Prelim Bits 09-08-2022 | UPSC Daily Current Affairs

GSTAT

The high-level ministerial panel on Goods and Services Tax Appellate Tribunal (GSTAT) may decide on inclusion of state representation and ease qualifications for technical members of the appellate tribunal.

- In 2019, the Union Cabinet has approved the creation of National Bench of the Goods and Services Tax Appellate Tribunal (GSTAT) at New Delhi.
- However, the process could not move further due to stay order by the Madras High Court.
- The Central Goods and Services Tax (CGST) Act 2017 empowers the Central Government to constitute the GSTAT, on the recommendation of the GST Council.
- The GSTAT is the **forum of second appeal** in GST laws and the first common forum of dispute resolution between Centre and States.
- The appeals against the orders in first appeals issued by the Appellate Authority or the Revisional Authority under the Central and State GST Acts lie before the GSTAT.
- The GSTAT is common under the Central as well as State GST Acts.
- Being a common forum, GST Appellate Tribunal will ensure that there is **uniformity in redressal of disputes** arising under GST, and therefore, in implementation of GST across the country.
- Originally, it was decided that the GSTAT shall be presided over by its President and shall consist of
    1. One Judicial Member and
    2. Two Technical Members (one each from the Centre and States).
- According to the amendments proposed in the CGST Act, 2017, the GSTAT should have a President and consist of a technical member -either from the Centre or from a state.
- In addition to the principal Bench at New Delhi, the government would constitute a number of Benches at locations as may be recommended by the council.
- It would be based on the request of a state government, where applicable, the draft amendment proposed.

Problems

- The states at loggerheads with the Centre as they seek equal representation in the GSTAT.
- The GST Council, chaired by Finance Minister, had decided to constitute a Group of Ministers (GoM) to address various concerns raised by States in relation to constitution of the GSTAT.
- The panel is learnt to be in favour of easing the qualification criteria for technical members (state).

Reference

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Fluorosis

Recently, the National Centre for Disease Control has shared the technical guidelines for detection, prevention and management of Arsenicosis and Fluorosis with the States affected by Arsenicosis and Fluorosis respectively.

- Fluorosis is a crippling disease resulted from deposition of fluorides in the hard and soft tissues of body.
- It is a public health problem that is caused by excess intake of fluoride through drinking water/ food products/ industrial pollutants over a long period.
- It results in major health disorders like dental fluorosis, skeletal fluorosis and non-skeletal fluorosis.

Type of Fluorosis	Definition
Dental Fluorosis	1. It affects children. 2. It discolours and disfigures the teeth. 3. The teeth could be chalky white and may have white, yellow, brown or black spots or streaks on the enamel surface. 4. Discoloration is away from the gums and bilaterally symmetrical.
Skeletal Fluorosis	1. It affects the bones and major joints of the body with severe pain, rigidity or stiffness in joints. 2. In severe forms, it results in marked disability.
Non-Skeletal fluorosis	1. It is an earlier manifestation of fluorosis seen as gastro-intestinal complaints etc. 2. It may overlap with other diseases leading to misdiagnosis.

- **Distribution** - Fluorosis is worldwide in distribution and endemic at least in 25 countries.
- It has been reported from fluoride belts:
    1. One belt stretches from Syria through Jordan, Egypt, Libya, Algeria, Sudan and Kenya, and
    2. Another belt stretches from Turkey through Iraq, Iran, Afghanistan, India, northern Thailand and China.
- There are similar belts in the Americas and Japan.
- In India, Rajasthan, Gujarat and Andhra Pradesh are the worst affected states.
- **Related Links** - Arsenic Pollution (Arsenic poisoning or Arsenicosis)

Drinking water supply is a State subject.

Programmes

- **Rajiv Gandhi National Drinking Water Mission** started by Ministry of Rural Development worked for control of fluorosis through its awareness campaign from 1987- 1993.
- This awareness campaign was coordinated by Fluorosis Control Cell at the All India Institute of Medical Sciences (AIIMS), Delhi.
- **NPPCF** - In 2008-09, during 11th Five Year Plan, the Ministry of Health and Family Welfare launched the National Programme for Prevention and Control of Fluorosis (NPPCF).
- The aim of the NPPCF is the prevention, diagnosis and management of fluorosis in endemic areas.
- The 100 district with high fluoride content in drinking water were covered under the programme during the 11th Plan in phased manner and another 95 are to be covered during the 12th Plan.
- The strategies are,
    1. Surveillance of fluorosis in the community and school children;
    2. Capacity building in the form of training and man power support;
    3. Diagnostic facilities in the form of lab support & equipment including ion meter to monitor the fluoride content in water and urinary levels;
    4. Management of fluorosis cases by providing for corrective surgeries and rehabilitation;
    5. Health education.
- **Funding Pattern** - The Centre will bear 75% of the total budget and the State Government will contribute 25% of the budget.
- In case of North Eastern States, it will be 90% and 10% respectively.

National Centre for Disease Control

- The National Centre for Disease Control (NCDC) is an organization under the Director-General of Health Services, the Ministry of Health and Family Welfare.
- It is the **nodal agency** in the country for disease surveillance facilitating prevention and control of **communicable diseases**.
- It functions as a **national centre of excellence** for the control of communicable diseases.
- The NCDC had its origin as Central Malaria Bureau, established at Kasauli (Himachal Pradesh) in 1909.
- In 1963, it was successful in containing malaria disease under National Malaria Eradication Programme (NMEP).
- So, the Government of India decided to reorganize and expand the activities of the institute to cover other communicable diseases and renamed it as the National Institute of Communicable Diseases (NICD).

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Longboarding

The death of a 31-year-old skating enthusiast from Kerala, while 'longboarding' has raised serious concerns about adventurous solo trips undertaken using the skateboard.

- **Skateboard** is a long plank made of wood, plastic, or even heavier materials, balanced on top of small wheels.
- The sport originated in the US around the 1950s, and in the 2020 Tokyo Olympics, skateboarding was included as a competitive category for the first time.
- **Longboard** is similar to the skateboard. It is naturally longer but flatter when compared to skateboard boards, which have upward-curving ends.
- There are other technical differences in wheel sizes and distance between wheels.
- A longboard has larger, softer wheels that roll longer and smoother, giving a much different ride than a typical street board.
- Longboarding (downhill) is one among many sports that come under the category of Roller Sports. Some other examples of Roller Sports are
    1. Park Skateboarding,
    2. Street Skateboarding, and
    3. Freestyle skateboarding.
- **Rules -** According to the Roller Skating Federation of India (RSFI), solo longboarding trips fall in the category of adventurous activities.
- The RSFI allow such trips under strict norms and guidelines.
- The person keen on such solo trips should inform their parent state government, which will give the green signal and further inform other states which will be crossed by the riders.
- Either the rider's associates or the concerning state police are to escort the rider from the front and rear whenever the rider moves on the road.
- There also needs to be a surety of emergency assistance round-the-clock for the rider.

Roller Skating Federation of India

- The Roller Skating Federation of India (INDIA SKATE) is the national governing body for skateboarding and roller sports in India.
- The RSFI was established in 1955, and is affiliated with World Skate (World Parent body of Roller Skating) since 1971.
- It is the founder member of the Asian body World Skate Asia(1978).
- It was accorded recognition by the Government of India in 1990 and was later recognized by the Indian Olympic Association.
- Roller Skating is a part of All India University Games, SGFI Nationals, CBSE Nationals, KV Nationals and ICSE Nationals.

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Foreigners' Tribunals

The Gauhati High Court has asked the Centre and the Assam government to decide collectively whether the ministerial staff for 200 additional Foreigners' Tribunals would be appointed.

- Foreigners' Tribunals (FT) are **quasi-judicial bodies** established as per the Foreigners' Tribunal Order, 1964 and the Foreigners' Act, 1946.
- It is unique to Assam (due to Assam's National Register of Citizens).
- **Establishment** - In the beginning, the powers to constitute tribunals were vested only with the Centre.
- The Ministry of Home Affairs (MHA) has amended the 1964 Order to empower district magistrates in all States and UTs to set up tribunals to decide whether a person staying illegally in India is a foreigner or not.
- **Powers of Tribunal** - According to the Foreigners' Tribunal Order, 1964 the Foreigners' Tribunal,
    1. Shall have the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908.
    2. Can summon and ask for the attendance of any person and examine him/her on oath.
    3. Can ask anyone to produce the required documents,
    4. Can commission examining any witness, as and when required.
- **Working** - Under the provisions of Foreigners' Act, 1946 and Foreigners Tribunal Order, 1964, only Foreigner Tribunals have the right to declare a person as a foreigner.
- The FT is for those who have been left out in the final NRC list or have been marked as 'D' ('doubtful'). The ones falling under this category have the right to appeal to the Foreigners Tribunal.
- Thus, non-inclusion of a person's name in the NRC does not by itself amount to him/her being declared a foreigner.
- However, if declared a foreigner or placed under the doubtful category 'the burden of proof lies with the accused'.
- If a person allegedly fails to prove their citizenship before the Foreigners' Tribunal after the State police's Border wing marks him or her as an illegal immigrant, they will be marked as a declared foreigner (DF).

Res judicata

- In law, there is a principle known as *res judicata*, which (barring exceptional circumstances) prevents anyone from reopening an issue that has been decided by a court.
- The purpose behind *res judicata* is to prevent the continuous harassment of ordinary people by powerful authorities, such as the State.
- This principle protects individuals against State impunity.
- However, the Gauhati high court (HC) in 2018 held that foreigners' tribunals were not

bound by the principle of *res judicata*.

- In this judgment, the HC noted that technically, FTs did not render judgments, but opinions, about whether or not a specific individual was a foreigner or an Indian citizen.
- It was then for the government to decide - based on this opinion - what action to take (detention or deportation of a "declared foreigner").

Reference

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CPCB Report on Plastic Waste Generation

- **Current Situation** - The Central Pollution Control Board (CPCB) said that India ranks as the fifth highest country in generation of plastic waste with an annual discharge of 3.5 million tonnes in fiscal year 2020.
- Almost 83% of this comes from just 10 states/ Union Territories (UT).
- On a per capita basis, India's plastic waste generation has almost doubled over FY 2016-20; however, remains lower than most of the developed economies.
- The CPCB has also found that Maharashtra, Tamil Nadu and Gujarat are among the top Indian plastic waste producers.
- **Ban** - India has banned the use of 19 single-use plastic (SUP) items manufactured using non-biodegradable / non-compostable plastic with effect from July 2022.
- Earlier, India had banned the use of plastic carry bags with thickness less than 75 microns with effect from September 30, 2021, which will be increased to 120 microns with effect from December 31, 2022.

Plastic Waste Management Rules 2016 mandates the plastic waste generators to take steps to minimize generation of plastic waste, prevent plastic littering, and ensure segregated storage of waste at source among other measures.

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