1. Can retailers charge you for carry bags: What consumer court orders say

Why in news?

The Delhi Consumer Dispute Redressal Commission (DCDRC) last month directed fashion brand Lifestyle to pay a customer Rs 3,000 for charging him Rs 7 for a paper carry bag.

Such a penalty is not rare. In October, a Bengaluru-based consumer court imposed a fine of Rs 3,000 on Ikea, a furniture company, for charging Rs 20 for a bag which had its logo. In January, a store in Chandigarh was asked to pay Rs 26,000 by a Chandigarh Consumer Court as it asked a customer to pay Rs 10 for a carry bag.

Despite these rulings, retailers have continued to argue that no law bans them from charging the customer for a carry bag.

How charging of bags started?

The roots of the problem go back to 2011, when the Centre brought out the Plastic Waste (Management and Handling) Rules which mandated that "no carry bags shall be made available free of cost by retailers to consumers".

Carry bags in this case meant plastic bags, and the rule was meant to curb the use of plastic bags. Retailers, however, exploited this rule and started charging for paper and cloth bags as well, which was not explicitly mentioned in the rules.

Moreover, civic bodies had to determine the price of the plastic carry bags first, taking into consideration the cost of inputs and the cost of waste management. But this didn't happen.

Amendment of rules

Noticing that retailers were charging for paper bags and civic bodies had failed to fix the cost of carry bags, the Union government amended these rules in 2016. It introduced a new section called "Explicit pricing of carry bags", which asked retailers selling plastic bags to pay a certain amount as a plastic waste management fee and also to put up notices in outlets stating that plastic bags would be provided only on payment.

However, even this didn't work. The government brought another amendment in 2018 which altogether omitted the 2016 section. The new rules didn't mention anything about the pricing of carry bags and, like previous rules, didn't say anything specific about paper carry bags.

What retailers say

Retailers argue that there is no law which explicitly states that carry bags have to be supplied for free to the customers. They say the Plastic Waste Management Rules do not forbid the sale of all plastic carry bags by the stores to the customers, and there is no bar imposed on stores on charging money for carry bags. Since December 31, 2022, there has been a ban on the sale of plastic carry bags which are thinner than 120 microns.

Another point raised by retailers is a concept called 'polluters pay' — it requires that those who are responsible for pollution bear the costs of managing it to prevent damage to human health or the environment. Retailers hold customers as polluters and therefore, charge them for the plastic carry bags.

So can retailers legally charge customers for carry bags?

Yes, they can but several consumer courts have held that charging consumers for bags without informing them beforehand is illegal. For instance, in the recent Lifestyle case, the consumer court in Delhi held that providing information about carry bag charges during the payment process causes harassment to the customer. It also affects the consumer's right to make an informed decision to opt for a specific outlet or not, the court added.

Similarly, in 2021, a consumer court in Hyderabad ruled that the retailer, who was sued by a consumer, must provide free carry bags to all customers if the bags have the company's logo printed on them. However, the court also held that the retailer was at liberty to charge for the plain carry bags (without logos) with prior intimation and consent of the customers.

The District Consumer Disputes Redressal Forum in Chandigarh in a 2020 judgement called the practice of not providing prior information to the consumer about the cost of the paper bag 'arbitrary' and 'highhanded'.

Relevance: GS Prelims & Mains Paper II; Governance
Source: The Indian Express

2. How the PM JANMAN scheme can help Particularly Vulnerable Tribal Groups

Introduction

In November, the Union Cabinet approved the Pradhan Mantri Janjati Adivasi Nyaya Maha Abhiyan (PM JANMAN), aimed at providing PVTG households and habitations with basic facilities such as safe housing, clean drinking water and sanitation, improved access to education, health and nutrition, road and telecom connectivity, and sustainable livelihood opportunities.

In addition, saturation will also be ensured for schemes like Pradhan Mantri Jan Arogya Yojana (PMJAY), Sickle Cell Disease Elimination, TB Elimination, 100% immunisation, PM Poshan, PM Jan Dhan Yojana, etc. This initiative is part of the Pradhan Mantri-PVTG Development Mission announced in India's 2022-23 Union Budget, allocating Rs 15,000 crore over three years to develop them.

Figure 1The Baiga tribe of Chhattisgarh

Who are PVTGs?

In 1960-61, the Dhebar Commission identified disparities among Scheduled Tribes, leading to the creation of the "Primitive Tribal Groups" (PTG) category. In 2006, this category was renamed Particularly Vulnerable Tribal Groups (PVTGs).

Initially identifying 52 groups, the category was expanded to include 75 groups in 22,544 villages across 18 states and one Union Territory of India, totalling about 28 lakh individuals. These groups, living mainly in Maharashtra, Madhya Pradesh, Chhattisgarh, Jharkhand, Odisha, Andhra Pradesh, and Tamil Nadu, are characterised by pre-agricultural lifestyles, low literacy, small or stagnant populations, and subsistence economies. Population sizes vary significantly, from under 1,000 in some groups, such as the Great Andamanese (around 50) and the Onge (around 100), to over 1 lakh in others, such as Maria Gond of Maharashtra and Saura in Odisha. Some tribes in central India, like Birhor, face stagnation, while the Onge and Andamanese are experiencing a decline.

What are the challenges in their development?

PVTGs are severely marginalised due to their isolation, low population, and distinct socio-economic and cultural traits. They struggle with limited access to basic services, social discrimination, and vulnerability to displacement from development and natural disasters. They have little political representation, hindering their participation in decision-making.

Mainstream society often overlooks their traditional knowledge and practices, and stereotypes about their backwardness are prevalent.

They are also battling loss of traditional livelihoods and resource rights, lack of market knowledge for Non-Timber Forest Produce, and exploitation by middlemen, threatening their traditional occupations.

What schemes have been floated for them?

The Centre and state governments have introduced several initiatives to support PVTGs. The PVTG Development Plan provides education, healthcare, and livelihood opportunities while preserving traditional knowledge. The Pradhan Mantri Janjatiya Vikas Mission (PMJVM) focuses on market linkages and Minor Forest Produce (MFP) procurement at Minimum Support Prices.

Other significant schemes include the Pradhan Mantri Adi Adarsh Gram Yojana, Integrated Tribal Development Project (ITDP) and Tribal Sub-Plan (TSP), which collectively aim for the holistic development of tribal areas. Additional measures like Eklavya Model Residential Schools, land titles under the Forest Rights Act 2006, Support to Tribal Research Institute (STRI) scheme, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, The Panchayats (Extension to Scheduled Areas) Act 1996, and direct recruitment through reservations further aid in education, self-governance, and protection against discrimination.

However, challenges in implementation, such as resource limitations, lack of awareness, and unequal treatment among different PVTG groups have affected the effectiveness of these schemes.

What does PM-JANMAN do differently?

Proper identification and recognition: The criteria for identifying PVTGs have been criticised for being outdated. Some PVTGs are not recognised as Scheduled Tribes in certain states, and the list containing repetitive names has led to confusion and exclusion.

A 2014 report by Dr. Hrusikesh Panda, Secretary of the Ministry of Tribal Affairs, and a 2015 report by Virginius Xaxa highlighted these concerns. The actual number of PVTGs is around 63, accounting for overlaps and repetitions, as per the publication 'The

Particularly Vulnerable Tribal Groups of India — Privileges and Predicaments' by the Anthropological Survey of India.

Baseline surveys have only been conducted for about 40 PVTG groups, emphasising the need for targeted development planning. The government's initiative to create a Human Development Index for PVTGs is a significant step towards addressing these vulnerabilities.

Participatory bottom-up approach: To help PVTGs effectively, the scheme abandons the 'one-size-fits-all' approach in favour of customised strategies that respect their unique needs and priorities. It actively involves PVTGs in decision-making, addressing land rights, social inclusion, and cultural preservation. This community-based strategy embraces their cultural practices, beliefs, and traditions, ensuring their participation in planning, implementing, and monitoring development projects.

Livelihood promotion: Providing skills training and resources, like land and credit, will help in sustainable livelihoods. Implementing the Forest Rights Act by granting land titles secures access to forest resources. Section 3(1)(e) of the FRA specifically supports the rights of primitive tribal groups and pre-agricultural communities. Additionally, encouraging traditional technologies and skill enhancement through industry partnerships will help maintain cultural heritage while promoting sustainable development.

Health, nutrition and education: Outreach strategies like Mobile Medical Health Units will be crucial for providing healthcare in remote areas. These strategies need to be tailored for specific health issues like teenage pregnancies and oral health, and overcoming language and cultural barriers through sensitised healthcare workers or hiring those from within the community. Collaboration with trusted traditional healers can also aid in addressing complex health issues.

Incorporating their culture and language into the curriculum, providing transportation, and training teachers about PVTG cultural contexts can enhance education accessibility. Additionally, incentives for personnel working in PVTG areas and special educational institutes focused on PVTG needs can further improve opportunities for these communities.

Infrastructure development: The habitations of PVTGs often don't meet the criteria for schemes such as the Pradhan Mantri Grameen Sadak Yojana, Pradhan Mantri Awas Yojana and Jal Jeevan Mission due to factors like population requirements or lack of surveys.

Guidelines for infrastructure schemes, thus, have been relaxed to improve access to housing, water, sanitation, electricity, and connectivity. Adopting a tola-based

(habitation) approach rather than a Gram Panchayat-based approach for development planning will better address these communities' specific needs.

Relevance: GS Prelims & Mains Paper II; Governance
Source: Indian Express

3. Will SLIM revolutionise lunar landings?

Introduction

At 1.21 pm IST on December 25, Japan's Smart Lander for Investigating Moon (SLIM) spacecraft entered into orbit around the moon after a months-long journey, and ahead of its planned moon-landing attempt on January 19. If the attempt succeeds, Japan will become only the fifth country to soft-land a robotic craft on the natural satellite, months after India succeeded with its Chandrayaan-3 mission in August. Perhaps more importantly, SLIM's success or failure will also affect the upcoming Chandrayaan-4 mission.

What is SLIM?

SLIM is a spacecraft built and launched by the Japan Aerospace Exploration Agency (JAXA) on September 7, 2023, from the Tanegashima spaceport. It weighed only 590 kg at launch, which is almost one-seventh of Chandrayaan-3, which weighed 3,900 kg at launch. Of course, the latter mission also carried a larger suite of instruments.

SLIM was launched together with XRISM, a next-generation X-ray space telescope, onboard an H-2A rocket. JAXA had planned to launch SLIM and XRISM together, so delays in readying XRISM pushed SLIM's launch date from 2021 to 2023.

On December 25, SLIM entered into an elliptical orbit around the moon over three minutes or so. Its apogee (farthest point) in this orbit is 4,000 km and perigee (closest point) is 600 km above the lunar surface.

Notably, JAXA launched SLIM only two weeks after the surface component of India's Chandrayaan-3 mission succeeded and Russia's Luna 25 spacecraft failed. SLIM will also mark the second Japanese attempt this year to soft-land on the moon: the HAKUTO-R M1 lander crashed in late April after its engines shut down too soon during the landing.

How did SLIM get to the moon?

SLIM is lighter because it carried much less fuel. Of Chandrayaan-3's 3.9 tonnes, the propulsion module alone weighed 2.1 tonnes. This is why the mission was launched on July 14 and could reach the moon less than a month later, by following a route called the Hohmann transfer orbit.

On the other hand, SLIM took four months because it followed a longer but more fuel-thrifty route based on weak-stability boundary theory.

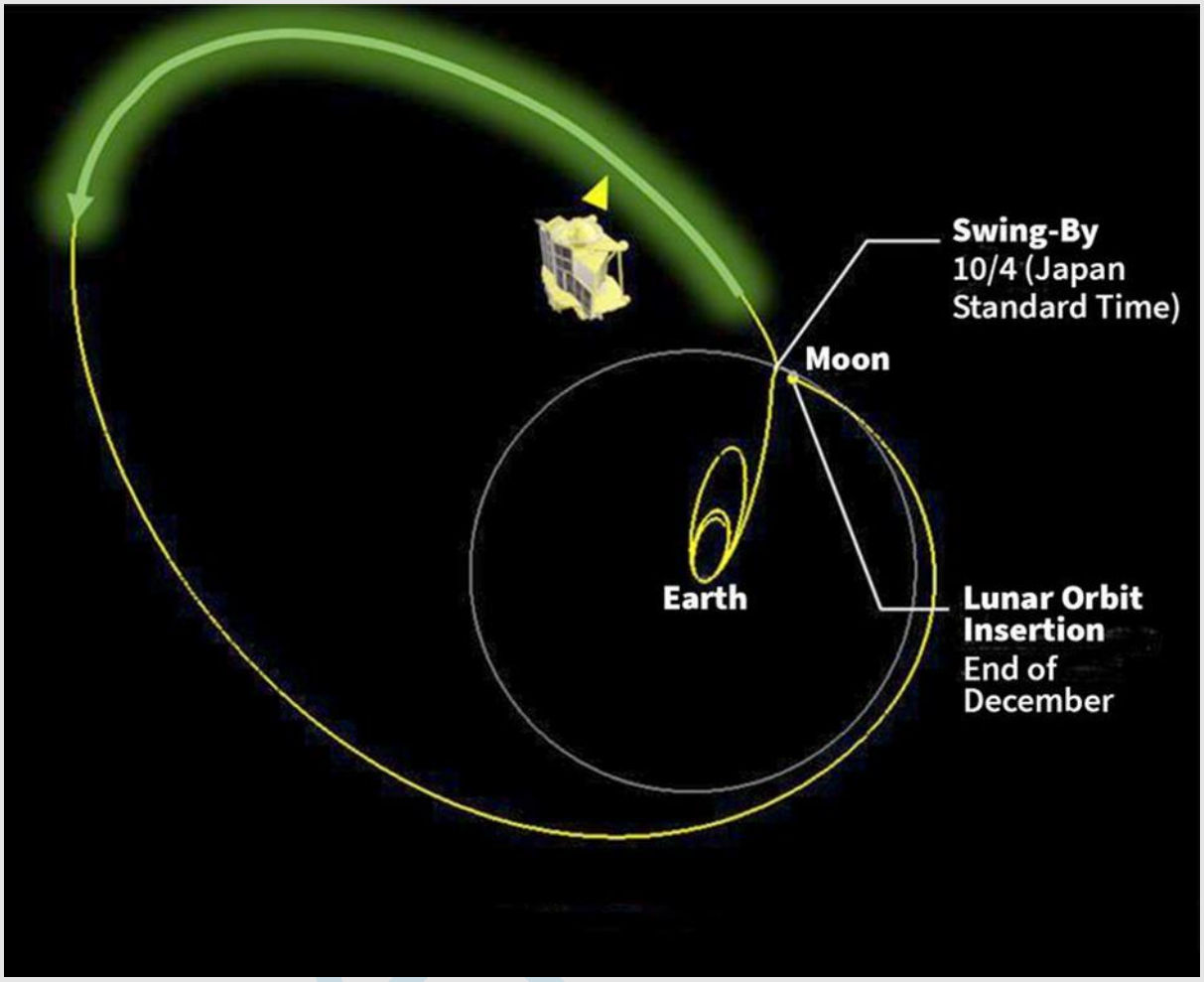
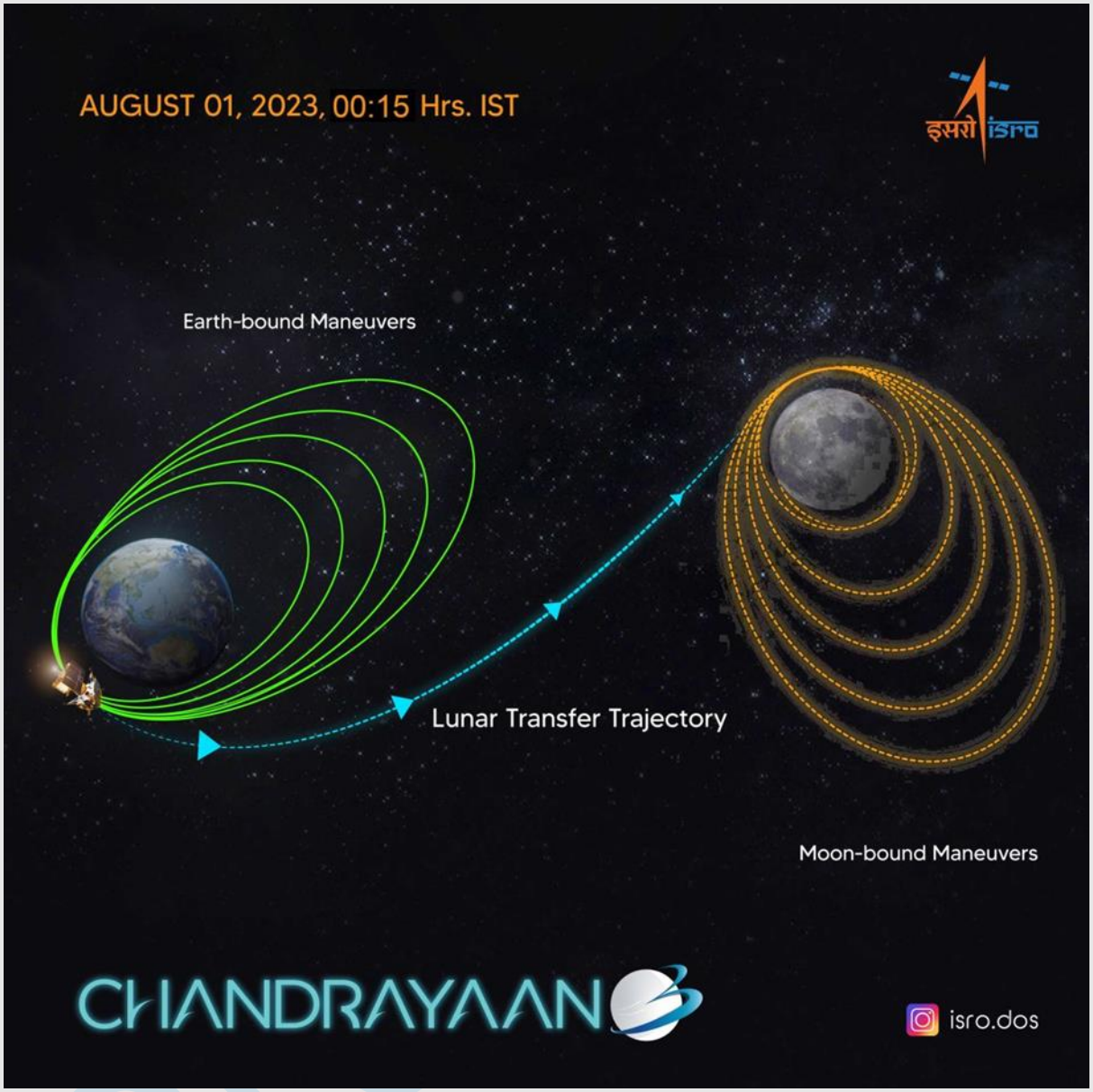


Figure 2A diagram illustrating SLIM's path from the earth to the moon

Once it was launched into an orbit around the earth, SLIM swung around the planet multiple times, building up its kinetic energy with each swing. Once it was travelling fast enough, it shot up towards the moon's orbit. Chandrayaan-3 followed a qualitatively similar path until this point.

Once it got close to the moon, Chandrayaan-3 applied its brakes – which consume fuel in space – so that it could slow down enough to be captured by the moon's weaker gravity. But once SLIM got near the moon, instead of slowing down and being captured by the moon's gravity, it allowed itself to be deflected in the moon's direction even as it shot past lunar orbit, deeper into space (see image above). This deflection is the result of the combined forces exerted by the earth and the moon.



What will SLIM do on the moon?

SLIM was subsequently on a larger, more loopy path that was designed to bring it back near the moon in December after it had slowed down further. By sacrificing some time, SLIM could be more fuel-efficient.

All this said SLIM's standout feature is its reputation as the "moon sniper" – a title derived from what it will do on the moon on January 19: it will try to land within 100 metres of its chosen landing site. This is an unusually tight limit given the history of moon-landing missions. For example, the 'Vikram' lander of Chandrayaan-3 was designed to descend in an elliptical area that was 4 km long downrange and 2.5 km wide cross-range, and it eventually landed at a spot 350 metres away from a predetermined one.

NASA's hulking 'Curiosity' rover was tasked with landing at the centre of a 20 km x 7 km ellipse in Gale Crater on Mars on August 6, 2012, and it landed 2.4 km away. The most precise moon-landing in history was China's Chang'e 3 spacecraft: it landed 89 metres away from its chosen spot in the Mare Imbrium plain on the moon on December 14, 2013. However, it was still allowed to land anywhere inside an ellipse of 6 km x 6 km.

SLIM, in effect, will set the record on January 19 for attempting to soft-land with the smallest ever area tolerance on the moon.

How will SLIM affect Chandrayaan-4?

Scientists are interested in the moon's South Pole region at large because parts of some of the craters here are always in shadow, allowing the temperature there to drop very low as well as sparing them the effects of sunlight and diurnal temperature variations. We already know these parts contain water-ice, and a lunar surface mission could potentially explore these sites and attempt to extract water.

When the Indian Space Research Organisation successfully executed its Chandrayaan-3 mission by soft-landing a robotic craft on the moon's surface, on August 23, it also concluded the second phase of its lunar exploration programme. The first mission of its third phase is the Lunar Polar Exploration (LUPEX) mission, a.k.a. Chandrayaan 4.

LUPEX will be an Indian-Japan joint enterprise (however, while JAXA has approved LUPEX, India is yet to) with an earliest launch date in 2026. It will explore an area closer to the moon's south pole than Chandrayaan-3 did – and this makes all the difference. The terrain near either of the moon's poles is rocky, pocked with several craters, and full of steep slopes. The craft will have to land as close to the site as possible, if not at the site itself.

Relevance: GS Prelims; S & T
Source: The Indian Express