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DIRECTORATE OF ENFORCEMENT (ED)

SOURCE: [THE HINDU](#)

GS PAPER II- CONSTITUTIONAL & STATUTORY BODIES

WHY IN NEWS:

The Supreme Court extended the ED Director Sanjay Kumar Mishra's tenure until September 15 for "public and national interest" despite previously declaring it "invalid and illegal." The extension was sought by the government for the ongoing FATF evaluation. However, no further extensions will be allowed after mid-September, raising concerns about the department's dependence on a single individual.

ABOUT ED:

The Enforcement Directorate (ED) is a multi-disciplinary agency responsible for probing money laundering and foreign exchange law violations. It operates under the Ministry of Finance's Department of Revenue and is recognized as a leading financial investigation body adhering to India's Constitution and laws.

FUNCTIONS OF ED

- **Prevention of Money Laundering Act (PMLA):** ED enforces the PMLA to prevent money laundering, trace crime proceeds, provisionally attach property, and prosecute offenders in Special courts for confiscation.
- **Foreign Exchange Management Act (FEMA):** ED investigates suspected violations of foreign exchange laws, adjudicates cases, and imposes penalties for contraventions.
- **Fugitive Economic Offenders Act (FEOA):** ED attaches properties of economic offenders who evade Indian law and confiscates their assets for the Central Government.
- **Foreign Exchange Regulation Act (FERA):** ED adjudicates Show Cause Notices under the repealed FERA for contraventions up to May 31, 2002, and pursues prosecutions in relevant courts.
- **COFEPOSA Sponsorship:** ED sponsors cases of preventive detention under COFEPOSA for contraventions of FEMA.

APPOINTMENT OF ED:

- The appointment of the ED Director is made by the central government based on a committee's recommendation.
- The committee is chaired by the Central Vigilance Commissioner.

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- The committee's members include Vigilance Commissioners, Home Secretary, Secretary of Department of Personnel and Training (DOPT), and Revenue Secretary.

JURISDICTION OF ED:

1. The scope of both **FEMA and PMLA** applies to the **entire territory of India**, allowing the ED to take action against any person falling under these acts.
2. Cases under **FEMA** are dealt with in **civil courts**, while **PMLA** cases are handled in **criminal courts**.
3. The ED has jurisdiction over individuals or legal entities involved in criminal activities.
4. **Public servants** can be subject to the agency's jurisdiction if they are implicated in money laundering offenses.
5. The **ED cannot initiate action on its own**; a complaint must be lodged with another agency or the police, after which the ED will conduct its investigation and identify the accused.
6. After investigation, the ED may **seize the property** of the accused and **make arrests**, initiating proceedings for violations of FEMA and PMLA provisions.
7. The resolution of the matter will be determined through **adjudication in courts or PMLA courts**.

ISSUES RELATED TO ED:

- 1. Low Conviction Rates:** The ED has faced criticism for its low conviction rates in cases related to money laundering and financial crimes, raising questions about its effectiveness in securing convictions.
- 2. Selective Targeting:** The agency has been accused of selective targeting and using its powers for political purposes, leading to doubts about its impartiality and fairness in investigations.
- 3. Lengthy Investigations:** The ED's investigations often take a long time, leading to delays in resolving cases and impacting the agency's ability to secure timely convictions.
- 4. Misuse of Powers:** There have been allegations of the ED's overreach and misuse of its powers during investigations, leading to concerns about harassment and intimidation.
- 5. Lack of Transparency:** The agency has faced criticism for its lack of transparency in handling cases and sharing information with the public, raising questions about accountability.
- 6. Resource Constraints:** The ED encounters resource constraints in terms of manpower, financial allocations, and technological infrastructure, which can impede the efficiency of investigations.
- 7. Coordination with Other Agencies:** Collaboration and coordination with other law enforcement agencies can be challenging due to differences in organizational culture and sharing of information.

WAY FORWARD:

- To ensure constitutionality under the Prevention of Money Laundering Act (PMLA), **cooperation between the adjudicating authority and ED officers** is crucial for transparent investigations.
- The process should not become a form of punishment. ED's expanded powers should be accompanied by a commitment to resolve cases promptly, allowing for speedy trials and convictions.

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- **Continuous monitoring of the ED's operations** is necessary to assess the impact of these clarifications on the conviction rate, which is currently less than half a percent.
- Any deficiencies in implementation can be addressed through suitable legislation, executive action, or revised court orders. Adaptation and improvement are natural aspects of the legal system.



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CIRCULAR ECONOMY

SOURCE: [TH](#) , [Economic Times](#) , [PIB](#) , [UN](#)

SYLLABUS: GS III, Conservation, Environment, Pollution & Degradation

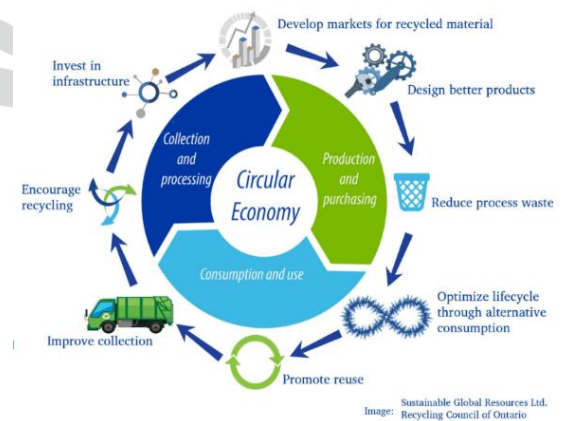
WHY IN NEWS?

At the fourth G-20 Environment and Climate Sustainability Working Group (ECSWG) and Environment and Climate Ministers' meeting in Chennai, the Resource Efficiency Circular Economy Industry Coalition (RECEIC) was launched. The coalition, consisting of **39 multinational corporations from various sectors, pledged to adopt resource efficiency and circular economy principles** to address environmental challenges related to waste, including plastics, microplastics, e-waste, and chemical waste.

ABOUT CIRCULAR ECONOMY:

The circular economy is a production and consumption model that emphasizes sharing, leasing, reusing, repairing, refurbishing, and recycling materials and products to extend their life cycle. It contrasts with the linear economic model that follows a take-make-consume-waste pattern and relies on abundant cheap materials and energy. The circular economy aims to promote sustainability and reduce waste.

According to the Circularity Gap Report 2020, the global economy is only 8.6% circular. This means that over 90% of the resources that enter the economy (100 billion tonnes per year) are wasted.



NEEDS AND OPPORTUNITIES FOR CIRCULAR ECONOMY IN INDIA:

- Resource Efficiency:** India's limited natural resources and growing population necessitate the adoption of circular economy principles to optimize resource use and reduce wastage.
 - Example: Efficient recycling of electronic waste can recover valuable materials like gold, silver, and copper, reducing the need for mining new resources.
- Waste Management:** India faces significant challenges in managing waste, particularly plastic and electronic waste. A circular economy approach can address these issues through recycling and proper disposal.
 - Example: India generated over 9.46 million metric tons of plastic waste in 2019-20, highlighting the need for effective circular waste management strategies (Source: CPCB).
- Job Creation:** Transitioning to a circular economy can create new employment opportunities in areas like repair, refurbishment, and recycling.
 - Example: A study by Ellen MacArthur Foundation estimates that adopting circular economy principles in India's automotive and electronics sectors could create 1 million additional jobs by 2030.

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4. **Economic Growth:** Circular economy practices can contribute to economic growth by stimulating innovation and increasing resource productivity.

- a. Example: According to a study by NITI Aayog, adopting circular economy principles in India's construction and automotive sectors could lead to a potential economic gain of \$382 billion by 2030.

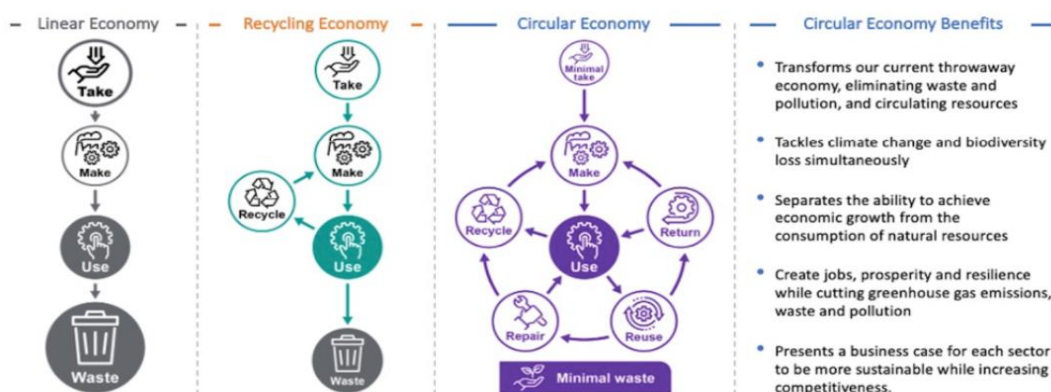
PRELIMS SPECIFIC:
The circular economy holds particular promise for achieving multiple SDGs, including SDGs 6 on energy, 8 on economic growth, 11 on sustainable cities, 12 on sustainable consumption and production, 13 on climate change, 14 on oceans, and 15 on life on land.

5. **Sustainable Manufacturing:** Circular economy concepts promote eco-friendly manufacturing practices, reducing the environmental impact of industries.

- a. Example: Incorporating closed-loop production systems in textile industries can minimize water consumption and waste generation.

6. **Climate Mitigation:** Circular economy practices can contribute to India's climate goals by reducing greenhouse gas emissions associated with resource extraction and waste disposal.

- a. Example: According to a study by McKinsey, circular economy strategies can help India reduce 44% of its projected greenhouse gas emissions by 2030.



Source: World Economic Forum

STEPS TAKEN BY THE GOVERNMENT OF INDIA TO PROMOTE CIRCULAR ECONOMY:

1. **Policy Initiatives:** The government has introduced various policies and initiatives to encourage circular economy practices.
 - a. Example: The National Resource Efficiency Policy aims to promote sustainable resource use, waste reduction, and recycling to achieve a circular economy.
2. **Extended Producer Responsibility (EPR):** The EPR framework has been implemented to hold producers responsible for managing post-consumer waste of their products.
 - a. Example: EPR guidelines for plastic waste management mandate producers to take back and recycle a certain percentage of plastic packaging.

3. **Waste Management Rules:** The government has revised waste management rules to prioritize recycling and proper disposal.
 - a. Example: The Plastic Waste Management Rules, 2016, focus on waste segregation, recycling, and the ban on certain single-use plastic items.
4. **Startup and Innovation Support:** The government has launched schemes and funding support for startups and businesses promoting circular economy innovations.
 - a. Example: The Startup India scheme provides funding, mentoring, and other support to startups developing circular economy solutions.
5. **Green Public Procurement:** The government has encouraged green procurement practices to drive demand for eco-friendly and recycled products.
 - a. Example: Government departments are encouraged to procure products with higher recycled content, promoting the use of recycled materials.
6. **Waste-to-Wealth Initiatives:** The government has launched projects to convert waste into valuable resources.
 - a. Example: Swachh Bharat Mission's Waste-to-Wealth component promotes waste segregation and composting, generating organic manure from biodegradable waste.

Additional Data:

- According to the Central Pollution Control Board, India generated over 9.46 million metric tons of plastic waste in 2019-20.

- NITI Aayog estimates that adopting circular economy principles in India's construction and automotive sectors could lead to a potential economic gain of \$382 billion by 2030.

WAY FORWARD:

- **Awareness and Education:** Raise awareness among citizens, businesses, and policymakers about the benefits and importance of circular economy practices.
- **Policy Support:** Strengthen and implement supportive policies that incentivize circular economy initiatives and penalize wasteful practices.
- **Collaboration and Partnerships:** Foster collaboration between governments, businesses, academia, and civil society to drive circular economy projects and research.
- **Research and Innovation:** Invest in research and innovation to develop sustainable technologies and circular business models.
- **Infrastructure Development:** Develop efficient waste management systems, recycling facilities, and resource recovery infrastructure.
- **Extended Producer Responsibility (EPR):** Strengthen EPR frameworks to ensure producers take responsibility for their products throughout their lifecycle.

YAMUNA FLOODS

SOURCE: [TH](#) , [Indian Express](#) , [MINT](#)

RECENT CONTEXT:

Heavy rains have caused flooding in Delhi's elite neighbourhoods close to the Yamuna River's floodplains, including Civil Lines, Rajghat, and the Supreme Court. The flooding is attributed to haphazard construction, urbanization, inadequate housing, and weak regulations, despite the floodplains being designated as protected areas in the past.

CAUSES OF URBAN FLOODING:

1. **Poor Drainage Infrastructure:** Inadequate drainage systems and blocked drains result in waterlogging during heavy rainfall. Example: Mumbai's annual monsoon flooding.
2. **Encroachment of Water Bodies:** Unplanned urbanization leads to the filling and construction over water bodies, reducing their capacity to hold water. Example: Bengaluru's vanishing lakes.
3. **Deforestation and Impermeable Surfaces:** Concrete jungles and reduced green cover increase surface runoff, leading to flooding. Example: Urban areas with excessive concrete development.
4. **Climate Change:** Changing weather patterns result in more intense and erratic rainfall, contributing to urban flooding. Example: Increased frequency of extreme rainfall events.
5. **Heavy Monsoon Rains:** Intense and prolonged monsoon rainfall leads to river overflow. Example: Kerala floods in 2018.
6. **Deforestation and Land Use Changes:** Clearing forests and altering land use increase surface runoff and soil erosion, exacerbating river flooding.
7. **Dam Mismanagement:** Poor management of dams and reservoirs can lead to sudden releases and aggravate river flooding. Example: Dam release during heavy rains in Tamil Nadu.
8. **River Encroachment:** Encroachment on river banks reduces the natural floodplains, causing water to overflow onto inhabited areas. Example: Unauthorized constructions along riverbanks.

PRELIMS SPECIFIC:

- The Yamuna River is a significant **tributary of the Ganges** in Northern India and a part of the extensive Yamuna-Ganga Plain.
- It originates from the **Yamunotri Glacier** in the lower Himalayan ranges at an elevation of 6,387 meters.
- Flowing through **Uttarakhand, Himachal Pradesh, Haryana, and Delhi**, it meets the Ganges at the **Sangam in Prayagraj, Uttar Pradesh**.
- The river is associated with important **dams** such as **Lakhwar-Vyasi Dam** in Uttarakhand and **Tajewala Barrage Dam** in Haryana.
- It is nourished by several essential **tributaries like Chambal, Sindh, Betwa, and Ken**.
- The government has undertaken initiatives like the **Yamuna Action Plan** and **Delhi Government's Six-Point Action Plan to Clean Yamuna by February 2025** to address the river's pollution and conservation issues.

Data: Over 40 million Indians are affected by floods each year, with river flooding being a significant contributor, according to the National Disaster Management Authority (NDMA).

IMPACTS OF URBAN FLOODING:

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1. **Infrastructure Damage:** Urban flooding damages roads, bridges, buildings, and utility networks.
2. **Disruption of Transportation:** Flooded roads and public transport systems disrupt travel and commute. Eg: Waterlogged streets in Mumbai cause traffic jams and delays.
3. **Health Hazards:** Stagnant water becomes a breeding ground for diseases like dengue and cholera.
4. **Economic Losses:** Flooding leads to business disruptions and loss of productivity. Floods in commercial areas of major cities impact businesses and result in financial losses.
5. **Property Damage:** Floodwaters can cause extensive damage to homes and properties.
6. **Environmental Impact:** Urban flooding harms ecosystems, affecting wildlife and vegetation. Eg: Floods in cities like Bengaluru affect parks and green spaces.
7. **Social Displacement:** People may be forced to evacuate their homes, leading to temporary displacement.
8. **Impact on Vulnerable Communities:** Low-income communities in informal settlements are more vulnerable to flooding's adverse effects. Eg: Slums in cities suffer the most during urban floods due to lack of proper infrastructure and services.

GOVERNMENT INITIATIVES TO MANAGE AND MITIGATE URBAN FLOODING:

- **National Urban Flood Management Program (NUFM):** Launched by the Ministry of Urban Development to address urban flooding issues through integrated flood management plans.
- **Smart Cities Mission:** The mission focuses on developing climate-resilient and sustainable infrastructure in selected cities to tackle urban flooding.
- **Atal Mission for Rejuvenation and Urban Transformation (AMRUT):** Aims to upgrade basic urban infrastructure, including drainage systems, to mitigate flooding.
- **National Disaster Management Authority (NDMA):** The NDMA works on disaster management policies and strategies, including flood management and mitigation.
- **River Rejuvenation and Conservation:** Various programs like **Namami Gange** and **National River Conservation Plan (NRCP)** aim to restore and rejuvenate rivers to reduce the risk of flooding.
- **Green Initiatives:** Government initiatives like Swachh Bharat Abhiyan and Clean India Mission contribute to reducing waste and promoting better waste management, indirectly reducing urban flooding risks.

What causes urban floods?

Meteorological factors

- Unprecedented rainfall
- Influence of urban microclimate

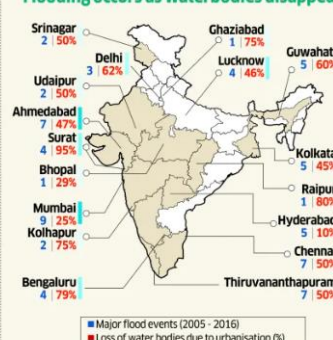
Hydrological factors

- Change in the course of rivers
- Presence of high tide
- Synchronisation of runoffs of various parts of the watershed

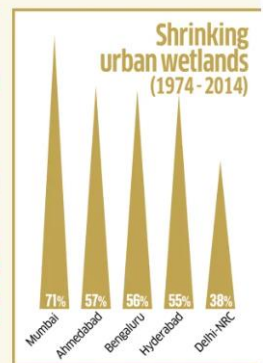
Human factors

- Rapid urbanisation and deforestation
- Loss of waterbodies
- Encroachment of floodplains and low lying areas
- Damage to drainage channels
- Buildings designed without regard to flood risk
- Lack of water conservation infrastructure

Flooding occurs as waterbodies disappear



Shrinking urban wetlands (1974-2014)



CITIES AND THE YEAR THEY SAW MAJOR FLOODS

Mumbai: 2005 - Present; Bengaluru: 2005, 2007, 2015, 2020; Chennai: 2002, 2004, 2005, 2006, 2007, 2015; Ahmedabad: 2017; Kolkata: 2007, 2017; Hyderabad: 2020

Source: Deccan Herald

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- **Improved Drainage Systems:** Enhancing and maintaining stormwater drainage systems to efficiently carry excess water away from urban areas.
- **Floodplain Management:** Restricting construction in flood-prone areas and preserving natural floodplains to allow water absorption during heavy rains.
- **Green Infrastructure:** Promoting green spaces, rain gardens, and permeable pavements to absorb rainwater and reduce surface runoff.
- **Urban Planning:** Implementing better urban planning and zoning regulations to avoid construction in flood-prone regions.
- **Early Warning Systems:** Developing and implementing effective early warning systems to alert residents and authorities about imminent floods.
- **Flood Insurance:** Encouraging and facilitating flood insurance coverage to mitigate financial losses for affected individuals and businesses.
- **Climate Resilient Infrastructure:** Building and retrofitting infrastructure with climate resilience in mind to withstand extreme weather events.



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