formed as a result of folding (Archaean Era).

They continue up to **Hariddwar** buried under the alluvium of Ganga Plains.

The range is conspicuous in Rajasthan (continuous range south of Ajmer where it rises to 900 m.) but becomes less distinct in Haryana and Delhi (characterized by a chain of detached and discontinuous ridges beyond Ajmer).

According to some geographers, one Branch of the Aravalis extends to the Lakshadweep Archipelago through the Gulf of Khambhat and the other into Andhra Pradesh and Karnataka.

It's general elevation is only 400-600 m, with few hills well above 1,000 m.

The Aravallis are the oldest plateau range in India

At the south-west extremity the range rises to over 1,000 m. Here **Mt. Abu (1,158 m)**, a small hilly block, is separated from the main range by the **valley of the Banas**. Guru Sikhar (1,722 m), the highest peak, is situated in Mt. Abu.

PipliGhat, Dewair and Desuri passes allow movement by roads and railways.

## 3. Emission levels rising faster in Indian cities than in China

Urbanisation is accelerating greenhouse gas emissions from vehicles in India at a faster than in China.

On an average, an Indian emitted about 20 kg per capita while commuting for work, with the highest (140 kg CO2) in Gurugram district (Haryana) and the lowest (1.8 kg CO2) in Shrawasti district (Uttar Pradesh), says a study that analysed the link between population density and emissions from transport, across India's districts.

The experience in most developed countries was that urbanisation led to a reduction in emissions — more urbanisation meant shorter distances between the workplace and home and thereby, a preference for public transport. However this didn't effectively apply to developing countries.

In China a 1% increase in urbanisation was linked with a 0.12% increase in CO2 emissions whereas, in India, it translated into 0.24% increase in emissions, said the study, to be published in the peer-reviewed journal Environmental Research Letters.

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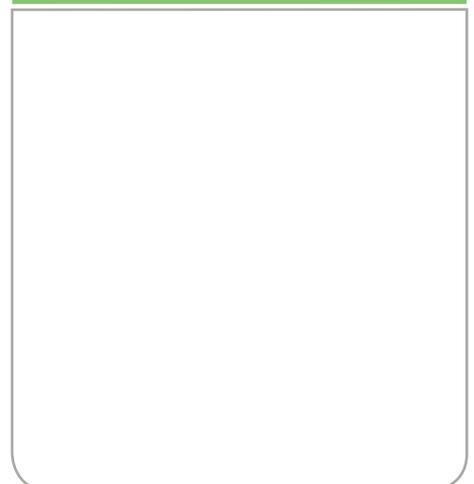
India's CO2 emission grew by an estimated 4.6% in 2017 and its per-capita emission was about 1.8 tonnes. In spite of being the 4th largest emitter, India's per capita emissions are much lower than the world average of 4.2 tonnes. But those emissions have been growing steadily, with an average growth rate over the past decade of 6%, according to data from the Global Carbon Project.

Fuel price hikes aren't always a solution to curb emissions, the study says.

Cause for concern

Highlights of the study to be published in the journal Environmental Research Letters

- Delhi NCR has the highest commuting-emissions per capita
- On average, a 10% increase in population densification reduces commuting-emissions by 1.1%. Some districts defy this trend
- 16 districts in India emit 93 kg of CO2 per capita; the average population density here is 6,543 person/sq. km
- India's mean annual commuting emissions (to home/ from work) is 20 kg CO2 per capita, with the highest (140 kg CO2) in Gurgaon district (Haryana) and the lowest (1.8 kg CO2) in Shrawasti district, Uttar Pradesh

With a Rs. 1 increase in diesel price, commuting emissions decreased by 11% in some districts whereas it only fell by about 3% in low-income districts. Given these districts have least commuting emissions and low socio-economic status our study finds limited support for increasing gasoline prices as a strategy to mitigate commuting emissions. In total, India's transport patterns are very climate friendly, and much better than those of Europe and the United States. We find that some districts are mostly relying on three-wheelers for short commuting distances, while others are highly urban, rich, and rely on cars.

The mean commuting distance (among commuters) is 5.9 km, with the lowest 1.3 km in Longleng district (Nagaland) and the highest 14 km in Dharmapuri district (Tamil Nadu).

Delhi had the highest commuting emissions per capita — a factor that also contributed to its high level of pollution — and the national capital region had 2.5 times higher commuting emissions than Mumbai, Kolkata, Chennai, Bangalore, and Hyderabad. Delhi's higher socio-economic status and heavy reliance on private travel modes led to higher commuting emissions than in other megacities.

Because there were several instances of districts with similar population density but varying per capita emissions, a "simple-minded densification" was an inappropriate policy for reducing commuters' GHG emissions and India would do well to focus on electric vehicles and and efficient public transit system. This to however ought to be tailored to a region's geographical context.

4. Fundraiser to secure 96 elephant corridors

Initiative launched by Asian Elephant Alliance, an umbrella of five NGOs

Note

At a time when a recent survey found seven elephant corridors in the country impaired, the Asian Elephant Alliance, an umbrella initiative by five NGOs, has come together to secure 96 out of the 101 existing corridors used by elephants across 12 States in India.

The joint venture is aiming at raising £20 million (Rs. 187.16 crore) to secure the 96 remaining elephant corridors, old and new, in the next ten years. The alliance joined hands to raise the mammoth sum as money was the main constraint in securing the land.

The process of securing the Tamil Nadu-Karnataka inter-State corridor called the Talamai-**Chamarajnagar elephant corridor at Mudahalliis** currently underway.

Out of 101 elephant corridors identified by the WTI in its 2012-15 study, five of them — two in Meghalaya and one each in Assam, Kerala and Karnataka — have already been secured by the WTI with the help of conservation partners and the support of State governments. The new alliance is aiming to secure the 96 remaining elephant corridors in the next ten years by raising the money.

NGOs Elephant Family, International Fund for Animal Welfare, IUCN Netherlands and World Land Trust have teamed up with WTI in the alliance.

Where giants roam
From MoEF website, a break up of India's 166 elephant corridors

NORTHWEST
1,500 elephants
8 corridors
5,500 sq km

NORTHEAST
9,200 elephants
58 corridors
41,000 sq km

EAST & CENTRAL
2,500 elephants
54 corridors
23,500 sq km

SOUTH
14,800 elephants
46 corridors
40,000 sq km

According to a recent survey, seven elephant corridors in Jharkhand, U.P., Assam, West Bengal, Meghalaya, Arunachal Pradesh and Uttarakhand have already been impaired due to land use changes. At the same time, new elephant corridors have been identified. While 88 corridors were identified by WTI in its survey in 2005, the number rose to 101 in 2015.

He said that Elephant Corridor Consultative Workshops were conducted in all the States where the 101 corridors are located. The land will be handed over to the State governments after the securement.

Almost all the land owners close to the elephant corridors are cooperating since they are severe human-elephant conflict zones. It took 11 years to secure the lands of the **Thirunelli-Kudrakote corridor.**
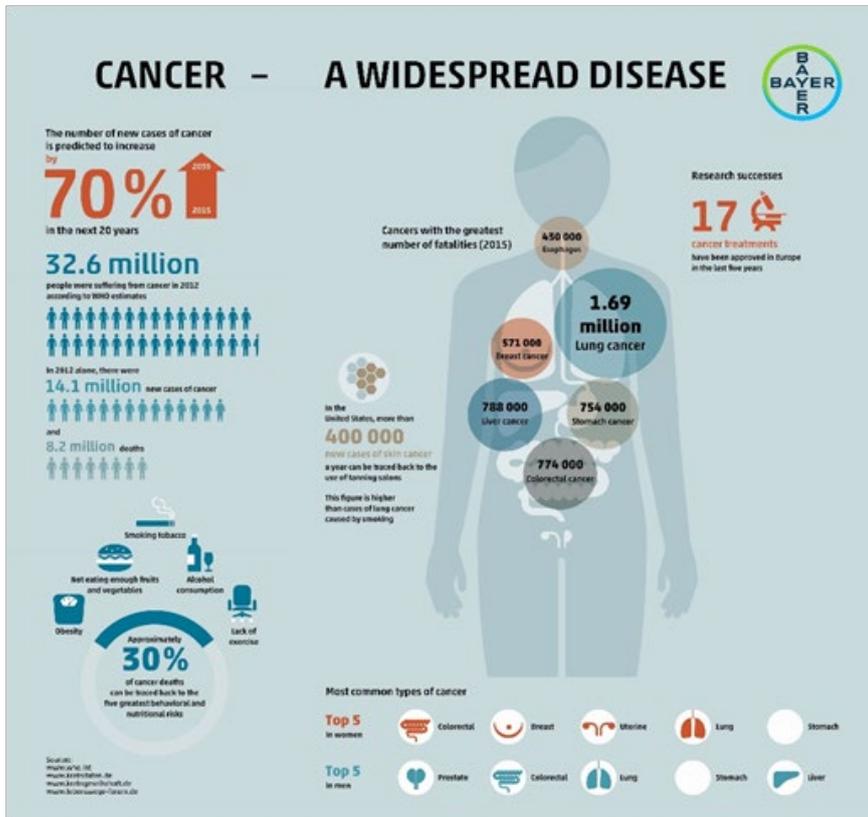
5. 67% cancer patients in SE Asia die before 70: WHO

In 2018, 18.1 million new cases of cancer developed worldwide; 9.6 million people died from the disease; 70% of the deaths occurred in low and middle-income countries, including those of the World Health Organisation (WHO) Southeast Asia region; and 67% of the region's
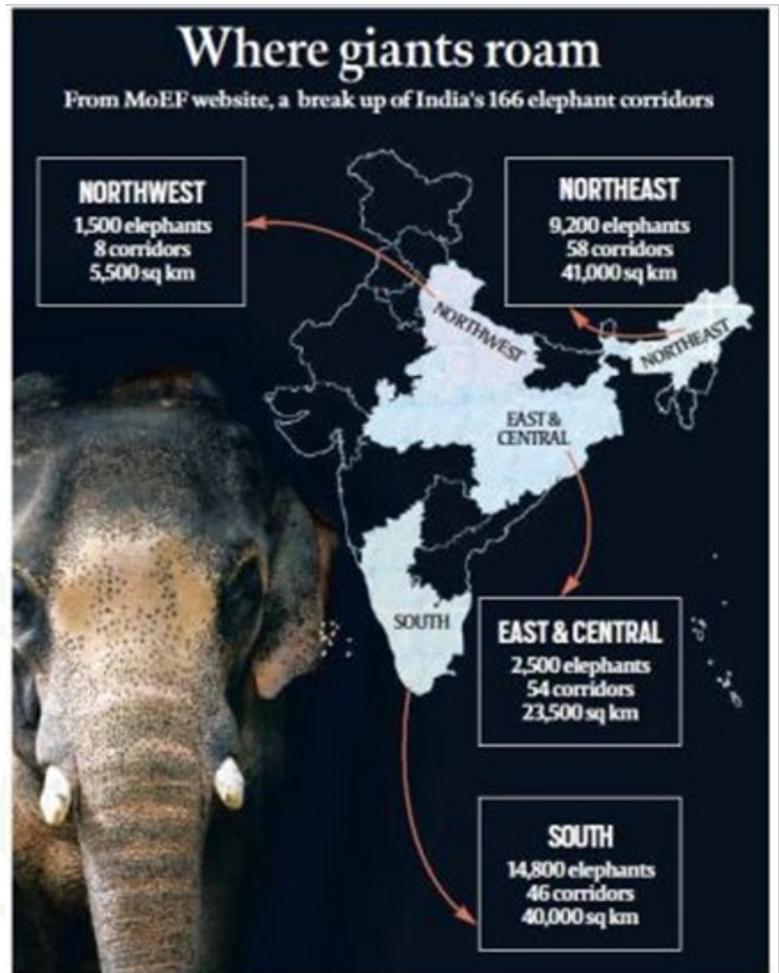
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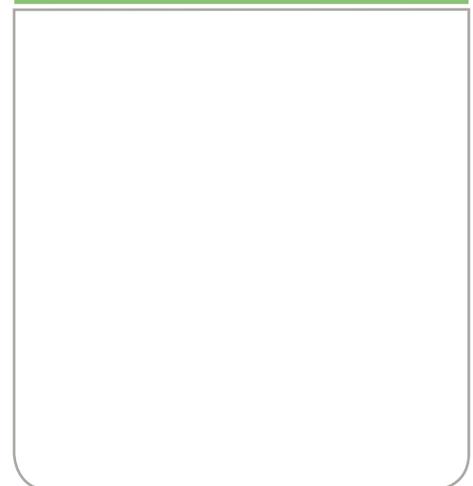
cancer patients died before the age of 70.

Cancer is far from an equal-opportunity killer. Inadequate access to cancer screening, diagnosis and treatment is the primary cause of deaths.

In 2017, just 30% of low-income countries reported having cancer treatment services available.

Just 26% of low-income countries meanwhile reported having pathology services generally available in the public sector, leading to late diagnosis and a lower chance of successful treatment.

According to figures for India released by the National Institute of Cancer Prevention and Research (NICPR), one woman dies of cervical cancer every eight minutes in India; for every two women newly diagnosed with breast cancer, one woman dies of it in India; as many as 2,500 persons die every day due to tobacco-related diseases; and tobacco (smoked and smokeless) use accounted for 3,17,928 deaths in men and women in 2018.

6. China-Japan frontline sees a 'cold peace'

Ishigaki, a part of the Okinawa chain of 150 islands, large ships of the Japanese coast guard, all gleaming white, keep a tight round- the-clock vigil on a group of islands, 170 km away.

Their mission is to ensure that Japan maintains its hold over these small but strategically significant islands in the East China Sea. The Japanese call them Senkaku, and designate them as sovereign territory.

According to the Japanese argument, in the late 19th century, about 200 nationals pioneered a settlement in these uninhabited islands. Over there, they established a business of gathering albatross feathers, which were used for making warm clothing. China, they say, contested Japanese sovereignty only after 1968, when a UN body cited the possibility of oil reserves in the area.

On the contrary, China as well as Taiwan point to documentary evidence suggesting that China held the territory before the onset of the **First Sino-Japanese War.** Consequently, Japan has been accused of seizing this territory, which should be returned, in tune with practice after the Second World War, when imperial Japan gave back captured territories to their original owners.

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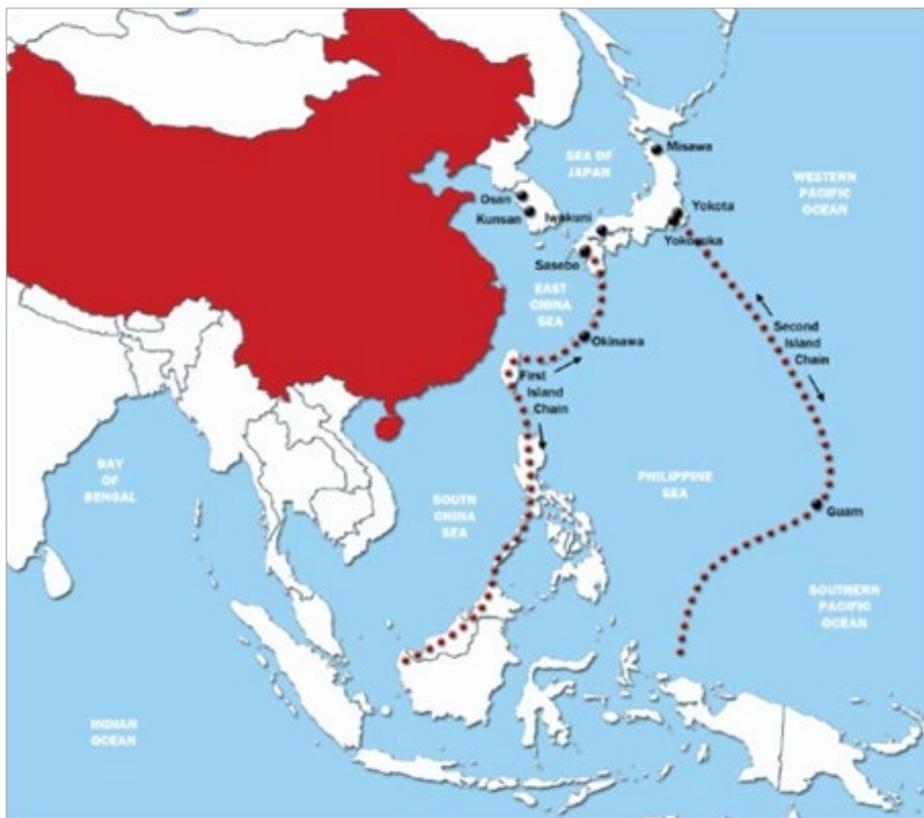
Military objective

At the Sasakawa Peace Foundation in Tokyo, Special Research Fellow Susumu Takai asserts that China's real military objective is the **Miyako strait**, and establishing a hold on **Senkaku islands** would be a step in that direction.

Though in international waters, the 250 km wide passageway between the Miyako and Okinawa islands is seen as a major choke-point through which China's People's Liberation Army Navy can channel into the West Pacific, dominated by the U.S. Navy. China's real intention is not just to dominate but control the Miyako strait.

The Japan Self Defence Forces (JSDF) have been deployed on the Miyako island. Besides, defences of some other nearby islands such as Yonaguni, which is only 108 km from Taiwan, have been reinforced.

At the Ishigaki coast guard office, Rear Admiral Hiroyasu Hanai, explains the ground rules, which ensure that a cold peace continues to prevail along the Senkaku/Diaoyu frontline. "When the Chinese coast guard ships intrude into our territorial water, our ships sail alongside them, during a power point presentation aboard one of the ships.

"Both sides then blare their positions on the islands over loudspeakers. On the electronic scroll bar on the side of the ships, the audio message is reinforced in writing.

Under the Japanese coast guard protocol, Chinese fishing vessels which enter territorial waters are warned to refrain from further entry. Chinese fishing boats routinely heed the warning and go away.

However, there is zero-tolerance for "political activists" that come aboard boats in the area, to loudly demonstrate Chinese claims over the islands. There was an incident seven years ago when our ships had to run into the boat full of activists. They were finally chased away with water cannons.

7. Centre may relax angel tax norms for start-ups

The government decided to set up a five-member working committee to look into the angel tax issue and come up with guidelines in one week. It also agreed to implement some key changes requested by start-ups regarding the issue.

The 'angel tax', as it is commonly called, is a tax on the excess capital raised by an unlisted company through the issue of shares over and

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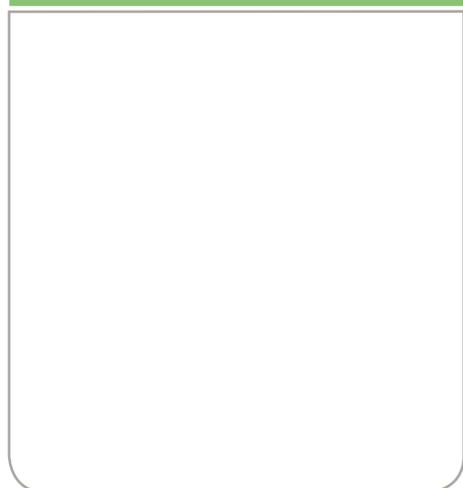
above the fair market value of those shares. This excess capital is treated as income and taxed accordingly. This tax most commonly affects start-ups and the angel investors who back them.

According to a January 16 notification, start-ups whose aggregate amount of paid-up share capital and share premium after the proposed issue of share does not exceed Rs. 10 crore are eligible for exemption from the tax.

The government agreed to raise this limit to Rs. 25 crore. They also agreed to amend the definition of a start-up to include companies that have been in operation for up to 10 years rather than the previous limit of seven years. On the investor side, the notification had said that the angel investor should have filed income tax returns of at least Rs. 50 lakh for the year preceding the year in which the investment was made and have a net worth of Rs. 2 crore. This, according to a source who attended the meeting, would be modified to be Rs. 25 lakh and Rs. 1 crore, respectively.

'Can't scrap tax'

There was a network of 200 shell companies and they have been under control since 2012, so it cannot be scrapped. However, during the meeting they agreed to three of our requests, which had to do with the size of the start-up, the duration of its operation, and the income of the angel investor," the company official added.

These agreements could still result in an 'inspector-raj', where start-ups would have to apply to the DPIIT and the CBDT each time they find an investor.

The government, for its part, was concerned about how to differentiate genuine start-ups from companies set up for money-laundering purposes. "Money-laundering companies will fail the time-test," Mr. Taparia, who was also at the meeting.

"The government should ask for documents from each of the 15,000-16,000 start-ups registered with it, including two years' monthly expenses, employee details, employee details. This will immediately weed out the money laundering companies as they will not be able to provide these details.

In addition, the start-ups made the point that this database of genuine companies could be shared with the CBDT, thereby allowing it to exempt these companies from angel tax scrutiny in the first stage itself.

Note