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News: Legislation for Refugees

- The National Human Rights Commission (NHRC) recently held a discussion on “protection of the basic human rights of refugees and asylum seekers in India”.
- The discussion noted that, though India has not signed the United Nations Refugee Convention, 1951, the refugees and asylum seekers are entitled to the rights in Articles 14 (Right to Equality), 20 (Protection with Respect to Conviction of Offences) and 21 (Right to Life) of the Constitution.

Refugee Policy of India

- India lacks specific legislation to address the problem of refugees, in spite of their increasing inflow.
- India is not a party to the 1951 Refugee Convention and its 1967 Protocol, the key legal documents pertaining to refugee protection.
- Moreover, the Foreigners Act, 1946, fails to address the peculiar problems faced by refugees as a class.
- It also gives unbridled power to the Central government to deport any foreign citizen.

- In spite of not being a party to the 1951 Refugee Convention and its 1967 Protocol, India has had a stellar record on the issue of refugee protection.
- India has a moral tradition for assimilating foreign people and culture.
- Further, the constitution of India also respects the life, liberty, and dignity of human beings.
- The Supreme Court in the National Human Rights Commission vs. State of Arunachal Pradesh (1996) held that “while all rights are available to citizens, persons including foreign citizens are entitled to the right to equality and the right to life, among others.”
- Further, Article 21 of the Constitution encompasses the right of non – refoulement.
- Non-refoulement is the principle under international law which states that a person fleeing persecution from his own country should not be forced to return to his own country.

Why Hasn't India Framed a Law on Refugees Yet?

- **Refugees' vs Immigrants:** In the recent past, many people from neighboring countries tend to illegally immigrate to India, not because of state persecution but in search of better economic opportunities in India.

- While the reality is that much of the debate in the country is about illegal immigrants, not refugees, the two categories tend to get bunched together.
- **Misuse of Law:** Such a law could be misused by anti-nationals, terrorists and criminal elements and it would cause a financial burden on the country.
- **Open Scope of Maneuver:** Absence of legislation has allowed India to keep its options open on the question of refugees. The government can declare any set of refugees as illegal immigrants.
- This was the case that has happened with Rohingya (They are stateless, Indo-Aryan ethnic group who reside in Rakhine State, Myanmar), despite the UNHCR verification, the government decided to deal with them as trespassers under the Foreigners Act or the Indian Passport Act.

Human Rights Commission

- National Human Rights Commission (NHRC) is constituted on 1993 under the Protection of Human Rights Act of 1993.
- NHRC is led by a Chairman who has been a CJI, or a Judge of SC.
- One member who is, or has been, a Judge of the Supreme Court of India , or, One member who is, or has been, the Chief Justice of a High Court.

- The sitting Judge of the Supreme Court or sitting Chief Justice of any High Court can be appointed only after the consultation with the Chief Justice of Supreme Court.
- Three Members, out of which at least one shall be a woman to be appointed from amongst persons having knowledge of, or practical experience in, matters relating to human rights.
- Chairpersons of National Commission for Scheduled Castes, National Commission for Scheduled Tribes, National Commission for Minorities, National Commission for Women, National Commission for Backward Classes, National Commission for Protection of Child Rights and Chief Commissioner for Persons with Disabilities shall be ex – officio members of NHRC.
- NHRC members are appointed and removed by President on the recommendation of a committee consisting of PM as Chairperson, Home Minister, and Leader of Opposition in Lok Sabha, Leader of Opposition in Rajya Sabha, Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha.
- They submit their reports to Union Government.
- SHRC members are appointed and removed by Governor and President respectively.
- Governor appoints the members of SHRC on the recommendation of a committee consisting of Chief Minister as its head, Speaker of the Legislative

Assembly, State Home Minister and Leader of opposition in the Legislative Assembly.

- The members are appointed for 3 years or 70 years of age, whichever is earlier,
- Reappointment of the members is also possible.
- The members are removed only on the charges of proved misbehaviour or incapacity, if proved by an inquiry conducted by a Supreme Court Judge.

Powers

- NHRC investigates grievances regarding the violation of human rights either suo moto or after receiving a petition.
- It has the powers of civil court.
- The Commission also studies treaties and international instruments on human rights and make recommendations for their effective implementation to the Government.
- A State Human Rights Commission can inquire into violation of human rights only in respect of subjects mentioned in the State List and the Concurrent List of the Constitution.

Protocol Relating to the Status of Refugees, 1967

- Protocol relating to the Status of Refugees, 1967 is a **key treaty in International Refugee law**.
- It entered into force on 4th October 1967.
- 147 countries are parties to the protocol, where **India is not one**.
- Refugee under this protocol is defined as “a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself to the protection of that country” or “who, not having a nationality and being outside the country of his former residence as a result of such events, is unable or, owing to such fear, is unwilling to return of”.

News: Rashtriya Uchcharat Shiksha Abhiyan (RUSA)

- Recently, the Government has approved the scheme of Rashtriya Uchcharat Shiksha Abhiyan (RUSA) for continuation till 31st March.2026 or till further review, whichever is earlier with updated features.

Rashtriya Uchcharat Shiksha Abhiyan (RUSA)

- Rashtriya Uchcharat Shiksha Abhiyan (RUSA) is the **centrally sponsored scheme launched in October 2013 that aims at providing strategic funding to higher education institutions throughout the country.**
- The central funding (in the ratio of **60:40 for general category States, 90:10 for special category states and 100% for union territories**) is norm based and outcome dependent.
- The **funding flows from the Ministry of Education through the state governments / union territories to the State Higher Education Councils before reaching the identified institutions.**
- The funding to states would be made on the basis of critical appraisal of State Higher Education Plans, which would describe each state's strategy to address issues of equity, access and excellence in higher education.

Objectives

- **Improve the overall quality of state institutions** by conforming to the prescribed norms and standards.
- **Adoption of accreditation (certification of competency) as a mandatory quality assurance framework.**
- **Promoting autonomy in state universities** and improving governance in institutions.
- **Ensure reforms in the affiliation, academic and examination system.**
- **Ensure adequate availability of quality faculty in all higher educational institutions** and ensure capacity building at all levels of employment.
- **Create an enabling atmosphere for research** in the higher education system.
- **Correct regional imbalances in access to higher education** by setting up institutions in unserved and underserved areas.
- **Improve equity in higher education** by providing adequate opportunities to the disadvantaged.

New Phase features

- New phase of RUSA targets to **reach out the unserved, underserved areas, remote/ rural areas, difficult geographies, LWE (Left-Wing Extremism) areas, NER (North Eastern Region), Aspirational Districts, tier-2 cities, areas with**

low GER (Gross enrolment ratio) etc., and to benefit the most disadvantaged areas and SEDGs (Socio-Economically Disadvantaged Groups).

- The new phase of the scheme has been designed to implement some of the recommendations and aims of the New Education Policy, which suggests some key changes to the current higher education system to revamp and re-energize it and thereby deliver quality higher education, with equity and inclusion.
- State Governments will be supported for Gender inclusion, Equity Initiatives, ICT, Enhancing employability through vocationalisation & skill upgradation.
- States will also be supported for creation of new Model Degree Colleges.
- State Universities will be supported for Multi – Disciplinary Education and Research.
- Grants will be provided for strengthening both accredited and non-accredited Universities and Colleges for undertaking various activities including teaching-learning in Indian languages.

News: Kaziranga

- Recently, a case of poaching of the world-famous one-horned rhino has been suspected inside the Kaziranga National Park in Assam.

Kaziranga National Park

- Kaziranga National Park is located in **Assam**.
- The Kaziranga Protected Area was established in **1904** and is **located on the edge of the Eastern Himalayan Biodiversity Hotspot**.
- Kaziranga is a **World heritage Site, Tiger Reserve, Elephant reserve, and an Important Bird Area** under Birdlife International.
- The park area is circumscribed by the **Brahmaputra River, which forms the northern and eastern boundaries**, and the **Mora Diphlu, which forms the southern boundary**. Other notable rivers within the park are the Diphlu and Mora Dhansiri.
- Kaziranga is famous for Big 5 animals – **Greater one-horned Rhinoceros; Indian Elephant; Asiatic wild water buffalo, Royal Bengal Tiger, Swamp Deer**.
- Kaziranga has the **largest population of the Wild water buffalo anywhere accounting for about 57% of the world population**.
- Kaziranga has the highest Tiger density of **12.72 per 100 sq km in 2014**.

- Kaziranga is also home to 9 of the 14 species of primates found in the Indian subcontinent.
- Currently, an Invasive Alien Species (IAS) named **Congress grass depletes the Elephant grass favourite food of Indian Rhinoceros.**
- Recently, Assam government has approved the **addition of 30.53 km² to the 884km² National Park.**
- The additions are habitat corridors and would **help provide connectivity to Orang and Nameri National Parks across river Brahmaputra.**
- **National Highway 37** (which connects Karimganj in Assam with Bhalia in Manipur) **passes through Kaziranga.**
- Recently, Kaziranga was **accredited with Conservation Assured | Tiger Standards (CA|TS) for its excellence in Tiger conservation.**
- Recently, Kaziranga **became the first national park in India to have been equipped with satellite phone, which are generally used by the law enforcing agencies.** The satellite phones will give an edge to the forest personnel over the poachers and also during emergencies like floods.
- The **public is barred from using satellite phones in India.**
- In the World Rhino Day 2021, **The “world’s largest stockpile” of rhino horns was burned in the headquarters of the Kaziranga National Park and Tiger**

Reserve, amid Vedic rituals, which was aimed at dispelling myths that have driven the illegal horn trade and the poaching of the animal.



7 NATIONAL PARKS IN ASSAM

- 6th : Raimona National Park (Notified in 2021)
- 7th : Dihing Patkai National Park (Notified in June 2021)

Greater One-Horned Rhinoceros

- Great One-Horned Rhinoceros is of the 5 sub-species of Rhino family.
- It is also known as Indian Rhinoceros.

- IUCN Red List status: **Vulnerable**.
- The Indian Rhino is listed in CITES **Appendix I** and Schedule I of **Wildlife protection act, 1972**.
- 2575 matured individuals are left as of 2008.
- The Indian Rhinoceros has a **single black horn which is present in both male and female species**.
- Considered to be the most amphibious of all the rhino species, the Indian rhino is an **excellent swimmer**.
- It can run at speeds of up to **55km/hr for short periods of time**.
- Rhino population is distributed in **southern Nepal, northern West Bengal, and the Brahmaputra valley**.
- In India, Great Indian Rhinos are protected in **Kaziranga National Park, Manas National Park, Pobitora Wildlife Sanctuary and Orang National Park in Assam, Gorumara National Park and Jaldapara National Park in West Bengal, Dudhwa National Park cum Tiger Reserve and Katarniaghat Wildlife Sanctuary in Uttar Pradesh**.
- **3/4th of Indian rhino is present in Kaziranga National Park**. The protected area with **most density of Rhinos is Pobitora Wildlife Sanctuary**.
- All rhinos have **poor eyesight**. Rhinos have **blurred vision and tend to attack based on smell and hearing**.

- Protected under **Indian Rhino Vision 2020**.
- It is the **only sub - species of Rhino** which is found in India.
- Major threats faced include **Poaching for horn and skin and Habitat destruction**.
- The Ministry of Environment, Forest and Climate Change (MoEFCC) has undertaken a **project to create DNA profiles of all rhinos present in India**. After completed, Indian Rhino will become India's first wild animal species to have all its members DNA-sequenced. It will be stored in Wildlife Institute of India, Dehradun.

Asian Rhino Range Countries

- Asian Rhino Range Countries include **Bhutan, India, Indonesia, Malaysia, and Nepal**. The **New Delhi Declaration** was adopted at the second meeting of the Asian rhino range countries. New Delhi Declaration underscored **trans-boundary collaboration among India, Nepal, and Bhutan for the conservation and protection of the greater one-horned rhino**.