



# CURRENT AFFAIRS

FORTNIGHTLY NOVEMBER 16 - 30

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## 1. ECONOMY

### 1. 10,000 Cr. More allotted for MGNREGS

#### Why in News?

- The Finance Ministry has allocated additional funds of ₹10,000 crore as an interim measure for the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) scheme after it ran out of funds allocated in the budget.

#### About the News:

- Recently, the Ministry of Finance allocated additional funds of ₹10,000 crore for the Mahatma Gandhi NREGA as an interim measure. Further allocation may be made upon assessment of demand during the revised estimate stage. These revised estimates will be included in supplementary budget demands made to Parliament when the winter session opens on Monday. Extra money was allocated on November 5. However, the scheme's financial statement on November 25 still reflects a negative net balance of ₹9,888 crore.

#### What is the Contention?

- Despite the additional allocations, the funds available for the scheme stand at ₹76,340 crore, well below the ₹86,229 crore which have been incurred as expenditure, including payments due for wages and materials. The scheme's balance sheets remain in the red in 24 States and Union Territories. In the meanwhile, more than ₹1,170 crore worth of wage payments for MGNREGA workers are still pending. Lack of funds results in suppression of demand for work and delayed payment of wages to workers. These are violations of the Act; they also constrain economic recovery. It also noted that 13% of households which demanded work had failed to get the same, adding that the unmet demand is as high as 20% in Gujarat, Telangana and Bihar.

#### What is Supplementary Grant?

- It is granted when the amount authorised by the Parliament through the appropriation act for a particular service for the current financial year is found to be insufficient for that year.
- It is specified by the Article 115 of the constitution of India, along with Additional and Excess Grants.

#### About MGNREGA:

- The scheme was introduced in 2005 as a social measure that guarantees “the right to work”.
- The key tenet of this social measure and labour law is that the local government will have to legally provide at least 100 days of wage employment in rural India to enhance their quality of life.

## Key Objectives:

- Generation of paid rural employment of not less than 100 days for each worker who volunteers for unskilled labour.
- Proactively ensuring social inclusion by strengthening the livelihood base of rural poor.
- Creation of durable assets in rural areas such as wells, ponds, roads and canals.
- Reduce urban migration from rural areas.
- Create rural infrastructure by using untapped rural labour.

## What are the Eligibility Criteria for receiving the Benefits under MGNREGA Scheme?

- Must be Citizen of India to seek MGNREGA benefits.
- Job seeker has completed 18 years of age at the time of application.
- The applicant must be part of a local household (i.e. application must be made with local Gram Panchayat).
- Applicants must Volunteer for Unskilled Labour.

## Implementation of the scheme:

- Within 15 days of submitting the application or from the day work is demanded, wage employment will be provided to the applicant.
- Right to get unemployment allowance in case employment is not provided within fifteen days of submitting the application or from the date when work is sought.
- Social Audit of MGNREGA works is mandatory, which lends to accountability and transparency. The Gram Sabha is the principal forum for wage seekers to raise their voices and make demands. It is the Gram Sabha and the Gram Panchayat which approves the shelf of works under MGNREGA and fix their priority.

## 1.1. ECONOMY SNIPPETS

### 1. Current Account Deficit (CAD)

#### Why in News?

- Recently, India's trade deficit has been jumping continuously since July 2021. The widening Current Account Deficit (CAD) is driven by the massive spike in commodity prices led by crude oil.

#### Highlights:

- It is expected to reach \$45 billion or 1.4% of GDP by March 2021. This will put pressure on the fragile Economic Recovery.

- It occurs when the total value of goods and services a country imports exceeds the total value of goods and services it exports.
- The balance of exports and imports of goods is referred to as the trade balance. Trade Balance is a part of 'Current Account Balance'.
- In India, close to 85% of the oil demand is met through imports. Due to this it is estimated that every \$10 per barrel rise in global crude prices will widen the trade deficit by \$12 billion or 35 bps of Gross Domestic Product (GDP).
- Another force driving down the foreign exchange is gold imports. Recovering domestic demand and the ongoing festive season are boosting Gold imports.
- The World Gold Council expects gold demand this year to surpass the 2020 levels and it expects the demand for gold to remain high given the rising wealth effects and incomes.
- The report held that the monthly services surplus has improved from an average of \$6.6 billion in 2019 to \$7 billion in 2020, and to \$8 billion in the first nine months of 2021.
- The report ruled out an alarming situation and said that with record high foreign reserves, there are no major risks to macro stability or balance of payments conditions.
- However, the widening deficit trend may continue for some time as a combination of demand recovery and rising commodity prices will continue to widen the trade deficit sharply. Balance of Payments (BoP) of a country can be defined as a systematic statement of all economic transactions of a country with the rest of the world during a specific period usually one year.

## 2. Retail Direct Scheme for investors in G-Secs

### Why in News?

- The RBI has announced proposals for the Retail Direct Scheme for investors in government securities and the Integrated Ombudsman Scheme.

### What is the Retail Direct Scheme?

- Under the scheme, small investors can buy or sell government securities (G-Secs), or bonds, directly without an intermediary like a mutual fund.
- It is similar to placing funds in debt instruments such as fixed deposits in banks.
- However, the same tax rules apply to income from G-Secs.

### Benefits of RDS:

- With the government being the borrower, there is a sovereign guarantee for the funds and hence zero risk of default.

- Also, government securities may offer better interest rates than bank fixed deposits, depending on prevailing interest rate trends.
- For example, the latest yield on the benchmark 10-year government securities is 6.366%.

### How can individuals access G-Sec offerings?

- Investors wishing to open a Retail Direct Gilt account directly with the RBI can do so through an online portal set up for the purpose of the scheme.
- Once the account is activated with the aid of a password sent to the user's mobile phone, investors will be permitted to buy securities either in the primary market or in the secondary market.
- The minimum amount for a bid is ₹10,000 and in multiples of ₹10,000 thereafter. Payments may be made through Net banking or the UPI platform.
- Why was it necessary to introduce this scheme?
- Broader investor base: The scheme would help broaden the investor base and provide retail investors with enhanced access to the government securities market — both primary and secondary.
- Institutional investment: Accessing retail investors could free up room for companies to bring funds from institutional investors which may otherwise have been cornered by the government.
- Diverse borrowing for government: This scheme would facilitate smooth completion of the Government borrowing programme in 2021-22.
- Structural reform: It is a major structural reform placing India among select few countries which have similar facilities.

### Why is the RBI setting up an Integrated Ombudsman?

- Prior to the introduction of this scheme, the RBI had three different ombudsman schemes to aid dispute resolution with respect to banks, NBFCs, and non-bank pre-paid payment issuers (PPIs).
- They were operated by the RBI through 22 ombudsman offices.
- The RBI would now appoint the Ombudsman and a Deputy Ombudsman for three years.
- Complaints may be made either physically to the Centralised Receipt and Processing Centre or the RBI's offices; or electronically through the regulator's complaint management system.

### Government Securities:

- **These are debt instruments issued by the government to borrow money.**
- ✓ **The two key categories are:**

- Treasury bills (T-Bills) – short-term instruments which mature in 91 days, 182 days, or 364 days, and
- Dated securities – long-term instruments, which mature anywhere between 5 years and 40 Years. T-Bills are issued only by the central government, and the interest on them is determined by Market Forces.

### 3. Cryptocurrency

#### Why in News?

- The Prime Minister of India has recently chaired a meeting regarding the management of the cryptocurrency sector. Citing the unregulated nature of the crypto market, he called for taking progressive and forward-looking steps.

#### Highlights:

- At the moment, there is no legislature that covers cryptocurrencies in India. In India, owning cryptocurrencies is still not illegal. In 2020, the Supreme Court had struck down a ban on trading of crypto currency in India, which was imposed by the Reserve Bank of India (RBI).
- China has declared all cryptocurrency transactions illegal, effectively imposing a complete ban, whereas El Salvador has permitted Bitcoin as legal tender.
- **Fast and Cheap Transactions:** Cryptocurrencies are way cheaper to use to execute international transactions because the transactions don't have to be handled by a series of intermediaries before they reach their destinations.
- **Investment Destination:** There is a limited supply of cryptocurrency – partially like gold. Moreover, the last few years have seen the price of cryptocurrencies rising faster than other financial instruments. Due to this, cryptocurrencies can become a preferred investment destination. Due to high demand of cryptocurrency its prices have largely remained on a growing trajectory. In this scenario, people tend to hold more cryptocurrency than spending it. This will cause a deflationary effect on currency.

### 4. Unified Payments Interface (UPI)

#### Why in News?

- Recently, the Unified Payments Interface (UPI) payments system has cut across the Indian Socio-Economic Digital Divide Amazingly Fast.

#### Highlights:

- It is an advanced version of Immediate Payment Service (IMPS)- round-the-clock funds transfer service to make cashless payments faster, easier and smoother.

- UPI is a system that powers multiple bank accounts into a single mobile application (of any participating bank), merging several banking features, seamless fund routing & merchant payments into one hood. UPI is currently the biggest among the National Payments Corporation of India (NPCI) operated systems including National Automated Clearing House (NACH), Immediate Payment Service (IMPS), Aadhaar enabled Payment System (AePS), Bharat Bill Payment System (BBPS), RuPay etc.
- The top UPI apps today include PhonePe, Paytm, Google Pay, Amazon Pay and BHIM, the latter being the Government offering.
- As part of an agreement, India's UPI will be linked to Singapore's PayNow. NPCI launched UPI with 21 member banks in 2016.
- Digital transactions through UPI recorded phenomenal growth during the pandemic year 2020-21 and several countries have evinced interest to learn from Indian experience so that they could replicate the model. The value of transactions made using the UPI crossed USD100 billion in a month for the first time in October, 2021 according to data from the NPCI, further cementing its position as India's most popular digital payments system.
- India's digital payments industry is likely to grow from Rs. 2,153 trillion at 27% Compounded Annual Growth Rate (CAGR) to Rs. 7,092 trillion by 2025.
- The growth is likely to come on the back of strong use cases of merchant payments, government policies including Jan Dhan Yojana, personal data protection bill along with the growth of MSMEs, growth of millennials and high smartphone penetration.
- The threat of cybercrime in the global banking and financial services industry has increased amid the coronavirus pandemic.

## 5. Cartelization

### Why in News?

- The Competition Commission of India (CCI) has slapped certain penalties on paper manufacturing companies from agricultural waste and recycled wastepaper against Cartelization.

### What is a Cartel?

- According to CCI, a “Cartel includes an association of producers, sellers, distributors, traders or service providers who, by agreement amongst themselves, limit, control or attempt to control the production, distribution, sale or price of, or, trade in goods or provision of services”.

- The International Competition Network, which is a global body dedicated to enforcing competition law, has a simpler definition.

### The Three common components of a cartel are:

- ✓ an agreement
- ✓ between competitors
- ✓ to restrict competition

### What is Cartelization?

- Cartelization is when enterprises collude to fix prices, indulge in bid rigging, or share customers, etc.
- But when prices are controlled by the government under a law, that is not cartelization.
- The Competition Act contains strong provisions against cartels.
- It also has the leniency provision to incentivise a party to a cartel to break away and report to the Commission, and thereby expect total or partial leniency.
- This has proved a highly effective tool against cartels worldwide.
- Cartels almost invariably involve secret conspiracies.

### How do they Work?

- According to ICN, four categories of conduct are commonly identified across jurisdictions (countries). These are:
  - ✓ price-fixing
  - ✓ output restrictions
  - ✓ market allocation and
  - ✓ bid-rigging
- In sum, participants in hard-core cartels agree to insulate themselves from the rigours of a competitive marketplace, substituting cooperation for competition.

### How do Cartels Hurt?

- While it may be difficult to accurately quantify the ill-effects of cartels, they not only directly hurt the consumers but also, indirectly, undermine overall economic efficiency and innovations.
- A successful cartel raises the price above the competitive level and reduces output.
- Consumers choose either not to pay the higher price for some or all of the cartelized product that they desire, thus forgoing the product, or they pay the cartel price and thereby unknowingly transfer wealth to the cartel operators.
- Are there provisions in the Competition Act against monopolistic prices?

- There are provisions in the Competition Act against abuse of dominance.
- One of the abuses is when a dominant enterprise “directly or indirectly imposes unfair or discriminatory prices” in purchase or sale of goods or services.
- Thus, excessive pricing by a dominant enterprise could, in certain conditions, be regarded as an abuse and, therefore, subject to investigation by the Competition Commission if it were fully functional.
- However, it should be understood that where pricing is a result of normal supply and demand, the Competition Commission may have no role.

### How Might Cartels be worse than Monopolies?

- It is generally well understood that monopolies are bad for both individual consumer interest as well as the society at large.
- That’s because a monopolist completely dominates the concerned market and, more often than not, abuses this dominance either in the form of charging higher than warranted prices or by providing lower than the warranted quality of the good or service in question.
- How to stop the spread of cartelization?
- Cartels are not easy to detect and identify.
- As such, experts often suggest providing a strong deterrence to those cartels that are found guilty of being one.
- Typically this takes the form of a monetary penalty that exceeds the gains amassed by the cartel.
- However, it must also be pointed out that it is not always easy to ascertain the exact gains from cartelization.
- In fact, the threat of stringent penalties can be used in conjunction with providing leniency — as was done in the beer case.

### Competition Commission of India (CCI):

- The CCI is the chief national competition regulator in India.
- It is a statutory body within the Ministry of Corporate Affairs.
- It is responsible for enforcing The Competition Act, 2002 in order to promote competition and prevent activities that have an appreciable adverse effect on competition in India.

## 6. Puri Heritage Corridor

### Why in News?

- The Odisha Government is expected to lay the foundation stone of the Puri heritage corridor, which is being developed at a cost of Rs 800 crore. It is a part of the Augmentation of Basic Amenities and Development of Heritage and Architecture (ABADHA) scheme for developing Puri as a world-class heritage city.

### Highlights:

- The Puri Heritage Corridor Project was unveiled in December 2019 to transform the holy town of Puri into an international place of heritage.
- The project includes redeveloping major portions of the holy town and in the vicinity of the Jagannath temple for visitors and tourists.
- The project will include Shree Jagannath Temple Administration (SJTA) building redevelopment, a 600-capacity Srimandir reception centre, Jagannath cultural centre, Badadanda heritage streetscape, beachfront development, Puri lake, Musa river revival plan, etc.. It is believed to have been constructed in the 12th century by King Anatavarman Chodaganga Deva of the Eastern Ganga Dynasty.
- Jagannath Puri temple is called 'Yamanika Tirtha' where, according to the Hindu beliefs, the power of 'Yama', the god of death, has been nullified due to the presence of Lord Jagannath. This temple was called the "White Pagoda" and is a part of Char Dham pilgrimages (Badrinath, Dwaraka, Puri, Rameswaram).
- There are four gates to the temple- Eastern 'Singhdwara' which is the main gate with two crouching lions, Southern 'Ashwadwara', Western 'Vyaghra Dwara' and Northern 'Hastidwara'. There is a carving of each form at each gate.
- In front of the entrance stands the Aruna stambha or sun pillar, which was originally at the Sun Temple in Konark. The World famous Rath Yatra (Car Festival) & Bahuda Yatra.

## 7. Tackling the Problem of Bad Loans

### Why in News?

- The newly-created National Asset Reconstruction Company (NARCL) in the public sector offers hopes for the faster clean up of lenders' balance sheets.

### Features of National Asset Reconstruction Company (NARCL):

- The newly-minted ARC, NARCL is not a bank, but a specialised financial institution to help resolve the distressed assets of banks.

- **Faster aggregation:** Its greatest virtue lies in the faster aggregation of distressed assets that lie scattered across several lenders.
- **Sovereign assurance:** Its securitised receipts (SRs) carry Sovereign Assurance.
- This is of particular comfort to PSU banks as price discovery would not be subject to later investigations.
- **Focus on large accounts:** It would initially focus on large accounts with debts over Rs 500 crore.
- **IDRCL:** All eyes will be focused on IDRCL (Indian Debt Resolution Company), the operating arm, which would be in the private sector.

### **Past Policy Measures to resolve the bad debts:**

- Institutional measures include BIFR (Board for Industrial and Financial Reconstruction, 1987), Lokadalat, DRT (Debt Recovery Tribunal, 1993), CDR (Corporate Debt Restructure, 2001), SARFAESI (Securitisation and Reconstruction of Financial Assets and Enforcement, 2002), ARC (Asset Recovery Company, 2002).
- The RBI has also launched a slew of measures during 2013-14 to resolve, reconstruct and restructure stressed assets.

### **Why the measures to Resolve the Bad Debt Failed?**

- Of the 28 ARCs (private sector) in operation, many are bit players.
- **Dominance of few ARC:** The top five ARCs account for over 70 per cent of the asset under management (AUM) and nearly 65 per cent of the capital.
- **Restructuring as an exception:** Financial and business restructuring appears to be more an exception than the norm.
- Nearly one-third of debts are rescheduled.
- This is not much value addition to what lenders would have otherwise done at no additional cost.
- **Success and shortcomings of IBC:** The IBC, introduced in 2016, was landmark legislation and marked a welcome departure from the earlier measures, with a legally time-bound resolution.
- The focus is on resolution rather than recovery.
- It nearly put an end to evergreening.
- Even though there are delays under this newfound promise, they are counted in terms of days and not years and decades.

- The NCLT (National Company Law Tribunal) is the backbone of the IBC, but lamentably is starved of infrastructure and over 50 per cent (34 out of 63) of NCLT benches were bereft of regular judges.
- Even the parliamentary committee has expressed indignation on a large number of positions left vacant. This lack of adequate infrastructure, coupled with the poor quality of its decisions, has proved to be the IBC's Achilles' heel.
- We need judicial reforms for early and final resolutions.
- Issue of delayed recognition and resolution: Forty-seven per cent of the cases referred to the IBC, representing over 1,349 cases, have been ordered for liquidation.
- Against the aggregate claims of the creditors of about Rs 6.9 lakh crore, the liquidation value was estimated at a paltry Rs 0.49 lakh crore.

### **Suggestions to make IBC more Effective:**

- Delayed recognition and resolution: Lenders and regulators need to address the issue of delayed recognition and resolution.
- Business stress and/or financial stress needs to be recognised even prior to regulatory norms on NPA classification.
- Dealing with anchoring bias: The tendency to make decisions on the basis of first available information is called "anchoring bias".
- The first available information in bidding for distressed assets is the cost of acquisition to ARCs. Potential bidders would quote prices nearer to this anchor.
- Nobel Laureate Daniel Kahneman has suggests a three-step process to mitigate anchor bias: One, acknowledge the bias; two, seek more and new sources of information, and three, drop your anchor on the basis of new information.

### **Way forward:**

- Forbid wilful defaulters from taking back distressed asset: The IBC has made considerable progress in bringing about behavioural change in errant and wilful defaulters by forbidding them to take back distressed assets.
- Otherwise, the credit culture suffers.
- The NARC should uphold this principle, not dilute it
- Introduce Sunset clause: It should have a sunset clause of three to five years.
- This will avoid the perpetuation of moral hazard and also encourage expeditious resolution.
- Deal with anchor bias: Anchor bias needs to be mitigated by better extrinsic value discovery.
- Avoid selling to other ARCs: It should avoid selling to other ARCs.

## 8. Digital Tax

### Why in News?

- India and the United States have recently agreed for a transitional approach on equalisation levy or digital tax on e-commerce supplies beginning from 1st April, 2022.

### Highlights:

- India and the US have agreed that the same terms (as agreed by US, Austria, France, Italy, Spain and the United Kingdom) shall apply between the US and India with respect to India's charge of 2% equalisation levy on e-commerce supply of services and the US' trade action regarding the said Equalisation Levy.
- Under the agreement, India will continue to impose the levy till March 2024, or till the implementation of the Pillar 1 of the Organisation for Economic Cooperation and Development (OECD) agreement on taxing multinationals and cross-border digital transactions. India and the U.S. will remain in close contact to ensure that there is a common understanding of the respective commitments and endeavour to resolve any further differences of views on this matter through constructive dialogue.
- The US will terminate the trade tariff actions it had announced in response to the levy and will not take any further actions.
- It is beneficial to India as it can carry on with the present 2% levy with certainty until Pillar One takes into effect, along with a commitment from the US side to terminate the proposed trade actions and not to impose further actions as well.
- This would help prevent the tax loss arising due to online transactions as India has to roll back Equalisation Levy (EL) 2.0 any way after Pillar 1.
- It is to be kept in mind that Pillar 1 only applies to companies with a global turnover above 20 billion euros, which is precisely top 100 companies.
- These are the adopted taxes on revenues that certain companies generate from providing certain digital services. E.g. digital multinationals like Google, Amazon and Apple etc.
- The OECD is currently hosting negotiations with over 130 countries that aim to adapt the international tax system. One goal is to address the tax challenges of the digitalization of the Economy. Some experts argue that a tax policy designed to target a single sector or activity is likely to be unfair and have complex consequences.
- Further, the digital economy cannot be easily separated out from the rest of the global economy.

## 2.1. ENVIRONMENT SNIPPETS

### 1. Deforestation

#### Why in News?

- Recently, it was found that the area deforested in Brazil's Amazon reached a 15-year high after a 22% jump from the prior year (2020).

#### Highlights:

- One of the leading causes of deforestation in the Amazon Rainforest is linked to beef consumption.
- Vast areas of forest are cleared by cutting down trees and burning the forest down in order to create pasture land for grazing cattle.
- Brazil is a major supplier of beef to countries like the United States and China, exporting 1.82 million tons in 2019 alone. It has long been touted as a major driver of deforestation in the Amazon Rainforest.
- As with ranching, small-scale agriculture requires the forest to be “slashed and burned” to clear the ground for crops and grazing of various types.
- Unlike other types of forests, the Amazon did not evolve to burn.
- And in the Amazon basin, fires can actually be spurred by deforestation. As their name suggests, rainforests contain high levels of moisture, which helps buffer them from fire.
- Industrial agriculture operations are becoming increasingly common in the Amazon Rainforest.
- These are the world's largest tropical rainforest occupying the drainage basin of the Amazon River and its tributaries in northern South America.
- Tropical forests are closed-canopy forests growing within 28 degrees north or south of the equator.
- They are very wet places, receiving more than 200 cm rainfall per year, either seasonally or throughout the year.
- Temperatures are uniformly high - between 20°C and 35°C.
- Such forests are found in Asia, Australia, Africa, South America, Central America, Mexico and on many of the Pacific Islands.
- The Amazon is a vast biome that spans eight rapidly developing countries—Brazil, Bolivia, Peru, Ecuador, Colombia, Venezuela, Guyana, and Suriname—and French Guiana, an overseas territory of France.

- The Amazon rainforests cover about 80% of the Amazon basin and they are home to nearly a fifth of the world's land species and is also home to about 30 million people including hundreds of indigenous groups and several isolated tribes.
- The Amazon basin is huge with an area covering over 6 million square kilometres, it is nearly twice the size of India. The basin produces about 20% of the world's flow of freshwater into the oceans.
- Comprising about 40% of Brazil's total area, it is bounded by the Guiana Highlands to the north, the Andes Mountains to the west, the Brazilian central plateau to the south, and the Atlantic Ocean to the east.

## 2. Indus River Dolphins

### Why in News?

- Punjab's wildlife preservation wing has recently batted for conservation of Indus river dolphins and also their natural habitat. It was declared the State aquatic animal of Punjab in 2019.

### Highlights:

- Its scientific names are *Platanista Gangetica Minor*
- According to a recent study of South Asian river dolphins, Indus and Ganges River dolphins are not one, but two separate species. Currently, they are classified as two subspecies under *Platanista Gangetica*.
- Like other freshwater dolphins (such as Ganges river dolphins) , the Indus river dolphin is an important indicator of the health of a river.
- They can only be found in the lower parts of the Indus River in Pakistan and in River Beas, a tributary of the Indus River in Punjab, India.
- Biological Resource Use: Fishing & harvesting aquatic resources.
- Natural System Modifications: Dams & water management/use.
- Domestic & urban waste water, Industrial & military effluents, Agricultural & forestry effluents.
- Its Conservation Status are International Union for the Conservation of Nature (IUCN): Endangered, Convention on International Trade in Endangered Species (CITES): Appendix I and Indian Wildlife (Protection), Act 1972: Schedule I
- Enumeration of freshwater dolphins is being undertaken as a nationwide project of the Central Government.

### 3. Kaiser-i-Hind

#### Why in News?

- The Arunachal Pradesh State Cabinet headed by Chief Minister Pema Khandu recently approved the large, brightly coloured Kaiser-i-Hind as the State butterfly.



#### About:

- An elusive swallowtail butterfly carrying 'India' in its name and found in next-door China will become the State butterfly of Arunachal Pradesh.
- Kaiser-i-Hind (*Teinopalpus imperialis*) literally means Emperor of India. This butterfly with a 90-120 mm wingspan is found in six States along the Eastern Himalayas at elevations from 6,000-10,000 feet in well-wooded terrain.
- The butterfly also flutters in Nepal, Bhutan, Myanmar, Laos, Vietnam and southern China.
- The State Wildlife Board had in January 2020 accepted the proposal from Koj Rinya, the divisional forest officer of Hapoli Forest Division in the Lower Subansiri district to accept the Kaiser-i-Hind as the State butterfly. The proposal was made with a view to boosting butterfly tourism and saving the species from extinction in the State.
- Although the Kaiser-i-Hind is protected under Schedule II of Wildlife (Protection) Act, 1972, it is hunted for supply to butterfly collectors.
- An International Union for Conservation of Nature red-listed species (Near Threatened), the Kaiser-i-Hind usually flies at tree-top level and descends to sit on low vegetation when there is strong morning sunlight. It is in flight during April-July and lays eggs on the Underside of leaves.

### 4. Why Glasgow Climate Pact disappoints

#### Why in News?

- The Glasgow Climate Pact was adopted on Saturday and, as was to be expected, it is a mixed bag of modest achievements and disappointed expectations.

#### Transition away from Fossil Fuel:

- The Pact is the first clear recognition of the need to transition away from fossil fuels, though the focus was on giving up coal-based power altogether.
- India introduced an amendment at the last moment to replace this phrase with "phase down" and this played negatively with both the advanced as well as a large constituency of developing countries.

- This amendment reportedly came as a result of consultations among India, China, the UK and the US.
- As the largest producer and consumer of coal and coal-based thermal power, it is understandable that China would prefer a gradual reduction rather than total elimination.
- India may have had similar concerns.

### **Recognition of Adaptation:**

- There is a welcome recognition of the importance of Adaptation and there is a commitment to double the current finance available for this to developing countries.
- Since this amount is currently only \$15 billion, doubling will mean \$ 30 billion.
- This remains Grossly Inadequate.
- According to UNEP, adaptation costs for developing countries are currently estimated at \$70 billion annually and will rise to an estimated \$130-300 billion annually by 2030.
- A start is being made in formulating an adaptation plan and this puts the issue firmly on the Climate agenda, balancing the overwhelming focus hitherto on mitigation.

### **Disappointment on the issue of Finance:**

- The Paris Agreement target of \$100 billion per annum between 2005-2020 was never met with the shortfall being more than half, according to some calculations.
- There is now a renewed commitment to delivering on this pledge in the 2020-2025 period and there is a promise of an enhanced flow thereafter.
- But in a post-pandemic global economic slowdown, it is unlikely these promises will be met.
- In any event, it is unlikely that India will get even a small slice of the pie.
- The same applies to the issue of compensation for loss and damage for developing countries who have suffered as a result of climate change for which they have not been responsible.

### **Initiatives on methane and deforestation:**

- Two important plurilateral outcomes could potentially develop into more substantial measures. The most important is an agreement among 100 countries to cut methane emissions by 30 per cent by 2030. India is not a part of this group.
- Cutting methane emissions, which is generated mainly by livestock, is certainly useful but there is a much bigger methane emergency around the corner as the earth's permafrost areas
- in Siberia, Greenland and the Arctic littoral begin to melt due to global warming that has already taken place and will continue to take place in the coming years.
- Another group of 100 countries has agreed to begin to reverse deforestation by 2030.

- 
- India did not join the group due to concerns over a clause on possible trade measures related to forest products.

### **Implications of US-China Joint Declaration on Climate Change for India:**

- Declaration was a departure for China, which had held that bilateral cooperation on climate change could not be insulated from other aspects of their relations.
- The declaration implies a shift in China's hard-line position.
- It appears both countries are moving towards a less confrontational, more cooperative relationship overall.
- This will have geopolitical implications, including for India, which may find its room for manoeuvre shrinking.



## 3. POLITY & GOVERNANCE

### 1. Article 370 not diluted in haste, says V-P

#### Why in News?

- Vice-President M. Venkaiah Naidu recently said the dilution of Article 370 of the Constitution, which granted special status to Jammu and Kashmir, was not done in haste.



#### What is the Issue?

- On 5<sup>th</sup> of August 2019, the President of India promulgated the Constitution (Application to Jammu and Kashmir) Order, 2019.
- The order effectively abrogates the special status accorded to Jammu and Kashmir under the provision of Article 370 - whereby provisions of the Constitution which were applicable to other states were not applicable to Jammu and Kashmir (J&K).
- According to the Order, provisions of the Indian Constitution are now applicable in the State. This Order comes into force “at once”, and shall “supersede the Constitution (Application to Jammu and Kashmir) Order, 1954.”
- A separate Bill - the Jammu and Kashmir Reorganisation Bill 2019 - was introduced to bifurcate the State into two separate union territories of Jammu and Kashmir (with legislature), and Ladakh (without legislature).
- Jammu and Kashmir Reservation (Second Amendment) Bill, 2019 was also introduced to extend the reservation for Economically Weaker Sections (EWS) in educational institutions and government jobs in Jammu and Kashmir.

#### Historical Background:

- J&K acceded to the Dominion of India after the Instrument of Accession was signed by Maharaja Hari Singh, the ruler of the princely state of Jammu and Kashmir, on 26 October 1947. Article 370 of the Indian Constitution provided that only Articles 1 and 370 itself would apply to J&K. The application of other Articles was to be determined by the President in consultation with the government of the state.
- The Constitution Order of 1950 specified the matters on which the Union Parliament would be competent to make laws for J&K, in concurrence with the Instrument of Accession - 38 Subjects from the Union List were added.

- The Constitution (Application to Jammu and Kashmir) Order, 1954 settled the constitutional relationship of J&K and the Union of India. It made the following provisions
  - ✓ Indian citizenship and all related benefits (fundamental rights) were extended to the 'permanent residents' of Jammu and Kashmir.
  - ✓ Article 35A was added to the Constitution (empowering the state legislature to legislate on the privileges of permanent residents with regard to immovable property, settlement in the state and employment)
  - ✓ The jurisdiction of the Supreme Court of India was extended to the State.
  - ✓ Central Government was given the power to declare a national emergency in the event of external aggression. The power in case of internal disturbances could be exercised only with the concurrence of the State Government.
  - ✓ Normalized the financial relations between the Centre and J&K

### What was article 370 and article 35A Guaranteed by Constitution of India?

- The Article 370 is defined under Part XXI of the Indian Constitution which deals with Temporary, Transitional and Special Provisions.
- Though in this part (Part XXI) special provision are given to the states of Maharashtra, Gujarat, Nagaland, Assam, Manipur, Sikkim, Mizoram, Arunachal Pradesh and Goa, the special power and provision of J & K are nowhere when compared.
- Article 370 restricts Indian parliament to make any laws for the state and it can only preside over the subjects like Defence, External Affairs, and communication.  
Laws related to union and concurrent list in J & K can be passed only after consultation with the state Government. Article 35A is a provision incorporated in the Constitution giving the Jammu and Kashmir Legislature a carte blanche to decide who all are 'permanent residents' of the State and confer on them special rights and privileges in public sector jobs, acquisition of property in the State, scholarships and other public aid and welfare.
- The provision mandates that no act of the legislature coming under it can be challenged for violating the Constitution or any other law of the land.

### What were the Key Changes Made?

- The President had used his powers under Article 370 to fundamentally alter the provision, extending all Central laws, instruments and treaties to Kashmir. However, the drastically altered Article 370 will remain on the statute books.
- While the Union Territory of Jammu and Kashmir will have a legislature, the one in Ladakh will not.

- The notification by the president has effectively allowed the entire provisions of the Constitution, with all its amendments, exceptions and modifications, to apply to the area of Jammu and Kashmir.
- The Bill proposes wide powers to the Lieutenant Governor of the proposed Union Territory of Jammu and Kashmir and makes it the “duty” of the Chief Minister of the Union Territory to “communicate” all administrative decisions and proposals of legislation with the LG. All Central laws and State laws of J&K would apply to the new Union Territories of J&K and Ladakh. Assets and liabilities of J&K and Ladakh would be apportioned on the recommendation of a Central Committee within a year.
- Employees of State public sector undertakings and autonomous bodies would continue in their posts for another year until their allocations are determined.
- The police and public order is to be with the Centre.
- The notification amends the expression “Constituent Assembly”, contained in the proviso to clause (3) of Article 370, to mean “Legislative Assembly”.

### **Legislative powers of the Union Territory of Jammu and Kashmir:**

- The Legislative Assembly may make laws for the whole or any part of the Union Territory of Jammu and Kashmir with respect to any of the matters enumerated in the state list except on subjects “public order” and “police” which will remain in the domain of the Centre vis-a-vis the LG. In case of inconsistencies between laws made by Parliament and laws made by the Legislative Assembly, earlier law shall prevail and law made by the Legislative Assembly shall be void. The role of the Chief Minister will be to communicate to the L-G all decisions of the Council of Ministers relating to the administration of affairs of the Union Territory and proposals for legislation and to furnish such information relating to the administration of affairs as the L-G may call for.

### **Role and powers of the Lieutenant Governor:**

- The Bill specifies that the Union Territory of Jammu and Kashmir and the Union Territory of Ladakh will have a common Lieutenant Governor.
- Appointment of L-G in Ladakh: The President shall appoint the L-G under article 239. The L-G will be assisted by advisors appointed by the Centre since the Union Territory will not have a Legislative Assembly. In the case of Union Territory of Jammu and Kashmir, the L-G shall “act in his discretion” on issues which fall outside the purview of powers conferred on the Legislative Assembly, in which he is required to exercise any judicial functions, and/or matters related to All India services and the Anti-Corruption Bureau

- The Chief Minister shall be appointed by the L-G who will also appoint other ministers with the aid of the CM. The L-G shall also administer the oath of office and of secrecy to ministers and the CM.
- The L-G will have the power to promulgate ordinances which shall have the same force and effect as an act of the Legislative Assembly assented by the L-G.

### Way Forward:

- A 10-year strategy for education, employment and employability should be deployed for uplifting Kashmir.
- The Gandhian path of non-violence and peace should be adopted to solve the legitimacy crisis in Kashmir.
- The Government can mitigate the challenges emanating out of Action on article 370 by launching a comprehensive outreach programme to all Kashmiris.
- In this context, Atal Bihari Vajpayee's version of Kashmiriyat, Insaniyat, Jamhooriyat (inclusivity culture of Kashmir, humanitarianism and democracy) for Kashmir solution, should become a cornerstone of the forces of Reconciliation in the State.

## 2. Government considers reopening Kartarpur Corridor

### Why in News?

- The Government is considering reopening the Kartarpur Sahib Gurudwara corridor to Pakistan this week to allow Sikh pilgrims to cross over, more than 20 months after it was shut down due to the Coronavirus pandemic.



### What is the “Kartarpur Corridor” project?

- The corridor – often dubbed as the “Road to Peace” – will connect Gurdwara Darbar Sahib in Pakistan’s Kartarpur with Dera Baba Nanak shrine in India’s Gurdaspur district.
- The construction of the corridor will allow visa-free access to pilgrims from India. The proposal for the corridor has been on the table since 1988, but tense relations between the Two Countries led to the Delay.

### About Kartarpur Sahib Gurdwara:

- Kartarpur Sahib was established by Guru Nanak Dev Ji, the Sikh Guru in 1522. On 22 September 1539 Gurunanak Dev Ji took the last breath in this gurdwara and spend around 18 years of his life.

- The Gurdwara was washed away by floods of the river Ravi (Rabi) and the present Gurdwara was established by Maharaja Ranjit Singh.
- Kartarpur Sahib is located in the Narowal district of Pakistan. It is three to four kilometres away from Dera Baba Nanak in the Gurdaspur district of Punjab, India and about 120 km from Lahore.
- The langar was first started in Kartarpur Sahib Gurdwara by Guru Nanak Dev Ji. The Langar tradition is also known as ‘Guru ka Langar’, the Gurus Kitchen. Whoever came here, Guru Nanak Dev Ji did not allow him to go Without Eating.

### Background:

- The Union Cabinet has already approved the building and development of the Kartarpur corridor from Dera Baba Nanak in Gurdaspur district to the international border, in order to facilitate pilgrims from India to visit Gurdwara Darbar Sahib Kartarpur on the banks of the Ravi river, in Pakistan, where Shri Guru Nanak Devji spent eighteen years.

### Implementation:

- The Kartarpur corridor will be implemented as an integrated development project with Government of India funding, to provide smooth and easy passage, with all the modern Amenities.

### About the Shrine:

- The gurdwara in Kartarpur stands on the bank of the Ravi, about 120 km northeast of Lahore.
- The foundation stone was laid in Gurdaspur on 26 November, 2018 and marks the initiation of the Kartarpur Corridor. Further, on 28 November 2018 in Pakistan, the foundation stone was laid down.
- In 1999, former Prime Minister Atal Bihari Vajpayee proposed to build the Kartarpur Sahib Corridor for the first time when he travelled by bus to Lahore.
- It was here that Guru Nanak assembled a Sikh community and lived for 18 years until his death in 1539. The shrine is visible from the Indian side, as Pakistani authorities generally trim the elephant grass that would otherwise obstruct the view.
- Indian Sikhs gather in large numbers for darshan from the Indian side, and binoculars are installed at Gurdwara Dera Baba Nanak.

### 3. Chennai-Bengaluru Road Project set for Green Nod

#### Why in News?

- The Expert Appraisal Committee of the Environment Ministry has recommended phase-III of the eight-lane expressway between Chennai and Bengaluru for environment clearance.

#### About the News:

- The project is being implemented by the National Highways Authority of India (NHAI) that passes through Chittoor district of Andhra Pradesh and Vellore, Ranipet, Kancheepuram and Tiruvallur districts of Tamil Nadu.
- The stretch falls in Andhra Pradesh and Tamil Nadu. The total length of the alignment is 106.10 km, from Ramapuram in Chittoor to Irungattukottai in Sriperumbudur taluk.
- The project is meant to improve connectivity between Bengaluru and Chennai and act as a link between the major commercial and industrial centres of Karnataka, Andhra Pradesh and Tamil Nadu.
- The road proposed under phase-III will have 31 major bridges, 25 minor bridges, 137 culverts, 13 vehicular underpasses, 5 vehicular overpasses, 3 light vehicle underpasses, 50 pedestrian underpasses, 7 interchanges, 3 road over-bridges and 6 toll plazas.
- One animal underpass has also been proposed on the Forest Department's recommendation.
- There is also a provision for 3 truck laybys, 4 rest areas and high mast lights.

#### Environmental Clearance:

- Environmental Clearance is conducted to assess the impact of the planned project on the environment and people and to try to reduce the impact of the same.
- Currently in our country the environmental clearance process is carried out for 39 types of projects.
- In India the National Green Tribunal (NGT) has been established under the National Green Tribunal Act for effective disposal of cases regarding environmental protection and forest conservation. The tribunal was set up to control emissions and maintains the optimum level.

#### How Environmental Clearance is done?

- Environmental clearance is granted by the ministry of environment, and the State Environment Impact Assessment Authority (SEIAA), under the Environment Impact Assessment (EIA) notification of 2006.
- This notification details the process for granting EC.

- It includes the structure of the EIA report, process of appraisal, and the conditions and safeguards that a company has to implement, including what the environment management plan should be.
- The appraisal is carried out by the Expert Appraisal Committees (EACs), which largely comprise of ‘professionals and experts’. The appraisal procedure clearly states, ‘in case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions.
- EIA Notification 2006 was issued under the sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986. This rule gives powers to the central government to impose certain restrictions and prohibitions on the location of an industry, or the carrying out of processes and operations in an area, based on their potential environmental impacts.
- EIA Draft Rules 2020 was released last year which is still under review due to the proposed sensitive laws.

### What are the Drawbacks?

- EC process in India involves a lot of paperwork with nothing to show on the ground.
- Almost every project is cleared by EACs which consist of people not accountable to anyone.
- There is hardly any post-clearance monitoring. Hence, non-compliance of the safeguards and conditions is rampant. Projects are granted EC after they have already come up.
- Primary goal of the EC process is to ensure that projects are located and constructed in such a manner that they have the least possible impact on the environment. Unfortunately, the governments could not uphold this focus
- The present clearance process with its sequential hurdles either forces a project proponent to give up the venture, as was reportedly the case with major road projects of late, or burdens the project with time and cost overruns.

### Way Forward:

- **These are few Recommendations given by the CAG:**
  - ✓ EC letters should clearly mention cost of activities under the Environmental Management Plan along with the timelines for their implementation.
  - ✓ The capital and revenue expenditure amount to be spent on CSR cost should be distinctly specified in the EC letter.
  - ✓ EC conditions should be more specific for the area to be developed under green belt and species is to be planted in consultation with forest/agriculture department along with post EC third party evaluation.

- ✓ While prescribing the conditions of environment clearance, the details about installation of monitoring stations and frequency of monitoring of various environment parameters in respect of air, surface water, ground water, noise, etc. should be clearly mentioned.
- ✓ It also said that the conditions of environment clearance should be compatible with the nature and type of project in order to avoid non-uniformity in similar kinds of projects.

#### **4. Ordinances to extend the Tenures of the Directors of CBI and ED**

##### **Why in News?**

- President Ram Nath Kovind has promulgated two ordinances that would allow the Centre to extend the tenures of the directors of the Central Bureau of Investigation and the Enforcement Directorate from two years to up to five years.

##### **About the News:**

- Currently, the tenure of chiefs of ED and CBI is two years.
- The change in tenure of the CBI Director was done by amending the Delhi Special Police Establishment Act, 1946.
- On the other hand, the changes to the tenure of the ED Director was brought in by amending the Central Vigilance Commission Act, 2003.
- The Personnel Ministry has issued an order to amend the Fundamental Rules, 1922 adding the two posts to the list whose services can be extended by up to two years beyond the two-year fixed tenure in “public interest”.
- The previous list comprised Defence Secretary, Foreign Secretary, Home Secretary, Director, Intelligence Bureau and Secretary, Research and Analysis Wing.

##### **About the CBI Director and his Appointment:**

- The Director of the CBI is appointed as per section 4A of the Delhi Special Police Establishment Act of 1946.
- The Lokpal and Lokayuktas Act (2013) says that the Central Government shall appoint the Director of CBI on the recommendation of a three-member committee consisting of the Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and the Chief Justice of India or Judge of the Supreme Court nominated by him.
- Further, the Delhi Special Police Establishment (Amendment) Act, 2014 made a change in the composition of the committee related to the appointment of the Director of C.B.I.
- It states that where there is no recognized leader of opposition in the Lok Sabha, then the leader of the single largest opposition party in the Lok Sabha would be a member of that committee.

## About Enforcement Directorate:

- The origin of this Directorate goes back to 1st May, 1956, when an 'Enforcement Unit' was formed, in the Department of Economic Affairs, for handling Exchange Control Laws violations under Foreign Exchange Regulation Act, 1947 (FERA '47).
- In the year 1957, this Unit was renamed as 'Enforcement Directorate'.
- Presently, it is part of the Department of Revenue, Ministry of Finance.
- The Organization is mandated with the task of enforcing the provisions of two special fiscal laws – Foreign Exchange Management Act, 1999 (FEMA) and Prevention of Money Laundering Act, 2002 (PMLA).

## Composition:

- Besides directly recruiting personnel, the Directorate also draws officers from different Investigating Agencies, viz., Customs & Central Excise, Income Tax, Police, etc. on deputation.

## 5. Tamil Nadu Speaker Favours Time frame to decide on Bills

### Why in News?

- Tamil Nadu Assembly Speaker M. Appavu has questioned why the President does not provide reasons for withholding assent and returning a Bill passed by the State Assembly.

### About the News:

- While speaking at the 82nd All India Presiding Officers Conference in Shimla, Mr. Appavu was Pointing to (some) Governors sitting on the Bills passed by the Assembly, he called for setting a binding time frame for deciding on any Bill.
- Mr. Appavu asked, "When a Bill passed by the State is reserved for the consideration of the President and if the President withholds the assent and returns the Bill, should not the President give reasons? How will the House know what is the real impediment to the withholding of the assent?"

### What was the Issue?

- It may be recalled that the President had withheld assent to two Bills opposing the National Entrance-cum-Eligibility Test (NEET) adopted by the Tamil Nadu Assembly in 2017 when the AIADMK was in power.
- A Bill to admit students to undergraduate medical courses on the basis of their Plus-Two marks, instead of the NEET score, passed by the DMK government earlier this year was sent to the Raj Bhavan. But its fate remains unknown.

- Mr. Appavu contended that since the House reflected the will of the people, withholding of assent to a Bill “amounted to rejection of the will of the people of that State”.
- If the House was made aware of the reasons, it could enact another Bill correcting the shortfalls that caused the President to withhold the assent.
- Mr. Appavu said that when a Bill was passed by the majority and sent for the assent of the Governors, “the Governors sometimes sit on the Bill without giving his assent or returning the Bill for an indefinite period, even though the Constitution requires it to be done as soon as possible”.
- The Speaker also pointed out that when a Bill is required to be reserved for the consideration of the President, Governors “are taking months together” to do so. This, he contended, eroded the authority of the legislatures.
- He also argued that the Governors, though heads of the State Executive, are appointed by the Union Government.
- Therefore, when they stall the assent to a Bill, they are virtually overruling the will of the people of the State. We have to work together to set a binding time frame within which Bills have to be assented to, returned or reserved for the consideration of the President by the Governors. Though the courts that refused to even review the decisions of the presiding officers had started a judicial review of these matters, a very heavy responsibility was cast on the presiding officers to ensure that their functions were in accordance with the Constitution so that the judiciary was not called upon to test the decisions of the Speakers.

### **What does the Constitution of India say on Governor’s power to reserve bills for consideration of the President?**

- Article 200 of the Indian Constitution deals with the powers of the Governor with regard to assent given to bills passed by the State legislature and other powers of the Governor such as reserving the bill for the President’s consideration.
- According to Article 200, when a Bill, passed by the Legislature of a State, is presented to the Governor, he has four options:
  - ✓ He assents to the Bill
  - ✓ He withholds assent
  - ✓ He reserves the Bill for the consideration of the President
  - ✓ He returns the Bill to the Legislature for reconsideration.

## Options before the President:

- When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom Provided that:
  - ✓ Where the Bill is not a Money Bill, the President may direct the Governor to return the Bill to the House or, as the case may be, the Houses of the Legislature of the State together with such a message as is mentioned in the first proviso to article 200.
  - ✓ When a Bill is so returned, the House or Houses shall reconsider it accordingly within a period of six months from the date of receipt of such message and, if it is again passed by the House or Houses with or without amendment, it shall be presented again to the President for his consideration.
  - ✓ It is not mentioned in the constitution whether it is obligatory on the part of the President to give his assent to such a bill or not.

## 6. Sexual intent of the Offender, not skin-to-skin Contact, forms Assault, says SC

### Why in News?

- The Supreme Court recently quashed a Bombay High Court decision to acquit a man charged with assault under the Protection of Children from Sexual Offences Act (POCSO) solely on the grounds that he groped the child over her clothes without ‘skin-to-skin’ contact.

### About the Issue:

- On January 19, a Single Judge of the Bombay High Court’s Nagpur Bench created a furore by acquitting a man under the POCSO Act and holding that an act against a minor would amount to groping or sexual assault only if there was “skin-to-skin” contact.
- The High Court had concluded that mere touching or pressing of a clothed body of a child did not amount to sexual assault.
- The accused was sentenced to the minimum three years’ imprisonment under Section 8 of the POCSO Act.
- That was set aside by the HC and his sentence was reduced to one year under Section 354 (assault of a women to outrage her modesty) of the Indian Penal Code.

### What was the Bombay High Court’s Observation?

- The High Court held, “Considering the stringent nature of punishment provided for the offence, in the opinion of the court, stricter proof and serious allegations are required.

- The act of pressing of breast of the child aged 12 years, in the absence of any specific detail as to whether the top was removed or whether he inserted his hand inside the top and pressed her breast, would not fall in the definition of sexual assault.”
- The court remarked, “It is the basic principle of criminal jurisprudence that the punishment for an offence shall be proportionate to the seriousness of the crime.”
- The bench acquitted Ragde under POCSO and convicted him under IPC.
- “In this case, having regard to the nature of the alleged act by Ragde and having regard to the circumstances, in the opinion of this court, the alleged act fit into the definition of the offence under section 354 of IPC”.

### What was the Apex Court's Ruling?

- The act of touching a sexual part of the body with sexual intent will not be trivialised and not excluded under Section 7 of the POCSO Act.
- Section 7 mandates that “whoever with sexual intent touches the vagina, penis, anus or breast of the child or makes the child touch the vagina, penis, anus or breast of such person or any other person, or does any other act with sexual intent which involves physical contact without penetration is said to commit sexual assault”.
- The court said limiting the ambit of “touch” to a narrow and pedantic” definition would lead to an “absurd interpretation”. The Bench said the most important ingredient in Section 7 was the sexual intent of the offender and not skin-to-skin contact.
- The conclusion that ‘sexual intent’ mentioned in the provision should be ex facie skin to skin would defeat the object of the provision. It would, rather than giving effect to the rule, destroy it.
- The court, while setting aside the High Court decision, confirmed the guilt of the offender in the case and sentenced him to three years of rigorous imprisonment subject to the period he has already undergone.

### About POCSO Act, 2019:

- **Penetrative Sexual Assault:** The Act increased minimum punishment for this offence from 7 years to 10 years. It also provides for with imprisonment between 20 years to life, with fine if person commits penetrative sexual assault on child below age of 16 years.
- **Aggravated Penetrative Sexual Assault:** The Act added two more grounds to definition of aggravated penetrative sexual assault. These include: (i) assault resulting in death of child and (ii) assault committed during natural calamity or in any similar situations of violence.

- It also increases minimum punishment from 10 years to 20 years, and maximum punishment to death penalty.
- **Aggravated Sexual Assault:** The Act added two more offences to definition of aggravated sexual assault. These include: (i) assault committed during natural calamity and (ii) administering or help in administering any chemical substance or any hormone to child for the purpose of attaining early sexual maturity.
- **Child Pornography:** The Act defines child pornography as any visual depiction of sexually explicit conduct that involves child such as photograph, video, digital or even computer generated image indistinguishable from actual child. It also enhances punishments for certain offences related to child pornography.
- **Storage of Pornographic Material:** It increased punishment for storage of pornographic material with imprisonment between three to five years, or fine, or both. In addition, it also adds two other offences for storage of pornographic material involving children. These include: (i) transmitting, displaying, distributing such material except for the purpose of reporting it and (ii) failing to destroy or delete or report pornographic material involving child.

## 7. HC presses Centre on Uniform Civil Code

### Why in News?

- Stating that the Uniform Civil Code “is a necessity and mandatorily required today,” the Allahabad High Court has called upon the Central Government to forthwith initiate the process for its Implementation.

### What was the Court's Directions?

- The UCC “cannot be made ‘purely voluntary’ as was observed by Dr. B.R Ambedkar 75 years back, in view of the apprehension and fear expressed by the members of the minority community”.
- The Court directed the Centre to consider the constitution of a committee or commission for implementing the mandate of Article 44, as directed by the Supreme Court.

### What is a Uniform Civil Code?

- A Uniform Civil Code is one that would provide for one law for the entire country, applicable to all religious communities in their personal matters such as marriage, divorce, inheritance, adoption etc. Article 44, one of the directive principles of the Constitution lays down that the state shall endeavour to secure a Uniform Civil Code for the citizens throughout the territory of India.

- These, as defined in Article 37, are not justiciable (not enforceable by any court) but the principles laid down therein are Fundamental in Governance.

### Role of State in this Regard:

- Fundamental rights are enforceable in a court of law.
- While Article 44 uses the words “the state shall endeavour”, other Articles in the ‘Directive Principles’ chapter use words such as “in particular strive”; “shall, in particular, direct its policy”; “shall be the obligation of the state” etc.
- Article 43 mentions “state shall endeavour by suitable legislation” while the phrase “by suitable legislation” is absent in Article 44.
- All this implies that the duty of the state is greater in other directive principles than in Article 44.

### What are more Important – Fundamental Rights or Directive Principles?

- There is no doubt that fundamental rights are more important.
- **The Supreme Court held in Minerva Mills (1980):** Indian Constitution is founded on the bedrock of the balance between Parts III (Fundamental Rights) and IV (Directive Principles). To give absolute primacy to one over the other is to disturb the harmony of the Constitution.
- Article 31C inserted by the 42nd Amendment in 1976, however, lays down that if a law is made to implement any directive principle, it cannot be challenged on the ground of being violative of the FRs under Articles 14 and 19.

### Does India not Already have a Uniform Code in Civil Matters?

- Indian laws do follow a uniform code in most civil matters – Indian Contract Act, Civil Procedure Code, Sale of Goods Act, Transfer of Property Act, Partnership Act, Evidence Act etc. States, however, have made hundreds of amendments and therefore in certain matters, there is diversity even under these secular civil laws.
- Recently, several states refused to be governed by the uniform Motor Vehicles Act, 2019.

### What about Personal Laws?

- If the framers of the Constitution had intended to have a Uniform Civil Code, they would have given exclusive jurisdiction to Parliament in respect of personal laws, by including this subject in the Union List.
- But “personal laws” are mentioned in the Concurrent List.
- Last year, the Law Commission concluded that a Uniform Civil Code is neither feasible nor desirable.

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## Is there one common personal law for any Religious Community Governing all its Members?

- All Hindus of the country are not governed by one law, nor are all Muslims or all Christians.
- Not only British legal traditions, even those of the Portuguese and the French remain operative in some parts.
- In Jammu and Kashmir until August 5, 2019, local Hindu law statutes differed from Central Enactments.
- The Shariat Act of 1937 was extended to J&K a few years ago but has now been repealed.

### Various Customary Laws

- Muslims of Kashmir were governed by a customary law, which in many ways was at variance with Muslim Personal Law in the rest of the country and was, in fact, closer to Hindu law.
- Even on the registration of marriage among Muslims, laws differ from place to place. It was compulsory in J&K (1981 Act), and is optional in Bengal, Bihar (both under 1876 Act), Assam (1935 Act) and Odisha (1949 Act). In the Northeast, there are more than 200 tribes with their own varied customary laws. The Constitution itself protects local customs in Nagaland. Similar protections are enjoyed by Meghalaya and Mizoram. Even reformed Hindu law, in spite of codification, protects customary practices.

### How does the idea of a Uniform Civil Code relate to the Fundamental Right to Religion?

- Article 25 lays down an individual's fundamental right to religion;
- Article 26(b) upholds the right of each religious denomination or any section thereof to "manage its own affairs in matters of religion";
- Article 29 defines the right to conserve distinctive culture.
- An individual's freedom of religion under Article 25 is subject to "public order, health, morality" and other provisions relating to FRs, but a group's freedom under Article 26 has not been subjected to other fundamental rights.
- In the Constituent Assembly, there was division on the issue of putting UCC in the fundamental rights chapter. The matter was settled by a vote.
- By a 5:4 majority, the fundamental rights sub-committee headed by Sardar Patel held that the provision was outside the scope of FRs and therefore the UCC was made less important than freedom of religion.

## Minority opinion in the Constituent Assembly

- Some members sought to immunize Muslim Personal Law from state regulation.
- Mohammed Ismail, who thrice tried unsuccessfully to get Muslim Personal Law exempted from Article 44, said a secular state should not interfere with the personal law of people.
- B Pocker Saheb said he had received representations against a common civil code from various organisations, including Hindu organisations.
- Hussain Imam questioned whether there could ever be uniformity of personal laws in a diverse country like India.
- B R Ambedkar said, “no government can use its provisions in a way that would force the Muslims to revolt”.
- Alladi Krishnaswami, who was in favour of a UCC, conceded that it would be unwise to enact UCC ignoring strong opposition from any community.
- Gender justice was never discussed in these debates.

## How did the debate on a common code for Hindus play out?

- In June 1948, Rajendra Prasad, President of the Constituent Assembly, warned Nehru that to introduce “basic changes” in personal law was to impose “progressive ideas” of a “microscopic minority” on the Hindu community as a whole.
- Others opposed to reforms in Hindu law included Sardar Patel, Pattabhi Sitaramayya, M A Ayyangar, M M Malaviya and Kailash Nath Katju.
- When the debate on the Hindu Code Bill took place in December 1949, 23 of 28 speakers opposed it. On September 15, 1951, President Prasad threatened to use his powers of returning the Bill to Parliament or vetoing it. Ambedkar eventually had to resign.
- Nehru agreed to trifurcation of the Code into separate Acts and diluted Several Provisions.

## 8. Andhra Pradesh decides to Withdraw Three Capital Law

### Why in News?

- The Andhra Pradesh Government has decided to withdraw three capitals proposal and has decided to repeal the Laws paving way for three capitals of Andhra Pradesh.

### About the News:

- The Advocate General for the State of Andhra Pradesh, Subrahmanyam Sriram has informed the High Court about the decision of the Government to take back the contentious laws.

- This decision of the Andhra Pradesh Government would mean that the A. P. Decentralisation and Inclusive Development of All Regions Act 2020 and Andhra Pradesh Capital Region Development (Repeal) Act 2020 would be taken back.
- Essentially, these Acts propose the formation of three capitals for the state. The Acts intend to develop Amaravati, Visakhapatnam, and Kurnool as the legislative, executive and judicial capitals respectively. The State Cabinet has now decided to keep Amaravati as Andhra Pradesh state's capital.



### What is the Controversy?

- The Acts were challenged in the High Court by farmers and the matter is presently being heard before the High Court.
- The farmers side argued that around 33,000 families of Amravati had given up their land for capital development, and now, they have no sustainable means of livelihood.
- Significantly, they had also argued that the power to make/decide upon the capital is of parliament under Article 3 and 4 of the Constitution as fixing of new capital is constituent power of the parliament under these articles.
- Referring to the 2014 Act, they contended that the Parliament intended to make one capital for the State [Act uses the term 'a capital'], however, that this necessarily doesn't mean only one capital, but the Act of 2014 intended to create a capital city for the state of Andhra Pradesh.

### What are the provisions in the 2014 Act regarding the Capital of Andhra Pradesh:

- It may be noted that Section 5 (2) of the 2014 Act says that after the expiry of 10 years, Hyderabad shall be the capital of the State of Telangana and there shall be a new capital for the State of Andhra Pradesh. Significantly, Section 6 of the 2014 Act says that the Central

Government shall constitute an expert committee to study various alternatives regarding the new capital for the successor State of Andhra Pradesh and make appropriate recommendations. Further, Section 94 (3) of the Act says that the Central Government shall provide special financial support for the creation of essential facilities in the new capital of the successor State of Andhra Pradesh including the Raj Bhawan, High Court, Government Secretariat, Legislative Assembly, Legislative Council, and such other essential infrastructure. It also says that the Central Government shall facilitate the creation of new capital for the successor State of Andhra Pradesh, if considered necessary, by denotifying degraded forest land.

### Now, what is the Contention?

- The 2020 acts are contradictory and are against the Reorganisation act of 2014 because you could take only one-time decision over the State Capital but you suddenly come up with 2020 act. He also contended that after the 2019 elections, the State Government changed its plan regarding the capital of the State, however, he did admit that the Act of 2014 doesn't mention any specific location as the State Capital, however, he added that a place which consists of the three wings (Executive, Judicial and Legislature), can only be called as the capital, meaning thereby, that one place could be State Capital.

### What are the other examples of multiple capital cities?

- In Sri Lanka, Sri Jayewardenepura Kotte is the official capital and seat of national legislature, while Colombo is the de facto seat of national executive and judicial bodies.
- Malaysia has its official and royal capital and seat of national legislature at Kuala Lumpur, and Putrajaya is the administrative centre and seat of national judiciary.
- **Among Indian states:**
  - ✓ Maharashtra has two capitals– Mumbai and Nagpur (which holds the winter session of the state assembly).
  - ✓ Himachal Pradesh has capitals at Shimla and Dharamshala (winter).
  - ✓ The former state of Jammu & Kashmir had Srinagar and Jammu (winter) as capitals.

## 9. Farmers Unions stress for MSP

### Why in News?

- Bharatiya Kisan Union (BKU) spokesperson Rakesh Tikait recently said that the withdrawal of the contentious three farm laws was not enough, stressing that farmers had other issues that needed to be resolved, prime among them a law for guaranteed Minimum Support Price (MSP).

## About the News:

- At the maha panchayat organised by the Samyukt Kisan Morcha, Mr. Tikait appealed the government to hold discussions and resolve the remaining issues of farmers, including MSP law, seed bill and Milk Policy.
- He also said that there was no need for setting up a new committee for a law on guaranteed MSP nor do the people have time for such a committee. He said that a report submitted by a group of Chief Ministers led by Mr. Modi in 2011 when he was head of Gujarat to then Prime Minister Manmohan Singh had recommended a law for MSP, which the report is still lying in the PMO.
- He added that, PM should give a clear answer to the people of the country if he will implement this report or not.

## About MSP:

- In theory, an MSP is the minimum price set by the Government at which farmers can expect to sell their produce for the season. When market prices fall below the announced MSPs, procurement agencies step in to procure the crop and 'support' the prices.

## Who Announces MSP?

- The Cabinet Committee of Economic Affairs announces MSP for various crops at the beginning of each sowing season based on the recommendations of the Commission for Agricultural Costs and Prices (CACP).
- The CACP takes into account demand and supply, the cost of production and price trends in the market among other things when fixing MSPs.

## Why is it Important?

- Price volatility makes life difficult for farmers. Though prices of agri commodities may soar while in short supply, during years of bumper production, prices of the very same commodities plummet.
- MSPs ensure that farmers get a minimum price for their produce in adverse markets. MSPs have also been used as a tool by the Government to incentivise farmers to grow crops that are in short supply.

## Factors taken into Consideration for fixing MSP include:

- Demand and supply;
- Cost of production;
- Price trends in the market, both domestic and international;

- Inter-crop price parity;
- Terms of trade between agriculture and non-agriculture;
- A minimum of 50% as the margin over cost of production; and
- Likely implications of MSP on consumers of that product.

## 10. Andhra Pradesh House passes resolution on Caste wise Census

### Why in News?

- The A.P. Assembly has passed a resolution on caste-wise census of backward classes recently.

### About the News:

- The Government wanted the Centre to take up a caste-based census to enumerate other backward classes (OBCs), while conducting the national census for 2021 to understand the socio-economic composition of the country's population.
- The State Government had said that there were many castes that have not been recognised so far. The caste enumeration will help devise policies for their welfare, education, employment etc., apart from increasing their political representation.
- This would be the second resolution, if adopted by the Assembly, as a similar resolution was adopted during the TDP rule.

### Background of the Issue:

- On August 31, 2018, the Ministry of Home Affairs (MHA) had announced that OBC data will be collected for the first time during the next Census exercise.
- The first phase of 2021 Census – The House listing and Housing Census that was to be conducted along with the update of the National Population Register (NPR) from April 1, 2020 – has been indefinitely postponed due to the COVID-19 pandemic.
- In response to the RTI application pertaining to the deliberations that took place in RGI's office before the announcement in 2018 to collect data on OBCs was made, the office replied "the information sought in the RTI application is not available with the undersigned."
- The reply added, it may be informed that the Office of the RGI in MHA is conducting decennial population Census since 1951 in which it collects and publishes data on various socio-demographic profiles of the people of India including those of the notified Scheduled Castes (SCs) and Scheduled Tribes (STs) of all States and Union Territories.

- The data on the castes/communities/OBCs, other than the notified SCs and STs are not collected in Census.
- Centre filed an affidavit in the Supreme Court on September 23 where it ruled out conducting a Socio-Economic Caste Census (SECC), stating that caste census was unfeasible, “administratively difficult and cumbersome”.

### Why Caste Census is difficult?

- SECC that was first conducted in 2011 and collected data of 130 crore Indians threw up 46 lakh different caste names whereas the total number of castes as per the last caste census of 1931 was 4,147 at the national level.
- Owing to the flaws in the data set, government has refused to make public even the raw caste data of the SECC-2011. The SECC-2011 collected data of all castes and not only OBCs.
- There are separate OBC lists at the State-level and the Centre for reservation in Government Jobs and Education.

### What is a Census?

- The origin of the Census in India goes back to the colonial exercise of 1881.
- Census has evolved and been used by the government, policymakers, academics, and others to capture the Indian population, access resources, map social change, delimitation exercise, etc.
- However, as early as the 1940s, W.W.M. Yeatts, Census Commissioner for India for the 1941 Census, had pointed out that “the census is a large, immensely powerful, but blunt instrument unsuited for Specialized Inquiry.”

### What is SECC 2011?

- The Socio-Economic Caste Census of 2011 was a major exercise to obtain data about the socio-economic status of various communities.
- It had two components: a survey of the rural and urban households and ranking of these households based on pre-set parameters, and a caste census.
- However, only the details of the economic conditions of the people in rural and urban households were released. The caste data has not been released till now.
- SECC 2011 was conducted by three separate authorities but under the overall coordination of Department of Rural Development in the Government of India.
  - ✓ Census in Rural Area has been conducted by the Department of Rural Development (DoRD).

- ✓ Census in Urban areas is under the administrative jurisdiction of the Ministry of Housing and Urban Poverty Alleviation (MoHUPA).
- ✓ Caste Census is under the administrative control of Ministry of Home Affairs: Registrar General of India (RGI) and Census Commissioner of India.

### **Difference between Census & SECC:**

- The Census provides a portrait of the Indian population, while the SECC is a tool to identify beneficiaries of state support.
- Since the Census falls under the Census Act of 1948, all data are considered confidential, whereas all the personal information given in the SECC is open for use by Government departments to grant and/or restrict benefits to households.

### **How have caste details been collected so far?**

- While SC/ST details are collected as part of the census, details of other castes are not collected by the enumerators. The main method is by self-declaration to the enumerator.
- So far, backward classes commissions in various States have been conducting their own counts to ascertain the population of backward castes.

### **What kind of caste Data is Published in the Census?**

- Every Census in independent India from 1951 to 2011 has published data on Scheduled Castes and Scheduled Tribes, but not on other castes. Before that, every Census until 1931 had data on caste.

### **Pros of Caste Census:**

- The precise number of the population of each caste would help tailor the reservation policy to ensure Equitable Representation of all of them.

### **Concerns associated:**

- There is a possibility that it will lead to heartburn among some sections and spawn demands for larger or separate quotas. It has been alleged that the mere act of labelling persons as belonging to a caste tends to Perpetuate the System.

## **11. SC dismisses Plea Challenging Proposed change in land use of Central Vista**

### **Why in News?**

- The Supreme Court recently dismissed a petition challenging a proposed change in land use from bus terminal and neighbourhood park to house the new official residences of high dignitaries such as the Vice-President as part of the ambitious Central Vista redevelopment plan.

## What is the Issue?

- The SC Bench asked the government, represented by Solicitor General Tushar Mehta, to file a short affidavit with its response on the necessity for the modification in the plan.
- The hearing was based on a petition filed by Rajiv Suri, who said his plea was restricted to the proposed modification of land use in plot number one.
- The petition has questioned the validity of a notification issued by the Ministry of Housing and Urban Affairs on October 28, 2020, notifying the change in land use by proposing modification to Zonal Development Plan of Zone 'D' for plot number one in the Central Vista area of Lutyens Delhi.
- The petitioner contended that the recreational area is proposed to be modified to residential area.
- It has not demonstrated any public interest in the proposed change in land use here.

## What was the apex Court's Observations?

- The Bench said the change was a policy decision recommended as a part of the holistic development of the entire area. The court said the proposal was entirely a policy call and could not be said to be impermissible in law.
- Suggestions from common people have to be taken where the Vice-President's house is to be located.
- Dictating the order, the court said "the change effected in the development plan in one sense is a matter of policy."
- It is not the case of the petitioner that the change has been made for mala fide reasons. Suffice to observe sufficient explanation has been provided to justify the change in use of plot number one. We find no reason to examine the matter further and want to put a quietus to the matter by dismissing the petition summarily".

## What is a land use change and a Recreational Area?

- Land use change is a process which transforms the natural landscape by direct human-induced land use such as settlements, commercial and economic uses and forestry activities. It impacts the Overall Environment in terms of greenhouse gas emission, land degradation and climate change.
- The concept of the Green spaces or recreational area in the urban areas signifies the planning and development of the urban areas along with provision for the forest, wildlife, scrub grass, wetlands, river catchment and buffer areas.

- These green spaces are not only provides the health and psychological benefits but actually filter the air, provides oxygen and improves the micro climate of the area which are prerequisite for the Sustainable Development.

### About Central Vista:

- In December, 1911, King George V made an announcement in Delhi Durbar (a grand assembly) to shift the capital of India from Calcutta to Delhi.
- Delhi Durbar was hosted to mark the coronation of King George V.
- The task of constructing a new city was given to Edwin Lutyens, known for his strong adherence to European Classicism and Herbert Baker, a prominent architect in South Africa.
- Herbert Baker is also the architect of the Union buildings at Pretoria, South Africa.
- Parliament House building was designed by both Lutyens and Baker.
- Rashtrapati Bhavan was designed by Edwin Lutyens.
- The Secretariat which includes both north and south block was designed by Herbert Baker.

### Architectural Features of the Building:

- The foundation stone of the Parliament House was laid on February 12, 1921 by the Duke of Connaught. Construction of the building was completed in 1927 and was inaugurated by the then Governor-General of India, Lord Irwin.
- The shape of the building is circular, which is based on the Chausath Yogini temple of Morena, Madhya Pradesh.
- The building has a Central Chamber which is surrounded by the semicircular halls that were constructed for the sessions of the Chamber of Princes (now used as the Library Hall), the State Council (now used for the Rajya Sabha), and the Central Legislative Assembly (now used for the Lok Sabha).
- The architectural design of the building is a perfect mix of ancient Indian tradition and modern amenities.
- The building hosts the Parliament House, the Reception Office Building, the Library Building, the Parliament House Annexe along with huge lawns and artificial ponds.
- The structure is enclosed by an ornamental red sandstone walls and 12 iron gates.
- The building was declared a Grade-I heritage property in 2009.

### Why New Buiding is Required Now?

- There is a shortage of working and parking space, amenities and services.

- The building no longer supports added demands of space and security.
- There are no chambers for MPs and situation would further worsen if there is an increase in the number of seats.
- The buildings constructed over 100 years ago, such as the North and South blocks are not earthquake-resistant.
- The Parliament House building has remarkable symbolic value. It embodies the spirit of Indian democracy. Hence, it would be advisable to reshape the Parliament building by imbibing the composite culture and rich architectural legacy of India.

## 12. PMGKAY Scheme extended till March 2022

### Why in News?

- Acknowledging that poor families still need food security support in the middle of a recovering economy, the Centre has decided to extend its free ration scheme, Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY), for another four months, until March 2022.

### About the News:

- Initially introduced in the first COVID-19 relief package from April 2020, the scheme has been extended thrice, but was scheduled to end in November.
- The Cabinet has recently approved the extension of the PMGKAY which provides more than 80 crore ration card holders with five kg each of rice or wheat a month free of cost, in addition to the five kg which they are eligible for on a subsidised basis under the National Food Security Act. This fifth phase of the scheme, from December 2021 to March 2022 will entail an estimated subsidy of ₹53,345 crore, with a total outgo of 163 lakh tonnes of grain, according to an official statement.
- The first four phases have already seen almost 600 lakh tonnes of grain allocated to States, at a subsidy cost of about ₹2.07 lakh crore

### What is PMGKAY?

- The Pradhan Mantri Garib Kalyan Anna Yojana scheme was part of the Centre's initial COVID-19 relief package, back in March 2020 when the first lockdown was announced.
- It provides for 5 kg of rice or wheat per person per month to be distributed free of cost to the 80 crore beneficiaries of the National Food Security Act.
- This is over and above the 5 kg already provided to ration card holders at a subsidised rate, thus ensuring a doubling of food grain availability to poor people at a time when the pandemic and lockdown was decimating livelihoods.

- The scheme was initially meant to run from April to June 2020, but was then extended for another five months from July to November.
- In these first two phases, 320 lakh tonnes of grain were allotted and about 95% distributed to beneficiaries.
- Initially, one kg of pulses was also provided under the scheme, which was later restricted to chana dal only, and then discontinued in later phases.
- After the onset of the second wave of the pandemic, PMGKAY was rolled out for two months again, in May-June 2021, and was then further extended for another five months, from July to November.
- Another 278 lakh tonnes of grain were allotted for these two phases, and distribution is still ongoing.

### Were all Poor People covered under the scheme?

- The scheme only provided grain for those families who held ration cards.
- During the first lockdown, the plight of migrant workers who held cards registered in their home villages but were stranded without food or employment in the cities where they worked, came to the limelight.
- A number of other poor families did not possess ration cards at all for a variety of reasons, including the state quotas on the number of ration cards.
- In May and June 2020, the Centre allocated 8 lakh tonnes of foodgrain to be distributed by States under the Atma Nirbhar Bharat scheme for stranded migrants and others without ration cards, although only 40% had been distributed even by August. The scheme was not revived during the second lockdown.
- The 80 crore cap on NFSA beneficiaries and state ration card quotas are based on 2011 census data. Given the projected increase in population since then, economists have estimated that 10 crore eligible people are being excluded from the NFSA's safety net.
- In its June 2021 judgement in a suo moto case on the plight of migrant workers, the Supreme Court directed that the Centre and State should continue providing foodgrains to migrants whether or not they had ration cards.

### What are the arguments for and against extension of PMGKAY?

- As the economy is also reviving and the OMSS [or open market sale scheme] is also exceptionally good, there is no proposal from the department for extension.
- It was previously noted that States are free to buy rice and wheat under OMSS, and distribute it to migrants and other vulnerable communities.

- The Right to Food Campaign, pointing to the SC judgement and noting that the pandemic still exists, unemployment remains at record levels and there is widespread hunger among vulnerable communities.
- They argued that the government should not only extend PMGKAY for another six months, but also universalise the public distribution system itself, so that anyone in need would receive food support regardless of whether they possessed a ration card or not.
- They also suggested that pulses and cooking oils be added to the monthly entitlements, given the recent rise in prices of these Commodities.

### What is the Country's food Stock Situation?

- In the last few years, food grains have been produced at record levels. Government procurement from farmers at minimum support prices has also been on the rise, especially in the aftermath of the farm protests against three agricultural reform laws, as the Centre has been keen to prove that the laws would not affect procurement.
- In 2020-21, almost 890 lakh tonnes of paddy was procured in comparison to 764 lakh tonnes the previous year. Wheat procurement for 2021-22 was more than 433 lakh tonnes, also overtaking the previous record. This means that food stocks with the Food Corporation of India are at an all time high.
- In June and July 2021, stocks of rice and wheat stood above 900 lakh tonnes. By October, stocks stood at 724 lakh tonnes, almost 100 lakh tonnes higher than in the previous year.
- That is well above the buffer requirement, with stocking norms for the central pool for October standing at only 307 lakh tonnes, including a Strategic Reserve of 50 lakh tonnes.
- The Right to Food Campaign claimed that the amount of grain in FCI godowns would be sufficient to universalise PDS and extend PMGKAY for another six months as well.

### 13. SC seeks Centre, Asthana's response to plea by NGO

#### Why in News?

- The Supreme Court recently agreed to hear the plea of an NGO challenging the Delhi high court order which upheld the Centre's decision to appoint senior Indian Police Service officer Rakesh Asthana as Delhi Police Commissioner.

#### What is the Issue?

- The Delhi High Court had on October 12 dismissed a PIL challenging the appointment of Gujarat Cadre IPS officer Asthana as Delhi Police Commissioner saying there was no irregularity, illegality, or infirmity in his appointment.

- Pointing out that eight Police Commissioners in Delhi had been appointed by the Centre since 2006 before Asthana's appointment by following the same procedure, a Bench led by Delhi HC Chief Justice DN Patel had said, "There has never been any objection to the said appointments...either by UPSC or any other party."
- A 1984-batch IPS officer from the Gujarat cadre, Asthana was the Director General of the Border Security Force (BSF) before being appointed as Delhi Police Commissioner. Four days before his superannuation on July 31, the Appointments Committee of Cabinet appointed him as Delhi Police commissioner. He will have one-year tenure as Delhi Police chief. His appointment as Delhi Police Commissioner was challenged mainly on the ground that it went against the top court's ruling on such appointments in Prakash Singh's case (2006) on police reforms.
- A Bench of Justice DY Chandrachud asked the Centre and Asthana to respond to the petition filed by the Centre for Public Interest Litigation.

### What did the Delhi HC said?

- However, the high court had said the Supreme Court's decision in the Prakash Singh case, which mandated a minimum tenure for certain police officials and the constitution of a UPSC panel before selection, was not applicable to the appointment of Police Commissioner for Delhi as the directions were "intended to apply only to the appointment of a State DGP".
- The HC also said: "It ought to be kept in mind that Delhi, being the Capital of India, has a unique, special, and specific requirement. It has witnessed several untoward incidents and extremely challenging law and order situations/riots/ crimes, which have an international implication, which in the wisdom of the Central Government necessitated the appointment of an experienced officer possessing diverse and multifarious experience of heading a large Para-Military Security Force apart from other factors".

### What is the SC's Prakash Singh judgment on Police Reforms?

- Prakash Singh, who served as DGP of UP Police and Assam Police besides other postings, filed a PIL in the Supreme Court post retirement, in 1996, seeking police reforms.
- In a landmark judgment, the Supreme Court in September 2006 had directed all states and Union Territories with 7 directions to bring in police reforms. In passing these directives the Court put on record the deep-rooted problems of politicization, lack of accountability mechanisms and systemic weaknesses that have resulted in poor all round performance and fomented present public dissatisfaction with policing. The directives are: -
- **Constitute a State Security Commission (SSC) to:**

- ✓ Ensure that the state government does not exercise unwarranted influence or pressure on the police,
  - ✓ Lay down broad policy guideline and
  - ✓ Evaluate the performance of the state police.
1. **Ensure that the DGP** is appointed through merit based transparent process and secure a **minimum tenure of two years**.
  2. **Ensure that other police officers on operational duties** (including Superintendents of Police in-charge of a district and Station House Officers in-charge of a police station) are also provided a **minimum tenure of two years**.
  3. **Separate the investigation and law & order** functions of the police.
  4. **Set up a Police Establishment Board** (PEB) to decide transfers, postings, promotions and other service related matters of police officers of and below the rank of Deputy Superintendent of Police and make recommendations on postings and transfers above the rank of Deputy Superintendent of Police.
  5. **Set up a Police Complaints Authority** (PCA) at state level to inquire into public complaints against police officers of and above the rank of Deputy Superintendent of Police in cases of serious misconduct, including custodial death, grievous hurt, or rape in police custody and at district levels to inquire into public complaints against the police personnel below the rank of Deputy Superintendent of Police in cases of serious misconduct.
  6. **Set up a National Security Commission** (NSC) at the union level to prepare a panel for selection and placement of Chiefs of the Central Police Organisations (CPO) with a **minimum tenure of two years**.

## 14. NGT Levies Fine on JSPL for Altering Course of Water Channel

### Why in News?

- The National Green Tribunal (NGT), Eastern Zone, has slapped a fine of ₹2 crore on the Jindal Steel and Power Limited (JSPL) for changing the natural course of Kurbadahali Nalla (water channel) in Odisha's Angul district.

### What is the issue?

- The JSPL, which has a steel project in Angul district, is accused of filling up the original Kurdabahali Nalla with earth and constructing its industrial complex thereon at a time when it had not received sanction from the Odisha Government for diversion of the Kurdabahali Nalla through an alternative diversion into the Parang Minor Irrigation Project.

- It had also constructed its industry over the said land by building an integrated steel plant with a captive power plant at Sanakerjang in Sankerjang Jungle under Nisha Police Station.
- It is stated that no prior permission has been sought by the company from the authorities concerned before filling up the Nandira River.

### What did the NGT ruled?

- Hearing argument and counter arguments, the NGT said the determinative facts which emerged from the pleadings of the parties and the documents on record undisputedly establish that there had been a diversion of a water channel by the JSPL over an area passing through its area.
- However, this water channel, even from the map, is shown to be the Kurdabahali Nalla and not the Nandira River.
- The Nandira River is shown outside the boundary of the JSPL and has its origin in the Parang Minor Irrigation Project. The Kurdabahali Nalla, on the other hand, is shown entering the premises of the JSPL and exiting therefrom to flow into the Parang Minor Irrigation Project,” the tribunal observed in its judgment.

### About NGT:

- It is a specialised body set up under the National Green Tribunal Act (2010) for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources.
- With the establishment of the NGT, India became the third country in the world to set up a specialised environmental tribunal, only after Australia and New Zealand, and the first developing country to do so.
- The NGT Act provided a specialized role to the tribunal to act on issues where a dispute arose under seven specified laws (mentioned in Schedule I of the Act): The Water Act, The Water Cess Act, The Forest Conservation Act, Air Act, Environment Protection Act, Public Liability Insurance Act and the Biological Diversity Act.
- NGT is mandated to make disposal of applications or appeals finally within 6 months of filing the same.
- The NGT has five places of sittings, New Delhi is the Principal place of sitting and Bhopal, Pune, Kolkata and Chennai are the other four.
- The Tribunal is headed by the Chairperson who sits in the Principal Bench and has at least ten but not more than twenty judicial members and at least ten but not more than twenty expert members.

- Decisions of the Tribunal are binding. The Tribunal has powers to review its own decisions. If this fails, the decision can be challenged before the Supreme Court within Ninety Days.

### Composition of NGT:

- **Sanctioned strength:** The act allows for up to 40 members (20 expert members and 20 judicial members).
- **Chairman:** Is the administrative head of the tribunal, also serves as a judicial member and is required to be a serving or retired Chief Justice of a High Court or a judge of the Supreme Court of India. Members are chosen by a selection committee (headed by a sitting judge of the Supreme Court of India) that reviews their applications and conducts interviews.
- The Judicial members are chosen from applicants who are serving or retired judges of High Courts. Expert members are chosen from applicants who are either serving or retired bureaucrats not below the rank of an Additional Secretary to the Government of India (not below the rank of Principal Secretary if serving under a state government) with a minimum administrative experience of five years in dealing with environmental matters. Or, the expert members must have a doctorate in a related field.

### Challenges Associated with NGT:

- **Persistent Vacancies:** In the last nine years, the NGT has never got the minimum strength of ten judicial and ten expert members to address the increasing number of environmental litigations across the country.
- **Implementation of Orders:** There are also serious challenges as far as implementation of the NGT's orders is concerned.
  - ✓ The NGT Act specifies that the compensation amount as ordered by the tribunal should be remitted to the authority of the Environmental Relief Fund within a period of 30 days from the date of order.
  - ✓ However, it is observed that the polluters don't abide by this rule.
  - ✓ Further, there is no institutional mechanism to ensure that the environmental regulatory authorities comply with the orders of the tribunal.
- **Appeals to Supreme Court:** The NGT orders are increasingly challenged in the Supreme Court, where a heavy penalty has been imposed by the tribunal.

### Way Forward:

- There is a need for more autonomy and to widen NGT's scope for effective protection of the environment in balance with human developmental activities.

- The government needs to provide adequate financial and human resources — if it does not want the NGT to wither away.
- NGT offers a path for the evolution of Environmental Jurisprudence by setting up an alternative dispute Resolution Mechanism. It helps reduce the burden of litigation in the higher courts on Environmental Matters.

## 15. Karnataka not sharing Krishna Details

### Why in News?

- Telangana and Andhra Pradesh recently submitted in the Supreme Court that there is no information forthcoming from Karnataka for the past 14 years about how much Krishna river water it has diverted.

### About the Issue:

- Karnataka has sought the vacation of a November 16, 2011 order of the Supreme Court which stopped the Centre from publishing in the Official Gazette the final order of the Krishna Water Disputes Tribunal II (KWDT) pronounced in December 2010, allocating the river water to Karnataka, erstwhile Andhra Pradesh and Maharashtra.
- The KWDT had further modified its final order and report on November 29, 2013 to allot surplus water to Karnataka, Maharashtra and the erstwhile State of Andhra Pradesh while preserving the allocation of 2130 TMC already made amongst them.
- However, following the bifurcation of Andhra Pradesh, its successors Telangana and Andhra Pradesh had moved the Supreme Court challenging the KWDT's allocation of shares.
- Karnataka has argued that the dispute raised by Andhra Pradesh and Telangana was between them and did not concern it.
- The State said the decision of the KWDT was enforceable only till 2050, after which it has to be reviewed or revised. Ten years have already lapsed in litigation since 2010.
- Karnataka required at least 10 years to complete several irrigation projects whose costs were pegged at ₹60,000 crore in 2014-15. The costs would escalate annually by 10% to 15%. Even if the irrigation projects are completed in 10 years, the Central Water Commission clearances would take time.
- The life of the KWDT award is 40 years, out of which 10 years have already lapsed and 10 years is required to complete the work. As a result, Karnataka will not be in a position to utilise water 20 out of 40 years.



## About Inter-State River Water Disputes:

- Article 262 of the Constitution provides for the adjudication of inter-state water disputes.
- Under this, Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution and control of waters of any inter-state river and river valley. Parliament may also provide that neither the Supreme Court nor any other court is to exercise jurisdiction in respect of any such dispute or complaint.
- The Parliament has enacted the two laws, the River Boards Act (1956) and the Inter-State Water Disputes Act (1956). The River Boards Act provides for the establishment of river boards by the Central government for the regulation and development of inter-state river and river valleys. A River Board is established on the request of state governments concerned to advise them. The Inter-State Water Disputes Act empowers the Central government to set up an ad hoc tribunal for the adjudication of a dispute between two or more states in relation to the waters of an inter-state river or River Valley. The decision of the tribunal is final and binding on the parties to the dispute. Neither the Supreme Court nor any other court is to have jurisdiction in respect of any water dispute which may be referred to such a tribunal under this Act.

## About Krishna River:

- **Source:** It originates near Mahabaleshwar (Satara) in Maharashtra. It is the second biggest river in peninsular India after the Godavari River.
- **Drainage:** It runs from four states Maharashtra (303 km), North Karnataka (480 km) and the rest of its 1300 km journey in Telangana and Andhra Pradesh before it empties into the Bay of Bengal.
- **Tributaries:** Tungabhadra, Mallaprabha, Koyna, Bhima, Ghataprabha, Yerla, Warna, Dindi, Musi and Dudhganga.

## 16. Parliament clears Farm Laws Repeal Bill without a debate

### Why in News?

- The Farm Laws Repeal Bill, 2021 was passed by both Houses of Parliament recently without debate amid protests by Opposition MPs on being denied a debate.

### What are the laws that were repealed?

- The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill 2020
- The Farmers (Empowerment and Protection) Agreement of Price Assurance and Farm Services Bill 2020
- Essential Commodities (Amendment) Bill, 2020

### What is the procedure to repeal a law in India?

- The law can be repealed by the government in two ways; first to bring a Bill to repeal the three laws, and second is to promulgate an ordinance that will have to be consequently replaced with a Bill within six months.
- For repeal, the power of Parliament is the same as enacting a law under the Constitution.
- Article 245 of the Indian Constitution empowers the Parliament to enact as well as to repeal any law.
- That is, the Parliament has the power to make laws and also to repeal them through the Repealing and Amendment Act. In 1950, the first Act was passed and 72 Acts were repealed.
- In 2019, Repealing and Amendment provision was invoked when Union Government scrapped 58 obsolete laws and made minor amendments to the Income Tax Act, 1961 and also the Indian Institutes of Management Act, 2017.
- Narendra Modi led government already scrapped or repealed around 1,428 Acts during its First Term.
- Like any other Bill, the Repealing and Amendment Bill will pass in the same way as any other Bill. It will have to be passed by both Houses of Parliament and the President's assent will be required to make it a law.

### What is the significance?

- Just as the Legislature has the power to enact laws, similarly it has the power to repeal laws. The efficacy of the Legislature depends upon the possession of the power to repeal the existing law, for without this attribute the power to enact would be a nullity, and the body of the law a series of Contradictory Enactments.

- Consequently, the legislative power to repeal prior laws is not inhibited by any constitutional prohibitions but exists as a necessary part and increment of the legislative Power and Function. No statute can make itself secure against repeal."

### Why are Laws Repealed?

- Basically, laws are scrapped or repealed to either remove inconsistencies or after they have served their purpose.
- Also, when new laws are enacted, old laws are repealed on the subject by adding or inserting a repeal clause in the new law.

### Can the law be Nullified by any other Means?

- The implementation of a law can be halted by Judiciary on two narrow grounds:
  - ✓ The first ground is legislative competence, that is, if the court finds that the Parliament has no power to legislate on a subject matter.
  - ✓ The other two grounds are if the law violates fundamental rights or any other provisions of the Constitution respectively.

## 3.1. POLITY & GOVERNANCE SNIPPETS

### 1. Flood Plain Zone

#### Why in News?

- Comptroller and Auditor General of India (CAG) report on preparedness and response to floods was recently presented in the Kerala assembly.

#### Highlights:

- It was prepared against the backdrop of the devastating Kerala floods of 2018.
- It pointed out that the state is yet to enact flood plain zoning legislation, 45 years after the Union Government circulated to all states a model draft bill for flood plain zoning legislation.
- The basic concept of flood plain zoning is to regulate land use in the flood plains to restrict the damage caused by floods.
- Determining Developmental Activities aims at determining the locations and the extent of areas for developmental activities in such a fashion that the damage is reduced to a minimum. Adds Limitations envisages laying down limitations on development of both the unprotected as well as protected areas.
- In the unprotected areas, boundaries of areas in which developmental activities will be banned, are to be established to prevent indiscriminate growth.

- In the protected areas, only such developmental activities can be allowed, which will not involve heavy damage in case the protective measures fail.
- Zoning cannot remedy existing situations, although, it will definitely help in minimising flood damage in new developments.
- Flood plain zoning is not only necessary in the case of floods by rivers but it is also useful in reducing the damage caused by drainage congestion particularly in urban areas.
- There has been resistance on the part of the states to follow-up the various aspects of floodplain management including possible legislation.
- The reluctance of the states is mainly due to population pressure and want of alternative livelihood systems. The lukewarm response of the states towards the enactment and enforcement of the floodplain regulations has fuelled a significant increase in the encroachments into the flood plains, sometimes authorised and duly approved by the Town Planning Authorities.

## 2. Creating Safe Digital Spaces

### Why in News?

- Various reports have indicated increased incidence of cyberbullying and online child sexual exploitation by adults.

### Tackling Cyberbullying:

- School closures as a response to the COVID-19 lockdowns have led to an unprecedented rise in unsupervised screen time for children and young people, which in turn exposed them to a greater risk of online violence.
- In India, an estimated 71 million children aged 5-11 years access the Internet on the devices of their family members, constituting about 14% of the country's active Internet user base of over 500 million
- There is growing scientific evidence which suggests that cyberbullying has negative consequences on the education, health and well-being of children and young people.
- Published in 2019 and drawing on data from 144 countries, UNESCO's report 'Behind the numbers: Ending school violence and bullying' highlighted the extent of the problem, with almost one in three students worldwide reporting being bullied at least once in the preceding month.
- Therefore, cyberbullying prevention interventions should aim at tackling all types of bullying and victimisation experiences at the same time, as opposed to each in silo.

## Cyberbullying Prevention Interventions:

- Although online violence is not limited to school premises, the education system plays a crucial role in addressing online safety.
- To prevent and counter cyberbullying, the information booklet brought out by UNESCO in partnership with NCERT on Safe Online Learning in Times of COVID-19 can be a useful reference.
- Effective interventions also require gender-sensitive and targeted approaches that respond to needs of learners who are most likely to be the victims of online violence.
- Concerted efforts must be made to provide children and young people with the knowledge and skills to identify online violence so that they can protect themselves from its different forms, whether perpetrated by peers or adults.
- Teachers also play a critical role by teaching students about online safety, and thus supporting parental involvement.

## Conclusion:

- It is imperative that digital and social media platforms are free of cyberbullying, if learners have to access quality education. More importantly, confidential reporting and redress services must be Established.

## 3. Kartarpur Sahib Gurudwara corridor

### Why in News?

- Recently, the government has considering reopening the Kartarpur Sahib Gurudwara corridor to Pakistan to allow Sikh pilgrims to cross over, more than 20 months after it was shut down due to the Covid-19 pandemic.

### Highlights:

- Government is considering opening the route by 19th November (2021), the birth anniversary of the Sikh founder Guru Nanak, known as Gurburab or “Prakash Parv”.
- The corridor is one of the rare new initiatives between India and Pakistan amidst ties that have been in a downward spiral in 2019 after the Pulwama attack, Balakot strikes and the decision to amend Article 370 on Jammu and Kashmir, which led to the recall of diplomats on both sides and cancellation of all trade relations.
- The project is also unique as visa-free “Human corridors” of this sort are normally used for emergency situations: refugees fleeing violence or humanitarian disasters, not for pilgrimages.

- The Kartarpur corridor connects the Darbar Sahib Gurdwara in Narowal district of Pakistan with the Dera Baba Nanak shrine in Gurdaspur district in India's Punjab province. The corridor was built to commemorate 550th birth anniversary celebrations of Guru Nanak Dev, founder of Sikhism on 12th November 2019.
- Guru Nanak Dev Jayanti is observed on the full-moon day in the month of Katak to celebrate the birth of Guru Nanak Dev (1469-1539).
- He advocated the 'Nirguna' form of bhakti. He rejected sacrifices, ritual baths, image worship, austerities and the scriptures of both Hindus and Muslims.
- He set up rules for congregational worship (sangat) involving collective recitation.
- He appointed one of his disciples, Angad, to succeed him as the preceptor (guru), and this practice was followed for nearly 200 years.

#### **4. Repeal of Three Contentious Farm Laws**

##### **Why in News?**

- Prime Minister Narendra Modi recently announced the repeal of the three contentious farm laws, assuring farmer groups protesting against them for the past year that the legislative process for the withdrawal would be completed in the coming winter session of Parliament.

##### **What are the Laws that were Repealed?**

- The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill 2020
- The Farmers (Empowerment and Protection) Agreement of Price Assurance and Farm Services Bill 2020
- Essential Commodities (Amendment) Bill, 2020

##### **What is the Procedure to Repeal a Law in India?**

- The law can be repealed by the government in two ways; first to bring a Bill to repeal the three laws, and second is to promulgate an ordinance that will have to be consequently replaced with a Bill within six months. For repeal, the power of Parliament is the same as enacting a law under the Constitution. Article 245 of the Indian Constitution empowers the Parliament to enact as well as to repeal any law. That is, the Parliament has the power to make laws and also to repeal them through the Repealing and Amendment Act. In 1950, the first Act was passed and 72 Acts were repealed.
- In 2019, Repealing and Amendment provision was invoked when Union Government scrapped 58 obsolete laws and made minor amendments to the Income Tax Act, 1961 and also the Indian Institutes of Management Act, 2017.

- Narendra Modi led government already scrapped or repealed around 1,428 Acts during its first term.
- Like any other Bill, the Repealing and Amendment Bill will pass in the same way as any other Bill. It will have to be passed by both Houses of Parliament and the President's assent will be required to make it a law.

### What is the Significance?

- Just as the Legislature has the power to enact laws, similarly it has the power to repeal laws. The efficacy of the Legislature depends upon the possession of the power to repeal the existing law, for without this attribute the power to enact would be a nullity, and the body of the law a series of contradictory enactments.
- Consequently, the legislative power to repeal prior laws is not inhibited by any constitutional prohibitions but exists as a necessary part and increment of the legislative power and function. No statute can make itself secure against repeal."

### Why are Laws Repealed?

- Basically, laws are scrapped or repealed to either remove inconsistencies or after they have served their purpose.
- Also, when new laws are enacted, old laws are repealed on the subject by adding or inserting a repeal clause in the new law.

### Can the law be Nullified by any other means?

- The implementation of a law can be halted by Judiciary on two Narrow Grounds:
  - ✓ The first ground is legislative competence, that is, if the court finds that the Parliament has no power to legislate on a subject matter.
  - ✓ The other two grounds are if the law violates fundamental rights or any other provisions of the Constitution respectively.

## 5. Real Estate (Regulation and Development) Act, 2016 (RERA)

### Why in News?

- The Supreme Court (SC) has recently interpreted that the Real Estate (Regulation and Development) Act, 2016 (RERA) is retroactive.

### Highlights:

- The SC's ruling is aimed at protecting homebuyers, the ruling brings a major relief for the buyers, speeds up the resolution process, and makes it difficult for state governments to dilute the intent of the law.

- The SC affirmed that the provisions of the RERA 2016 are applicable to projects that were ongoing and for whom completion certificates were not obtained at the time of the enactment of the law. Under the Act, registration of real estate projects was mandatory. It mandated that for projects that were ongoing on the date of commencement of the Act, specifically projects for which the completion certificate had not been issued, the promoters shall be under obligation to make an application to the authority for registration of the project.
- Regulations of RERA authorities in states including Uttar Pradesh, Haryana, Punjab, Karnataka, Telangana and Tamil Nadu are currently not in line with this position and may need to amend their rules to ensure all ongoing projects get covered under RERA.
- SC also held that the amount invested by the allottees, along with interest as quantified by the regulatory authority or the adjudicating officer, can be recovered as arrears of land revenue from the builders.
- The builders had contended that homebuyers are only entitled to recover interest or penalty as arrears of land.
- However, taking into consideration the scheme of the Act, the court observed, what is to be returned to the allottee is his own life savings.
- The amount with interest as computed/quantified by the authority becomes recoverable and such arrear becomes enforceable in law. Penalty for Developers is mandatory for real estate developers to deposit at least 30% of the penalty ordered by the regulator, or the full amount as the case may be, before they challenge any RERA order. This is expected to ensure that only genuine appeals are filed and homebuyers' interests are protected.
- SC noted that the obligation cast upon the promoter of pre-deposit under the Act, in no circumstance can be said to be in violation of Article 14 (Equality before law) or Article 19 1(g)(freedom to practise any profession, or to carry on any occupation, trade or business) of the Constitution of India.
- Builders/promoters who are in appeal are required to make the pre-deposit to get the appeal entertained by the Appellate Tribunal.
- A promoter is defined as a person who is entrusted with the task of promoting the project (real estate project), which was developed or constructed by the developer.
- The intention of the legislature appears to be to ensure that the rights of the decree holder (the successful party) is to be protected and only genuine bonafide appeals are to be entertained.

## 6. Judicial Transfers

### Why in News?

- The transfer of Chief Justice Sanjib Banerjee from the Madras High Court to the Meghalaya High Court has given rise to a controversy over the question of whether judicial transfers are made only for administrative reasons or have any element of ‘punishment’ behind them.

### Transfer of judges and the Constitution:

- Article 222 of the Constitution provides for the transfer of High Court judges, including the Chief Justice.
- It says the President, after consultation with the Chief Justice of India, may transfer a judge from one High Court to any other High Court.
- It also provides for a compensatory allowance to the transferred judge.
- This means that the executive could transfer a judge, but only after consulting the Chief Justice of India. From time to time, there have been proposals that one-third of the composition of every High Court should have judges from other States.

### What is the Supreme Court’s view on the Issue?

#### Union of India vs. Sankalchand Himatlal Sheth (1977):

- The Supreme Court rejected the idea that High Court judges can be transferred only with their consent.
- It reasoned that the transfer of power can be exercised only in public interest.
- It held that the President is under an obligation to consult the CJI, which meant that all relevant facts must be placed before the CJI.
- It ruled CJI had the right and duty to elicit and ascertain further facts from the judge concerned or others.

#### S.P. Gupta vs. President of India, 1981 (First Judges Case):

- It considered the validity of the transfer Judges as well as a circular from the Law Ministry.
- The Ministry had put that additional judge in all High Courts may be asked for their consent to be appointed as permanent judges in any other High Court, and to name three preferences. The Minister’s reasoning was that such transfers would promote national integration and help avoid parochial tendencies bred by caste, kinship and other local links and affiliations.
- The majority ruled that consultation with the CJI did not mean ‘concurrence’ with respect to appointments.

## SCARA Vs Union of India, 1993 (Second Judges Case):

- In effect, it emphasized the primacy of the executive in the matter of appointments and transfers.
- However, this position was overruled in the ‘Second Judges Case’ (1993).
- The opinion of the CJI, formed after taking into account the views of senior-most judges, was to have primacy.
- Since then, appointments are being made by the Collegium.

## Current Procedure for Transfers:

- As one of the points made by the ‘Second Judges Case’ was that the opinion of the CJI ought to mean the views of a plurality of judges, the concept of a ‘Collegium of Judges’ came into being.
- In the collegium era, the proposal for transferring a High Court judge, including a Chief Justice, should be initiated by the Chief Justice of India, “whose opinion in this regard is determinative”. The consent of the judge is not required.
- All transfers are to be made in public interest, i.e. for promoting better administration of justice throughout the country.
- For transferring a judge other than the Chief Justice, the CJI should take the views of the CJ of the court concerned, as well as the CJ of the court to which the transfer is taking place.
- The CJI should also take into account the views of one or more Supreme Court judges who are in a position to offer their views.
- In the case of transfer of a Chief Justice, only the views of one or more knowledgeable Supreme Court judges need to be taken into account.

## Provision for Written Recommendation

- The views should all be expressed in writing, and they should be considered by the CJI and four senior-most judges of the Supreme Court, which means, the full Collegium of five.
- The recommendation is sent to the Union Law Minister who should submit the relevant papers to the Prime Minister. The PM then advises the President on approving the transfer.

## What makes Transfers Controversial?

- Punitive intent: Transfer orders become controversial when the Bar or sections of the public feel that there is a punitive element behind the decision to move a judge from one High Court to another. No disclosure of reasons: As a matter of practice, the Supreme Court and the government do not disclose the reason for a transfer.

- Adverse opinions behind: For, if the reason is because of some adverse opinion on a judge's functioning, disclosure would impinge on the judge's performance and independence in the court to which he is transferred.

## 7. Process for Repealing a Law

### Why in News?

- PM after repealing the farm laws has said that the process of repealing the laws — which are currently stayed by the Supreme Court — will take place in the upcoming Winter Session of Parliament.

### Repealing a Law:

- Repealing a law is one of the ways to nullify a law.
- A law is reversed when Parliament thinks there is no longer a need for the law to exist.
- Legislation can also have a “sunset” clause, a particular date after which they cease to exist.
- For example, the anti-terror legislation Terrorist and Disruptive Activities (Prevention) Act 1987, commonly known as TADA, had a sunset clause, and was allowed to lapse in 1995.
- For laws that do not have a sunset clause, Parliament has to pass another legislation to repeal the law.
- (Sunset Clause: A law shall cease to have effect after a specific date, unless further legislative action is taken to extend the law.)

### How can the Government Repeal a law?

- Article 245 of the Constitution gives Parliament the power to make laws for the whole or any part of India, and state legislatures the power to make laws for the state.
- Parliament draws its power to repeal a law from the same provision.
- A law can be repealed either in its entirety, in part, or even just to the extent that it is in contravention of other laws.

### What is the Process for Repealing a law?

- Laws can be repealed in two ways — either through an ordinance, or through legislation.
- In case an ordinance is used, it would need to be replaced by a law passed by Parliament within six months.
- If the ordinance lapses because it is not approved by Parliament, the repealed law can be revived. The Government can also bring legislation to repeal the farm laws.
- It will have to be passed by both Houses of Parliament, and receive the President's assent before it comes into effect.

## Legislations Required:

- All three farm laws can be repealed through a single legislation.
- Usually, Bills titled Repealing and Amendment are introduced for this purpose.

## 8. Bharat Gaurav Scheme

### Why in News?

- Indian Railways has recently announced the new scheme 'Bharat Gaurav' to tap the huge potential of Tourism.

### Highlights:

- Now trains have a third segment for tourism. Till now, the Railways had passenger segments and goods segments.
- These trains are not regular trains that will run as per a timetable but will be more on the lines of the Ramayana Express being run by the IRCTC.
- It was announced under the theme-based tourist circuit trains. These trains will be run, by both private players and IRCTC, in theme-based circuits
- By theme-based tourism (circuits), the railways means trains like Guru Kripa that goes to all places related to Guru Nanak or a Ramayan-themed train to touch upon places related to Lord Ram.
- Anyone, from societies, trusts, consortia and even state governments can apply to take these trains and run them on special tourism circuits based on a theme.
- Service Provider will offer all-inclusive packages to tourists including rail travel, hotel accommodation, sightseeing arrangement, visit to historical/heritage sites, tour guides etc.
- These trains will help realise India's rich cultural heritage and magnificent historical places to the people of India and the world. They will also help in tapping the vast tourism Potential of India.

## 9. Panchayat Extension to Scheduled Areas (PESA) Act, 1996

### Why in News?

- Chhattisgarh government has recently formulated draft rules under Panchayat Extension to Scheduled Areas (PESA) Act, 1996, terming it the Chhattisgarh Panchayat Provisions (Extension of the Scheduled) Rules, 2021.

## Highlights:

- Tribals in Chhattisgarh have been demanding the enactment of PESA rules for some time, as it would give them more power over their Resources.
- The bill envisages instituting devaluation of power, and strengthening the gram sabhas at the village level.
- Six states (Himachal Pradesh, Andhra Pradesh, Telangana, Rajasthan, Gujarat, Maharashtra) have formed the PESA laws, and Chhattisgarh would become the seventh state if the rules are enacted.
- It legally recognises the right of tribal communities, residents of the scheduled areas, to govern themselves through their own systems of self-government.
- It acknowledges their traditional rights over natural resources.
- Democratic Decentralisation: PESA empowers gram sabhas to play a key role in approving development plans and controlling all social sectors.
- Preserving Identity: The powers of gram sabhas include maintenance of cultural identity and tradition, control over schemes affecting the tribals, and control over natural resources within the area of a village.
- The PESA Act thus enables gram sabhas to maintain a safety net over their rights and surroundings against external or internal conflicts.
- The gram sabha would have the powers to monitor and prohibit the manufacturing, transport, sale and consumption of intoxicants within their village limits.

## 10. Atmosphere & Climate Research-Modelling Observing Systems & Services (ACROSS) Scheme

### Why in News?

- Recently, the Cabinet Committee on Economic Affairs approved the continuation of Atmosphere & Climate Research-Modelling Observing Systems & Services (ACROSS) Scheme along with its eight sub-schemes to the next finance (15th) cycle of five years (2021-2026).

### Highlights:

- It pertains to the atmospheric science programs of the Ministry of Earth Sciences (MoES) and addresses different aspects of weather and climate services.
- Each of these aspects is incorporated as eight sub-schemes under the umbrella scheme "ACROSS".

- The sub-schemes are Commissioning of Polarimetric Doppler Weather Radars (DWRs), Upgradation of Forecast System, Weather & Climate Services, Atmospheric Observations Network, Numerical Modelling of Weather and Climate, Monsoon Mission III, Monsoon Convection, Clouds and Climate Change (MC4) and High-Performance Computing System (HPCS). It will be implemented by the Ministry of Earth Sciences through its institutes namely India Meteorological Department (IMD), Indian Institute of Tropical Meteorology (IITM), National Centre for Medium Range Weather Forecasting (NCMRWF), and Indian National Centre for Ocean Information Service (INCOIS). Each institute has a designated role for accomplishing the above tasks through the aid of eight schemes. The scheme will provide improved weather, climate and ocean forecast and services. This would include warnings for cyclones, storm surges, heat waves and thunderstorms. The whole process from generation of forecast to its delivery requires considerable manpower at every stage, thereby generating employment opportunities for many people.

## **11. 'Ocean Services, Modelling, Application, Resources and Technology (O-SMART)'**

### **Scheme**

#### **Why in News?**

- The Cabinet Committee on Economic Affairs has recently approved the continuation of the 'Ocean Services, Modelling, Application, Resources and Technology (O-SMART)' Scheme for the period of 2021-26.

#### **Highlights:**

- It is a Government Scheme that aims at promoting ocean research and setting up early warning weather systems. It was launched in August 2018.
- It also aims at addressing ocean development activities such as technology, services, resources, science, and observations as well as offering required technological assistance for implementing aspects of the Blue Economy.
- It comprises seven sub-schemes which are being implemented by autonomous institutes of the Ministry of Earth Sciences (MoES).
- To generate and regularly update information on Marine Living Resources and their relationship with the physical environment in the Indian Exclusive Economic Zone (EEZ).
- To periodically monitor levels of seawater pollutants for health assessment of coastal waters of India, to develop shoreline change maps for assessment of coastal erosion due to natural and anthropogenic activities.

- To develop a wide range of state-of-the-art ocean observation systems for the acquisition of real-time data from the seas around India and to cater to the testing and sea trial activities of ocean technology. To generate and disseminate a suite of user-oriented ocean information, advisories, warnings, data and data products for the benefit of society.
- To develop high-resolution models for ocean forecast and reanalysis systems. To develop algorithms for validation of satellite data for coastal research and to monitor changes in the coastal research.
- Acquisition of Coastal Research Vessels (CRVs) for coastal pollution monitoring, testing of various underwater components and technology demonstration and to support their operation and maintenance.

### Advantages:

- It will augment the capacity building of India in the oceanographic field at the international level with the ongoing extensive research and technology development activities.
- It will aid in strengthening India's contribution towards a national policy on Blue Economy for efficient and effective use of the ocean resources in a sustainable way.
- It will offer further comprehensive coverage while strengthening ongoing activities to deliver cutting-edge technology for the marine sector, forecast and warning services, understanding marine biodiversity, coastal processes, and conservation strategies for marine living organisms. It will help in achieving United Nations' Sustainable Development Goal (SDG) 14 to conserve and sustainably use the Oceans, Seas, and Marine Resources.

## 12. Key Demographic Transitions captured by 5<sup>th</sup> round of NFHS

### Why in News?

- The Union Health Ministry released the summary findings of the fifth round of the National Family and Health Survey (NFHS-5), conducted in two phases between 2019 and 2021.

### NFHS:

- The NFHS is a large-scale, multi-round survey conducted in a representative sample of households throughout India.
- The previous four rounds of the NFHS were conducted in 1992-93, 1998-99, 2005-06 and 2015-16. The survey provides state and national information for India on:
- Fertility, infant and child mortality, the practice of family planning, maternal and child health, reproductive health, nutrition, anaemia, utilization and quality of health and family planning services etc.

## Objectives of the Survey:

- **Each successive round of the NFHS has had two specific goals:**
- To provide essential data on health and family welfare needed by the Ministry of Health and Family Welfare and other agencies for policy and programme purposes
- To provide information on Important Emerging Health and Family Welfare Issues.

## Key Highlights of the NFHS-5:

- **Women Outnumbering Men:**
- NFHS-5 data shows that there were 1,020 women for 1000 men in the country in 2019-2021.
- This is the highest sex ratio for any NFHS survey as well as since the first modern synchronous census conducted in 1881.
- To be sure, in the 2005-06 NFHS, the sex ratio was 1,000 or women and men were equal in number.

## Fertility has Decreased:

- The Total Fertility Rate (TFR) has also come down below the threshold at which the population is expected to replace itself from one generation to next.
- TFR was 2 in 2019-2021, just below the replacement fertility rate of 2.1. To be sure, in rural areas, the TFR is still 2.1.
- In urban areas, TFR had gone below the replacement fertility rate in the 2015-16 NFHS itself.

## Population is Ageing:

- A decline in TFR, which implies that lower number of children are being born, also entails that India's population would become older.
- Sure enough, the survey shows that the share of under-15 population in the country has therefore further declined from 28.6% in 2015-16 to 26.5% in 2019-21.
- Children's nutrition has improved:
- The share of stunted (low height for age), wasted (low weight for height), and underweight (low weight for age) children have all come down since the last NFHS conducted in 2015-16.
- However, the share of severely wasted children has not, nor has the share of overweight (high weight for height) or anaemic children.
- The share of overweight children has increased from 2.1% to 3.4%.

## Nutrition Problem for Adults:

- For children and their mothers, there are at least government schemes such as Integrated Child Development Services (ICDS) that seek to address the nutritional needs at the time of childbirth and infancy.
- However, there is a need to address the nutritional needs of adults too.
- The survey has shown that though India might have achieved food security, 60% of Indians cannot afford nutritious diets.
- While the share of women and men with below-normal Body Mass Index (BMI) has decreased, the share of overweight and obese (those with above-normal BMI) and the share of anaemic has increased.
- Basic sanitation challenges:
- Availability of basic amenities such as improved sanitation facilities clean fuel for cooking, or menstrual hygiene products can improve health outcomes.
- There has been an improvement on indicators for all three since the last NFHS. However, the degree of improvement might be less than claimed by the government.
- For example, only 70% population had access to an improved Sanitation Facility.
- While not exactly an indicator of open defecation, it means that the remaining 30% of the population has a flush or pour-flush toilet not connected to a sewer, septic tank or pit latrine. The share of households that use clean cooking fuel is also just 59%.
- Financial inclusion:
- The share of women having a bank account that they themselves use has increased from 53% to 79%. Households' coverage by health insurance or financing scheme also has increased 1.4 times to 41%, a clear indication of the impact of the government's health insurance scheme.

## 13. Project SWADESH

### Why in News?

- The Department of Biotechnology (DBT)-National Brain Research Centre (DBT-NBRC) has recently developed Project SWADESH, for managing Neurological disorders.

### Highlights:

- It is the first large-scale multimodal neuroimaging database designed specifically for the Indian population with big-data architecture and analytics for various disease categories under one platform.

- It proposes a big-data architecture that manages and analyzes six modules, namely neurodegenerative [AD, Mild Cognitive Impairment (MCI), and Parkinson's disease (PD)], neuropsychiatric (schizophrenia and bipolar disorder), neurodevelopmental (autism and epilepsy), Covid-19-related disorders, other disorders, and healthy subjects.
- It is supported by JAVA-based workflow environments and Python. Backed by a dedicated storage system, it provides quality control, data analysis reports, and data backups.
- Python and Java are both computer programming languages.
- It will be useful in conducting multimodal brain studies to understand Alzheimer's disease and several neurological disorders.
- Its development will facilitate the integration of multi-site data and Collaborative Research Worldwide.

## 14. How and when MPs are suspended

### Why in News?

- Twelve Opposition members of the Rajya Sabha were suspended for the entire winter session for unprecedented acts of misconduct, unruly and violent behavior and intentional attacks on security personnel.

### Decorum of the Parliament:

- Freedom of speech is one of the most important privileges enjoyed by Members of Parliament.
- This freedom is circumscribed, however, by the necessity of maintaining order and decorum when debate is taking place.
- Thus discipline, decorum and dignity of Parliament are of paramount importance for the efficient functioning and success of parliamentary institutions.
- All over the world concerns have been expressed about the decline of discipline, decorum and dignity of Legislative Bodies.

### Maintaining the Decorum:

- MPs are required to adhere to certain rules of parliamentary etiquette.
- For example the Lok Sabha rulebook specifies that MPs are not to interrupt the speech of others, maintain silence and not obstruct proceedings by hissing or making running commentaries during debates.
- Newer forms of protest led to these rules being updated in 1989.

- Now, members should not shout slogans, display placards, tear up documents in protest, and play a cassette or a tape recorder in the House.
- Rajya Sabha has similar rules. To conduct the proceedings smoothly, the rulebook also gives certain, similar powers to the presiding officers of both Houses.

### **Power of Suspension:**

- The presiding officer of each House can direct an MP to withdraw from the legislative chamber for grossly disorderly conduct.
- The MP then has to remain absent from the proceedings of the House for the remainder of the day.
- The presiding officers can also “name” an MP for “persistently and wilfully obstructing the business” of the House.
- In such a case, usually, the Parliamentary Affairs Minister moves a motion for suspending the offending MP from the service of the House.
- The suspension can last until the end of the session.

### **Why are such Disruptions Frequent in the Parliament?**

- The reluctance and procrastination of the treasury benches to face discussions is the main cause for disorder in Parliament.
- In most cases, disorders in the House arise out of a sense of frustration felt by members due to lack of opportunities to make his point.
- They are perhaps easier to deal with. What is more difficult to tackle is planned parliamentary offences and deliberate disturbances for publicity or for political motives.

### **Way Forward:**

- Debate is central to democracy, and therefore there should be more debate and fewer disruptions.
- The majority party is responsible for governing and should take other parties into confidence.
- The Opposition should play a constructive role in Parliament and be allowed to put forward its views and express itself in a Dignified Manner.
- The Presiding officers must help the Opposition in raising issues uncomfortable to the Government.

## 4. SCIENCE & TECHNOLOGY

### 1. National Family Health Survey-5

#### Why in News?

- The comparison of National Family Health Survey-5 (NFHS-5) and NFHS-4 shows that the births in institutional facilities, such as a hospital, improved by nearly eight percentage points but children who were either stunted or Displayed signs of wasting only dropped by a Maximum of Three Percentage Points.

#### What is the National Family Health Survey?

- The NFHS is a large-scale, multi-round survey conducted in a representative sample of households throughout India.
- Four rounds of the survey have been conducted since the first survey in 1992-93.
- Each successive round of the NFHS has had two specific goals:
  - ✓ To provide essential data on health and family welfare needed by the Ministry of Health and Family Welfare and other agencies for policy and programme purposes.
  - ✓ To provide information on important emerging health and family welfare issues.
- The survey provides state and national information for India on fertility, infant and child mortality, the practice of family planning, maternal and child health, reproductive health, nutrition, anaemia, utilization and quality of health and family planning services.
- The Ministry of Health has designated the International Institute for Population Sciences (IIPS) Mumbai, as the nodal agency, responsible for providing coordination and technical guidance for the survey.
- The funding for different rounds of NFHS has been provided by USAID, the Bill and Melinda Gates Foundation, UNICEF, UNFPA, and MoHFW (Government of India).

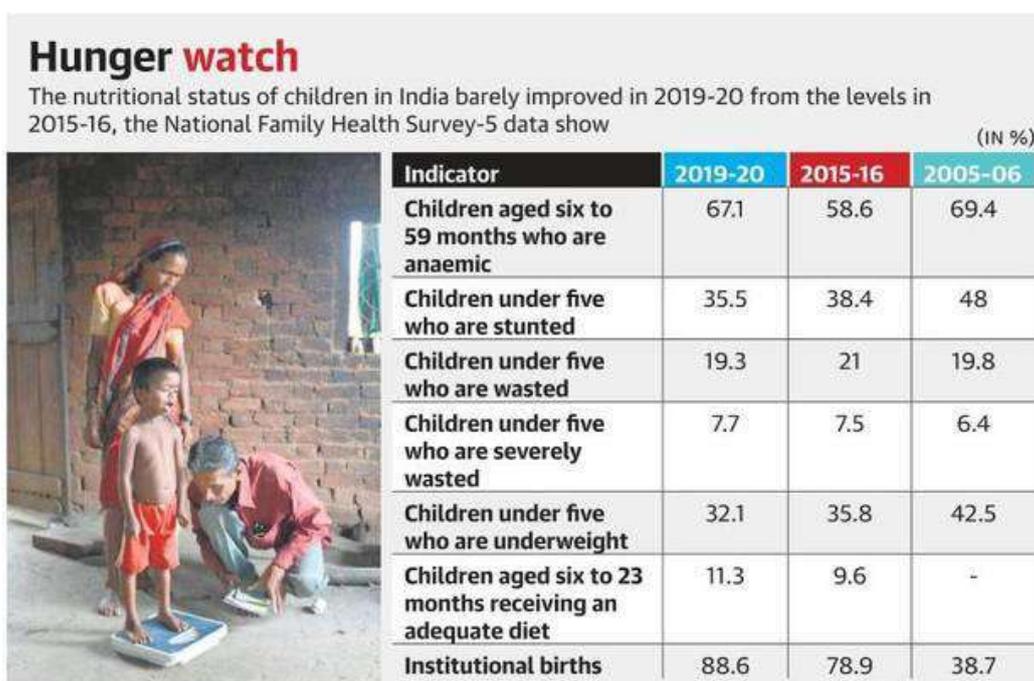
#### History of the National Family Health Survey:

- The First National Family Health Survey (NFHS-1) was conducted in 1992-93.
- The Second National Family Health Survey (NFHS-2) was conducted in 1998-99 in all 26 states of India. The project was funded by the USAID, with additional support from UNICEF.
- The Third National Family Health Survey (NFHS-3) was carried out in 2005-2006. NFHS-3 funding was provided by the USAID, the Department for International Development (UK), the Bill and Melinda Gates Foundation, UNICEF, UNFPA, and the Government of India.

- The Fourth National Family Health Survey (NFHS-4) in 2014-2015, the fourth National Family Health Survey (NFHS-4) was conducted.
- In addition to the 29 states, NFHS-4 included all six union territories for the first time and provided estimates of most indicators at the district level for all 640 districts in the country as per the 2011 census.
- The survey covered a range of health-related issues, including fertility, infant and child mortality, maternal and child health, perinatal mortality, adolescent reproductive health, high-risk sexual behaviour, safe injections, tuberculosis, and malaria, non-communicable diseases, domestic violence, HIV knowledge, and attitudes toward people living with HIV.

### About the National Family Health Survey (NFHS) - 5

- The NFHS-4 was released in 2014-15 and the latest, which captured population health indicators in 2017-19, was delayed due to the pandemic.
- The complete results of the NFHS-5 were made public recently.
- The findings of NFHS-5 from 22 States & UTs covered in Phase-I were released in December, 2020 and the remaining comprising Arunachal Pradesh, Chandigarh, Chhattisgarh, Haryana, Jharkhand, Madhya Pradesh, NCT of Delhi, Odisha, Puducherry, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and Uttarakhand were made public recently.
- The NFHS-5 survey work has been conducted in around 6.1 lakh sample households from 707 districts (as on March, 2017) of the country; covering 7,24,115 women and 1,01,839 men to provide disaggregated estimates up to district level.



## Key Findings of NFHS-5:

- **Growth under check:** India has officially hit a total fertility rate (TFR) of 2.0 that indicates a decrease from the 2.2 in the NFHS-4.
  - ✓ According to the United Nations Population Division, a TFR of about 2.1 children per woman is called replacement-level fertility. If replacement level fertility is sustained over a sufficiently long period, each generation will exactly replace itself. The urban TFR is 1.6 and the rural TFR is 2.1.
  - ✓ An overall survey of the major differences between the NFHS-5 and NFHS-4 suggests that the use of contraceptives has improved from 53.5% to 66.7% in the latest NFHS-5 and institutional births increased from 78.9% to 88.6%.
  - ✓ The proportion of children (12-23 months) who were fully vaccinated improved from 62%-76% and children under 6 months who were exclusively breastfed also showed a sharp improvement from 54.9 to 63.7%.
- **Nutrition concerns:** There were, however, mixed signals in nutrition. Though the gains in childhood nutrition were minimal, women and men (15-49) who had a below normal body mass index (BMI) each dropped roughly four percentage points.
  - ✓ Those overweight (or had a higher BMI than ideal) increased by around 4 percentage points. Abnormal BMIs are linked to an increase in obesity and other non-communicable diseases (NCD).
- **Anaemia:** India's battle with anaemia also appears to have faltered. The proportion of anaemic children (5-59 months) increased from 58% to 67%. Women aged 15-49 who were anaemic increased from 53% to 57% and men of the same age increased from 29% to 31% between both editions of the NFHS.
- NFHS-5 includes some new focal areas, such as death registration, pre-school education, expanded domains of child immunisation, components of micro-nutrients to children, menstrual hygiene, frequency of alcohol and tobacco use, additional components of non-communicable diseases (NCDs), expanded age ranges for measuring hypertension and diabetes among all aged 15 years and above, which will give requisite input for strengthening existing programmes and evolving new strategies for policy intervention.

## What are the Inferences from the Survey?

- This is a significant feat for the country's family-planning programme, which does not include coercive policies. These findings bust the population-explosion myth and show that India must steer away from coercive measures of population control.

- While the increase in the use of modern contraceptive methods is heartening, an increase in female sterilisation coupled with continued stagnation in male sterilisation uptake shows that the onus of family planning still lies with women.
- What is gobsmacking is the increase in those overweight, the very large burden of NCD and the very challenging findings on waist-hip ratio. 56.7% women and 47.7% men have high-risk waist-to-hip ratio.
- Many of these are diet-related diseases, especially the quality of people's diets and what people can afford to eat. Slow and steady progress [is seen] on stunting, which seems to be coming from change happening in big States such as Uttar Pradesh and others. These are outcomes that depend on multiple interventions and take longer to achieve.

### Key Terms in the Survey:

- **Neonatal death** is defined as a death during the first 28 days of life, while neonatal mortality rate is defined as the number of neonatal deaths per 1,000 live births.
  - ✓ SDG goal 3 calls for an end to preventable deaths of newborns and children under 5 years of age and specifies that all countries should aim to reduce neonatal mortality to at least as low as 12 deaths per 1,000 live births and under-five mortality to at least as low as 25 deaths per 1,000 live births by 2030.
- **Total Fertility Rate:** TFR indicates the average number of children expected to be born to a woman during her reproductive span of 15-49 years.
  - ✓ India's total fertility rate (TFR) is declining. It is now 2.2 per woman, nearing the replacement rate of 2.1, according to the Latest Government Data.
- **The replacement level** is the number of children needed to replace the parents, after accounting for fatalities, skewed sex ratio, infant mortality, etc. Population starts falling below this level.
- **Contraceptive Prevalence Rate:** CPR is the proportion of women who are currently using, or whose sexual partner is currently using, at least one method of contraception, regardless of the method being used.
  - ✓ It is reported as a percentage with reference to women of respective marital status and age group.
- **Sex ratio at birth (SRB)** is defined as the number of female births per 1,000 male births. The SRB is a key indicator of a son's preference vis-à-vis daughters.
- **Stunting** is the impaired growth and development that children experience from poor nutrition, repeated infection, and inadequate Psychosocial Stimulation.

- ✓ It is the result of chronic or recurrent undernutrition, usually associated with poverty, poor maternal health and nutrition, frequent illness and/or inappropriate feeding and care in early life.
- **Wasting** is defined as low weight-for-height. It often indicates recent and severe weight loss, although it can also persist for a long time. Wasting in children is associated with a higher risk of death if not treated properly.
- **Infant Mortality Rate (IMR)** is defined as the ‘number of deaths of children under the age of 1 year per 1000 live births for a given year.’
  - ✓ The country’s average IMR stands at 32 per 1,000 live births which includes an average 36 deaths for rural and 23 for Urban Areas.

## 4.1. SCIENCE & TECHNOLOGY SNIPPETS

### 1. Indo-French Shakti 2021

#### Why in News?

- Indo-French Shakti 2021 (sixth edition) will be conducted in November in Frejus, France.

#### Highlights:

- It will focus on Counter Terrorism operations in backdrop of semi-urban terrain under United Nations Mandate with an aim to enhance military cooperation and inter-operability between the two Armies.
- The biennial exercise between the armies of the two countries had started in 2011.
- It is conducted alternately in India and France.
- The last edition of the Shakti exercise had taken place in Rajasthan in 2019, in which “Counter Terrorism operations in semi-desert terrain were practised”.
- Gagan Shakti is conducted by the Indian Air Force to showcase its air dominance over the entire extended area of the Indian Ocean Region.
- Garuda Shakti is the joint military exercise between India and Indonesia.
- Mitra Shakti is the joint military exercise between India and Sri Lanka.
- Harimau Shakti is India-Malaysia joint military exercise.

### 2. Kamo`oalewa

#### Why in News?

- Scientists have recently observed a quasi-satellite named Kamo`oalewa, tracking the Earth’s orbit around the Sun, could be a fragment from the moon. A mission to collect Kamo’oalewa’s samples has been scheduled for a launch in 2025.

## Highlights:

- It is discovered in 2016 (through the PanSTARRS telescope in Hawaii), Kamo'oalewa is a word that is part of a Hawaiian chant, and alludes to an offspring that travels on its own.
- It is one of Earth's quasi-satellites, a space rock that orbits the Sun, but remains relatively close to the planet – in this case about 9 million miles away.
- The asteroid is roughly the size of a Ferris wheel – between 150 and 190 feet in diameter.
- Because of its small size (about 50 metres wide), this quasi-satellite has been difficult for scientists to study, and little was known about it so far.
- It could have broken away from the Moon due to a possible impact, and gone on to orbit the Sun rather than the Earth-like its parent does.
- Spectrum of reflected light from Kamo'oalewa closely matched lunar rocks from Nasa's Apollo missions, suggesting it originated from the moon.
- It is in an unusual orbit, one that would be unlikely for objects that had drifted towards Earth from the asteroid belt between Mars and Jupiter.
- The team are unsure how the piece of moon came to be adrift in space, in part, because there are no other known asteroids with lunar origins. However, they narrowed down the timeframe for the violent event to have occurred between 1,00,000 and 500 years ago.
- It originated from an as-yet-undiscovered quasi-stable population of Earth's Trojan asteroids (Trojans are a group of asteroids that share an orbit with a larger planet).
- Near-Earth Objects (NEOs) are comets and asteroids pushed by the gravitational attraction of nearby planets into orbits which allow them to enter the Earth's neighbourhood.
- These objects are composed mostly of water ice with embedded dust particles.
- NEOs occasionally approach close to the Earth as they orbit the Sun.
- NASA's Center for Near-Earth Object Study (CNEOS) determines the times and distances of these objects, when their approach to the Earth is close, through the Asteroid Watch Widget.

## 3. Singapore-India-Thailand Maritime Exercise (SITMEX)

### Why in News?

- The third edition of the trilateral naval exercise Singapore-India-Thailand Maritime Exercise (SITMEX) has recently been conducted in the Andaman Sea of the Indian Ocean.

### Highlights:

- It is conducted annually, and was announced by India at Shangri-La Dialogue in June 2018.

- The International Institute for Strategic Studies (IISS) Shangri-La Dialogue is Asia's premier defence summit. It was launched in 2002.
- The first edition of SITMEX was hosted by the Indian Navy, and was conducted off Port Blair in September 2019.
- Singapore hosted the second edition of the exercise in November 2020. The 2021 edition of the exercise is being hosted by Thailand.
- It includes a number of tactical training drills such as naval manoeuvres and surface warfare exercises. It aims to strengthen mutual confidence and develop common understanding and procedures towards enhancing the overall maritime security in the Indo-Pacific region. The exercise is in line with India's SAGAR (Security and Growth for All in the Region) vision.

## 4. Renewable Energy Production

### Why in News?

- Ministries of Power and New and Renewable Energy has recently released guidelines which allows thermal generation companies to set up renewable energy generation capacity and supply power to consumers under existing Power Purchase Agreements (PPAs).

### Highlights:

- Thermal Energy Producer to Produce Green Energy: The new guidelines allow thermal generation companies "to set up renewable energy generation capacity either by themselves (or) through developers by open bids and supply power to consumers under existing PPAs.
- A Power Purchase Agreement (PPA), or electricity power agreement, is a contract between two parties, one which generates electricity (power generating companies (gencos)) and one which is looking to purchase electricity (Discoms).
- Complements Discoms' RPOs: The discoms would be allowed to count renewable energy purchased under the scheme towards their Renewable Purchase Obligation (RPO).
- RPO is a mechanism by which the State Electricity Regulatory Commissions are obliged to purchase a certain percentage of power from renewable energy sources.
- RPO is being implemented throughout the country to create demand for renewable energy.
- RPO Targets: Under the long-term growth trajectory of RPOs, states have been asked to increase the proportion of power procured from renewable sources to 21.2% of their total procurement in FY2022. Funds Sharing with Discoms: Any savings to thermal power plants from lower cost of power generation through renewable energy would be shared with discoms on a 50:50 basis.

## Structure of Power Sector:

- Green Energy Push will enable the replacement of fossil fuel based energy by renewable energy under the existing PPAs.
- Synergy with Global Commitments is aimed at boosting the installed capacity of renewable energy to 500 GW by 2030 in line with commitments made by the Indian Prime Minister at the COP26 climate Change Conference.

## 5. Light Combat Helicopter (HAL's LCH)

### Why in News?

- The Prime Minister has recently handed over the indigenously-built Light Combat Helicopter (HAL's LCH), two small drones ('SWITCH 1.0 UAV' and 'MR-20) built by Indian start-ups to the Air Force.

### Highlights:

- It is a truly 'Make in India' product built with private industry participation.
- It is a new addition to Hindustan Aeronautics Limited (HAL's) helicopter division. This twin-engine helicopter is a dedicated combat helicopter of 5 to 8-tonne class.
- The LCH incorporates advanced technologies and stealth features for effective combat roles and is designed to carry out roles such as destruction of enemy air defence, counterinsurgency, search and rescue, anti-tank, Counter Surface Force Operations etc.
- It is the only attack helicopter in the world that can land and take off at an altitude of 5,000 m with a considerable load of weapons and fuel.
- It is effective even in temperatures ranging from minus 50 degrees Celsius on snow peaks to 50 degrees Celsius in the desert.
- It will eventually be deployed along the Line of Actual Control with China, in addition to the AH-64E Apache helicopters in service.
- SWITCH 1.0 UAV, with its peerless capabilities of 1.5 hours flight time and 15 kms range at more than 4500 m take-off altitude.
- It has an endurance of approximately 90 minutes and will support the Indian Army's most demanding surveillance operations under harsh environments and high altitudes for day and night surveillance across India's borders.
- The MR-20 hexacopter drones have a capacity to ferry loads of up to 20kg.
- It will be used to ferry food, essential items, emergency medical aid, ammunition and weapons to troops deployed at heights in forwarding areas.

## 6. IRNSS-NaVIC

### Why in News?

- The Vice President has recently suggested ISRO (Indian Space Research Organization) make Indian regional navigation satellite system-Navigation in Indian Constellation (NaVIC) for global use.

### Highlights:

- IRNSS consists of eight satellites, three satellites in geostationary orbit and five satellites in geosynchronous orbit.
- IRNSS-1I is expected to replace IRNSS-1A, which was rendered ineffective after its three rubidium atomic clocks failed.
- The main objective is to provide reliable position, navigation and timing services over India and its neighbourhood.
- It works just like the established and popular US Global Positioning System (GPS) but within a 1,500-km radius over the sub-continent.
- Technically satellite systems with more satellites provide more accurate positioning information. However, compared to GPS (24 satellites) which has a position accuracy of 20-30 metres, the NavIC is able to pinpoint location to an estimated accuracy of under 20 metres.
- It has been certified by the 3rd Generation Partnership Project (3GPP), a global body for coordinating mobile telephony standards.
- It was recognised by the International Maritime Organization (IMO) as a part of the World Wide Radio Navigation System (WWRNS) for operation in the Indian Ocean Region in 2020. ISRO is working to build the next generation of IRNSS satellites with indigenous atomic clocks and enhancements to navigation services.
- It gives real time information for 2 services i.e standard positioning service open for civilian use and Restricted service which may be encrypted for authorised users like for military. India became one of the 5 countries having their own navigation system like GPS of USA, GLONASS of Russia, Galileo of Europe and BeiDou of China. So India's dependence on other countries for navigation purposes reduces.
- It will help scientific & technological advancement in India. It is important for the country's sovereignty and strategic requirements.
- In April 2019, the government made NavIC-based vehicle trackers mandatory for all commercial vehicles in the country in accordance with the Nirbhaya case verdict.

## 7. Shakti

### Why in News?

- Recently, Prime Minister handed over the Advanced Electronic Warfare (EW) Suite ‘Shakti’ to the Indian Navy at a ceremony held as part of Rashtra Raksha Samarpan Parv on 19th November, 2021.

### Highlights:

- Rashtra Raksha Samarpan Parv is part of the 'Azadi Ka Amrit Mahaotsav' celebration.
- The PM also handed over indigenously-built Light Combat Helicopter (HAL's LCH), and two small drones ('SWITCH 1.0 UAV' and 'MR-20) built by Indian start-ups to the Air Force.
- It will provide an electronic layer of defence against modern radars and anti-ship missiles to ensure electronic dominance and survivability in the maritime battlefield.
- This system will replace the earlier generation EW Systems of the Indian Navy.
- The system has been integrated with the wideband Electronic Support Measures (ESM) and Electronic Counter Measure (ECM) for the defence of Indian Navy Ships against missile attacks.
- It will help in finding accurate direction and interception of modern radars.
- The system has a built-in radar fingerprinting and data recording replay feature for post-mission analysis.
- It will enhance the capabilities of the Indian Navy and termed it as a major milestone towards Atmanirbhar Bharat in areas of advanced Defence Technologies.
- Defence Electronics Research Laboratory (DLRL) Hyderabad.
- It is a laboratory of Defence Research and Development Organisation (DRDO) for Capital Warships of the Indian Navy for the interception, detection, classification, identification and jamming of conventional and modern Radars.

## 8. Tsirkon (Zircon) Hypersonic Cruise Missile

### Why in News?

- Russia has recently fired its Tsirkon (Zircon) Hypersonic Cruise Missile from a warship in the north of the country.

### Highlights:

- It was reported that China tested a nuclear-capable hypersonic glide vehicle that circled the globe before speeding towards its target.

- The Tsirkon Cruise Missile will join Avangard glide vehicles and the air-launched Kinzhal (Dagger) missiles in Russia's hypersonic arsenal.
- Cruise missiles differ from ballistic missiles in that they fly towards their target at lower altitudes, remaining within the Earth's atmosphere throughout their trajectory.
- It is one of the several missiles being developed in Russia that will arm up Russian submarines, frigates, and cruisers.
- Hypersonic Weapons are much harder to track and intercept than traditional projectiles because they can travel more than five times the speed of sound and maneuver in mid-flight.
- Hypersonic Technology which is speed 5 or more times the Mach or speed of sound.
- India, too, is working on hypersonic technologies.
- As far as space assets are concerned, India has already proved its capabilities through the test of ASAT under Mission Shakti.
- Hypersonic technology has been developed and tested by both DRDO (Defence research and Development Organisation) and ISRO (Indian Space Research Organisation).
- DRDO has successfully flight-tested the Hypersonic Technology Demonstrator Vehicle (HSTDV), with a capability to travel at 6 times the speed of sound.
- Hypersonic Wind Tunnel (HWT) test facility of the DRDO was inaugurated in Hyderabad. It is a pressure vacuum-driven, enclosed free jet facility that simulates Mach 5 to 12.

## 9. White Dwarf

### Why in News?

- Team of astronomers has recently confirmed the fastest spinning white dwarf (named J0240+1952) that completes a full rotation once every 25 seconds.

### Highlights:

- It is part of a binary star system; under the influence of the magnetic propeller system, its immense gravity is pulling material from its larger companion star in the form of plasma.
- Under the magnetic propeller system, the white dwarf attracts plasma from the binary star system.
- However, the magnetic field of white dwarf acts as a protective barrier, causing most of the falling plasma to be propelled away from the white dwarf.
- White dwarfs are stars that have burned up all of the hydrogen they once used as nuclear fuel. A typical white dwarf is half the size of our Sun and has a surface gravity 100,000 times that of Earth.

- Stars like our sun fuse hydrogen in their cores into helium through nuclear fusion reactions.
- Fusion in a star's core produces heat and outward pressure (they bloat up as enormous red giants), but this pressure is kept in balance by the inward push of gravity generated by a star's mass. When the hydrogen, used as fuel, vanishes and fusion slows, gravity causes the star to collapse in on itself into white dwarfs.
- Black Dwarf: Eventually—over tens or even hundreds of billions of years—a white dwarf cools until it becomes a black dwarf, which emits no energy. Because the universe's oldest stars are only 10 billion to 20 billion years old there are no known black dwarfs
- It must be noted that not all white dwarfs cool and transform into black dwarfs.
- Those white dwarfs which have enough mass reach a level called the Chandrasekhar Limit.
- At this point the pressure at its center becomes so great that the star will detonate in a thermonuclear supernova.

## 10. Tundra Satellite

### Why in News?

- Russia has successfully placed into orbit a military satellite believed to be part of the Kremlin's early warning anti-missile system. This launch could be delivering a Tundra satellite.

### Tundra Satellite:

- The Tundra or EKS (Edinaya Kosmicheskaya Sistema) series of satellites is the next Generation of Russian early-warning satellites.
- The development of the EKS started in 2000.
- These satellites carry a secure emergency communications payload to be used in case of a Nuclear War. They are launched on Soyuz-2-1b Fregat boosters into Molniya-orbits, inclined highly elliptical 12 h orbits.

### What are Tundra Orbits?

- A Tundra orbit is a highly elliptical geosynchronous orbit with a high inclination (approximately  $63.4^\circ$ ), an orbital period of one sidereal day.
- A satellite placed in this orbit spends most of its time over a chosen area of the Earth, a phenomenon known as apogee dwell.
- It makes satellites particularly well suited for communications satellites serving high latitude regions. The ground track of a satellite in a Tundra orbit is a closed figure 8 with a smaller loop over either the northern or southern hemisphere.

- This differentiates them from Molniya orbits designed to service high-latitude regions, which have the same inclination but half the period and do not hover over a single region.

## Types of Orbits:

### Geostationary orbit (GEO):

- Satellites in geostationary orbit (GEO) circle Earth above the equator from west to east following Earth's rotation – taking 23 hours 56 minutes and 4 seconds – by travelling at exactly the same rate as Earth.
- This makes satellites in GEO appear to be 'stationary' over a fixed position.
- In order to perfectly match Earth's rotation, the speed of GEO satellites should be about 3 km per second at an altitude of 35 786 km.
- This is much farther from Earth's surface compared to many satellites.
- GEO is used by satellites that need to stay constantly above one particular place over Earth, such as telecommunication satellites.
- Satellites in GEO cover a large range of Earth so as few as three equally-spaced satellites can provide near-global coverage.

### Low Earth orbit (LEO):

- A low Earth orbit (LEO) is, as the name suggests, an orbit that is relatively close to Earth's surface.
- It is normally at an altitude of less than 1000 km but could be as low as 160 km above Earth – which is low compared to other orbits, but still very far above Earth's surface.
- Unlike satellites in GEO that must always orbit along Earth's equator, LEO satellites do not always have to follow a particular path around Earth in the same way – their plane can be tilted. This means there are more available routes for satellites in LEO, which is one of the reasons why LEO is a very commonly used orbit.
- It is most commonly used for satellite imaging, as being near the surface allows it to take images of higher resolution.
- Satellites in this orbit travel at a speed of around 7.8 km per second; at this speed, a satellite takes approximately 90 minutes to circle Earth.

### Medium Earth orbit (MEO):

- Medium Earth orbit comprises a wide range of orbits anywhere between LEO and GEO.
- It is similar to LEO in that it also does not need to take specific paths around Earth, and it is used by a variety of satellites with many Different Applications.

- It is very commonly used by navigation satellites, like the European Galileo system of Europe. It uses a constellation of multiple satellites to provide coverage across large parts of the world all at once.

### **Polar Orbit:**

- Satellites in polar orbits usually travel past Earth from north to south rather than from west to east, passing roughly over Earth's poles.
- Satellites in a polar orbit do not have to pass the North and South Pole precisely; even a deviation within 20 to 30 degrees is still classed as a polar orbit.
- Polar orbits are a type of low Earth orbit, as they are at low altitudes between 200 to 1000 km.

### **Sun-synchronous orbit (SSO):**

- SSO is a particular kind of polar orbit. Satellites in SSO, travelling over the polar regions, are synchronous with the Sun.
- This means they are synchronised to always be in the same 'fixed' position relative to the Sun. This means that the satellite always visits the same spot at the same local time.
- Often, satellites in SSO are synchronised so that they are in constant dawn or dusk – this is because by constantly riding a sunset or sunrise, they will never have the Sun at an angle where the Earth shadows them.
- A satellite in a Sun-synchronous orbit would usually be at an altitude of between 600 to 800 km. At 800 km, it will be travelling at a speed of approximately 7.5 km per second.

### **Transfer orbits and geostationary transfer orbit (GTO):**

- Transfer orbits are a special kind of orbit used to get from one orbit to another.
- Often, the satellites are instead placed on a transfer orbit: an orbit where, by using relatively little energy from built-in motors, the satellite or spacecraft can move from one orbit to another. This allows a satellite to reach, for example, a high-altitude orbit like GEO without actually needing the launch vehicle.
- Reaching GEO in this way is an example of one of the most common transfer orbits, called the Geostationary Transfer Orbit (GTO).

## 5.1. ART AND CULTURE & MISCELLANEOUS SNIPPETS

### 1. Guru Nanak Dev

#### Why in News?

- Country has recently celebrated the 552<sup>nd</sup> birth anniversary of Guru Nanak Dev, the founder of Sikhism.

#### About:

- Guru Nanak Dev Jayanti is observed to celebrate the birth of Guru Nanak Dev (1469-1539), who is first of the 10 Sikh Gurus and the founder of Sikhism.
- He advocated the 'Nirguna' (devotion to and worship of formlessv divine) form of bhakti.
- He rejected sacrifices, ritual baths, image worship, austerities and the scriptures of both Hindus and Muslims. He organised his followers into a community. He set up rules for congregational worship (Sangat) involving collective recitation.
- The fifth preceptor, **Guru Arjan Dev**, compiled Guru Nanak Dev's hymns along with those of his four successors and other religious poets like Baba Farid, Ravidas (also known as Raidas) and Kabir in the **Adi Granth Sahib**.
- These hymns, called 'Gurbani', are composed in many languages.
- In the late seventeenth century the tenth preceptor, Guru Gobind Singh, included the compositions of the ninth guru, **Guru Tegh Bahadur**, and this scripture was called the **Guru Granth Sahib**.

### 2. Kushinagar Airport

#### Why in News?

- The first domestic flight from the recently inaugurated Kushinagar International Airport by PM will take off for Delhi on 26<sup>th</sup> November 2021.

#### About Kushinagar:

- Kushinagar is located in the north-eastern part of Uttar Pradesh about 50 km east of Gorakhpur and is one of the important Buddhist pilgrimage sites where Buddhists believe Gautama Buddha attained Parinirvana after his death.
- It is an international Buddhist pilgrimage circuit spanning India and Nepal. It is dotted with several other Buddhist sites in the region such as Kapilvastu, Sravasti, and Lumbini.
- Kapilvastu:** It is the ancient city where Gautama Buddha spent 29 years of his life.

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- **Lumbini:** According to Buddhist tradition, Lord Buddha was born in Lumbini. Lumbini is located in Nepal.
  - **Sravasti:** Sravasti was the capital of Kosala kingdom. It is located near the West Rapti river.
  - Its declaration as an “International Airport” will offer improved connectivity, wider choice of competitive costs to the air-travellers.
  - It will result in boosting of domestic/international tourism and economic development of the Regions.



## 6. INTERNATIONAL RELATIONS

### 1. Protests Break out in Pakistan port city over CPEC

#### Why in News?

- Massive protests have erupted in Pakistan's port city of Gwadar against unnecessary checkpoints, a severe shortage of water and electricity and threats to livelihoods from illegal fishing, part of a growing backlash in the country against China's multibillion-dollar belt and Road Projects.

#### About the News:

- The protests are part of growing discontent with China's presence in Gwadar, whose port is an integral part of the \$60 billion China-Pakistan Economic Corridor project (CPEC), the flagship project of China's multi-billion-dollar Belt and Road Initiative (BRI).

#### About CPEC:

- The CPEC is the flagship project of the multi-billion-dollar Belt and Road Initiative (BRI), a pet project of Chinese President Xi Jinping, aimed at enhancing Beijing's influence around the world through China-funded infrastructure projects.
- The 3,000 km-long China-Pakistan Economic Corridor (CPEC) consists of highways, railways, and pipelines.
- CPEC eventually aims at linking the city of Gwadar in South Western Pakistan to China's North Western region Xinjiang of Kashgar province through a vast network of highways and railways.
- The proposed project will be financed by heavily-subsidised loans, that will be disbursed to the Government of Pakistan by Chinese banks.

#### Concerns for India:

- It passes through PoK.
- CPEC rests on a Chinese plan to secure and shorten its supply lines through Gwadar with an enhanced presence in the Indian Ocean.
- Hence, it is widely believed that upon CPEC's fruition, an extensive Chinese presence will undermine India's influence in the Indian Ocean. It is also being contended that if CPEC were to successfully transform the Pakistan economy that could be a "red rag" for India which will remain at the receiving end of a wealthier and stronger Pakistan.
- Besides, India shares a great deal of trust deficit with China and Pakistan and has a history of conflict with both.

- As a result, even though suggestions to re-approach the project pragmatically have been made, no advocate has overruled the principle strands of contention that continue to mar India's equations with China and Pakistan.

## What is BRI?

- The Belt and Road Initiative, also known as the One Belt, One Road (OBOR) project was launched by the Chinese President Xi Jinping in 2013.
- The project intends to link Asia with Europe and Africa through an overland “belt” and a maritime silk “road”.
- But it is more than that as it involves:
  - The export of Chinese capital, labour, technology,
  - The use of the Yuan and
  - The development of new ports, industrial hubs, special economic zones and military facilities, under Beijing's Auspices.



## Why has China Launched it?

- **Bridging the infrastructure gap in Asia:** According to China, the Belt and Road Initiative will bridge the ‘infrastructure gap’ and thus accelerate economic growth across the Asia Pacific area and Central and Eastern Europe.
- **Economic motives of China:** OBOR is aimed at boosting domestic growth in China which has slipped in recent years. In 2016 china grew by 6.7% which is the lowest since 1990. OBOR also provides china a market to sells its product especially Steel.

- **Global leadership:** But some feel that BRI is more out of political motivation rather than real demand for infrastructure. It is a masterstroke by China to establish itself as a world-leading economy and to spread its power, particularly in the South Asian region at the expense of the US.

### Way Ahead for India:

- **Improve infrastructure in frontier regions:** Whether it is in Kashmir, Arunachal, the Andamans or the neighbourhood, India's neglect of its frontier regions has weakened its regional position. Thus, we should improve infrastructure in frontier regions.
- **Improve internal connectivity:** India should remember that China's BRI did not start out as an external initiative. It was built on the existing internal "Go West" strategy launched two decades ago, that has focused on unifying China's domestic market and connecting its developed east coast with the interior provinces.
- **Improve connectivity with neighbours:** India should modernize connectivity across its land and maritime frontiers with its neighbours in the Subcontinent, South East Asia and the Gulf by completing our projects in these regions.
- India can work with nations like Japan in developing regional connectivity. Japan has already outlined a Belt and Road initiative of its own, called the Partnership for Quality Infrastructure under which Japan has put up nearly \$150 billion to support infrastructure projects all across the Indo-Pacific and Eurasia.
- India should also improve our access to Europe by expediting projects like INSTC and others.
- **On participation in BRI:** India must focus on debating the specific terms of individual projects rather than having to say "Yes" or "No" to the BRI as a whole.



## 6.1. INTERNATIONAL RELATIONS SNIPPETS

### 1. U.S. not seeking a new Cold War

#### Why in News?

- The U.S. President's address at the UN General Assembly (UNGA).

#### Background:

- Amid the rising tensions between the U.S. and China, UN Secretary-General Antonio Guterres had asked the two countries to mend their relationship. He had added that this would be essential to avoid a cold war-like situation.

#### Highlights:

- In what is being viewed as a reference to the tensions between the U.S. and China, the U.S. President stated that the U.S. was not seeking a “new Cold War” but was interested in renewing diplomacy, development and democracy.
- He further added that although the U.S. would want to use peaceful means for resolution of any outstanding issues, it would stand up for its allies and oppose attempts by stronger countries to dominate weaker ones via changes to territory by force, economic coercion, technological exploitation or using information. This is being seen as a reference to the increasingly assertive attitude of China in the region.
- He added that the U.S. was ready to work with any nation that pursues peaceful resolution to shared challenges like COVID-19, climate change and terrorism, despite disagreement in other areas. Addressing other important aspects, the U.S. President said the U.S. was willing to return to full compliance with the Iran nuclear deal if Iran did the same. He also expressed support for the two-state solution to the Israel-Palestine conflict and sought the complete denuclearisation of the Korean peninsula.

### 2. Will U.S. Sanction India for S-400 purchase?

#### Why in News?

- The arrival of the \$5.4-billion Russian long-range surface-to-air missile defence shield “S-400” is expected next month, which is likely to generate more international headlines.

#### S-400:

- The S-400 is known as Russia's most advanced long-range surface-to-air missile defence system, capable of destroying hostile strategic bombers, jets, missiles and drones at a range of 380-km.

## US Reservations against S-400 Purchase:

- The US has made it clear that the delivery of the five S-400 systems is considered a “significant transaction”.
- Such deals are considered under its Countering America’s Adversaries Through Sanctions Act (CAATSA) of 2017.
- It could trigger sanctions against Indian officials and the Government.

## CAATSA:

- The CAATSA is designed to ensure that no country is able to increase military engagement with Iran, North Korea and Russia without facing deterrent punitive action from the US.
- The sanctions are unilateral, and not part of any United Nations decision, and therefore no country is bound to accept them.
- Section 231 says the President shall impose no fewer than five different sanctions on any Government that enters into a significant defence or intelligence deal with Russia.
- Section 235 lists 12 options, including stopping credit lines from US and international banks such as the IMF, blocking sales of licensed goods and technology, banning banks, manufacturers and suppliers, property transactions and even financial and visa sanctions on specific officials.
- However, the law also empowers the President to waiver sanctions or delay them if the waiver is in the US’s “vital national security interests”.

## Has the US used CAATSA before for S-400 sales?

- The US has already placed sanctions on China and Turkey for purchase of the S-400.
- The sanctions included denial of export licences, ban on foreign exchange transactions, blocking of all property and interests in property within the US jurisdiction and a visa ban.

## Types of Sanctions Laid:

- In 2020, the US sanctioned its NATO partner Turkey, which it had warned about CAATSA sanctions for years, besides cancelling a deal to sell Ankara F-35 jets.
- The sanctions on Turkey’s main defence procurement agency, also included a ban on licences and loans, and blocking of credit and visas to related officials.



## Likely Impacts after India's Purchase:

- The Biden administration has no firm indication on where it leans on India's case.
- However, several senators (US parliamentarians) have called upon the Biden administration to consider a special waiver for India.
- This is on account of India's importance as a defence partner, and as a strategic partner on US concerns over China and in the Quad.
- Other US leaders think that giving a waiver to India would be the wrong signal for others seeking to go ahead with similar deals.

## Why is the S-400 deal so Important to India?

- **Security Paradigm:** S-400 is very important for India's national security considerations due to the threats from China, Pakistan and now Afghanistan.
- **Air defence Capability:** The system will also offset the air defence capability gaps due to the IAF's dwindling fighter squadron strength.
- **Russian Legacy:** Integrating the S-400 will be much easier as India has a large number of legacy Russian air Defence Systems. **Strategic autonomy:** For both political as well as operational reasons, the deal is at a point of no return.

## 3. World's largest recipient of Remittances

### Why in News?

- Recently, India has become the world's largest recipient of Remittances, receiving USD 87 billion (a gain of 4.6 % from previous year) in 2021.

### Highlights:

- India is followed by China, Mexico, the Philippines, and Egypt.
- The United States being the biggest source, accounting for over 20% of all Remittances.
- Migrants' determination to support their families in times of need, aided by economic recovery in Europe and the United States which in turn was supported by the Fiscal Stimulus and employment support programs.
- In the Gulf Cooperation Council (GCC) countries and Russia, the recovery of outward remittances was also facilitated by stronger oil prices and the resulting pickup in economic activity.
- The severity of Covid-19 caseloads and deaths during the second quarter (well above the Global Average) played a prominent role in drawing substantial flows (including for the purchase of oxygen tanks) to the Country.

- Flows from migrants have greatly complemented government cash transfer programs to support families suffering economic hardships during the Covid-19 crisis.
- Remittances are projected to grow 3% in 2022 to USD 89.6 billion, because of a drop in overall migrant stock, as a large proportion of returnees from the Arab countries await return.
- To keep remittances flowing, especially through digital channels, providing access to bank accounts for migrants and remittance service providers remains a key requirement.
- Policy responses also must continue to be inclusive of migrants especially in the areas of access to vaccines and protection from underpayment.
- Remittances are usually understood as financial or in-kind transfers made by migrants to friends and relatives back in communities of origin.
- These are basically sum of two main components - Personal Transfers in cash or in kind between resident and non-resident households and Compensation of Employees, which refers to the income of workers who work in another country for a limited period of time.
- Remittances help in stimulating economic development in recipient countries, but this can also make such countries over-reliant on them.

#### 4. Trilateral Exercise 'Dosti'

##### Why in News?

- The 15<sup>th</sup> edition of the biennial trilateral coast guard exercise 'Dosti' involving India, the Maldives and Sri Lanka is underway in the Maldives.

##### Exercise Dosti:

- The aim of this exercise is to further fortify the friendship, enhance mutual operational capability, and exercise interoperability and to build cooperation.
- Both the Maldives and Sri Lanka are of strategic importance to New Delhi and to its Maritime Security Interests.
- 2021 marks 30 years since these exercises were first launched.

##### Significance of the Exercise:

- These exercises help during joint operations and missions undertaken by countries and also help enhance interoperability.
- Although piracy is not a major issue in this part of the Indian ocean, these kinds of Exercises also help coast guards with training for Possibilities.

- These exercises help develop a better understanding of the other nation's coast guard operations and how to enhance Coordination during different kinds of Missions.

### What it Involves:

- The scope of these exercises are wide-ranging.
- India, Sri Lanka and the Maldives have agreed to work on what they called the “four pillars” of security cooperation.
- These involved the areas of marine security, human trafficking, counter-terrorism and Cyber Security.

## 5. Land Boundary Agreement (LBA) with Bangladesh

### Why in News?

- Union Home Minister has said that the Northeast States will be linked by road and railway to Bangladesh in a year or two under the historic Land Boundary Agreement (LBA).

### Land Boundary Agreement (LBA):

- India and Bangladesh have signed the LBA in 2014 to ensure proper connectivity in the region. The operationalization of LBA lays the way for the exchange of 162 enclaves under the control of either country as per the 1974 pact.
- Under the Agreement, 111 border enclaves will be transferred to Bangladesh in exchange for 51 that will become part of India.
- The agreement settles an old land boundary dispute which dates back to colonial times as India transfers 111 border enclaves to Bangladesh in exchange for 51 enclaves.
- It also settles the Question of citizenship for over 50,000 people residing under these enclaves.

### Why was such an Agreement Needed?

- India and Bangladesh share a 4,096 km land boundary covering West Bengal, Assam, Tripura, Meghalaya and Mizoram.
- This is the largest among the international boundaries that India shares with its neighbors.
- On this boundary, some 50,000-100,000 people reside in so-called Chitmahals or Indo-Bangladeshi enclaves.
- There are 102 Indian enclaves inside Bangladesh and 71 Bangladeshi ones inside India.
- Inside those enclaves are also 28 counter-enclaves and one counter-counter-enclave, called Dahala Khagrabari.

### **Inception of the Agreement:**

- For the first time, a vision to solve this issue had been enshrined in the Indira-Mujib pact of 1972.
- Accordingly, the India-Bangladesh LBA was signed between the two countries in 1974.
- However, this agreement need ratification from the parliaments of both countries as it involved the exchange of the territories.
- While Bangladesh had ratified it as back as 1974 only, it was not ratified by the Indian parliament till 2014.
- The 119<sup>th</sup> Amendment Bill 2013 sought to ratify the land boundary agreement between the two countries.

### **Key Features of the LBA:**

- The LBA envisages a transfer of 111 Indian enclaves to Bangladesh in return of 51 enclaves to India.
- The area transferred to India is less than that transferred by India to Bangladesh. In totality India incurs a net loss in terms of area occupancy.
- This remained a major concern of opposition from the north-eastern affected states and west Bengal. Also, most of the area concerned is occupied by the tribals of the North-Eastern states and hence the swapping takes away their land rights leaving them more vulnerable.
- Current Status of the Constitution (119<sup>th</sup> Amendment) Bill has been passed by the Parliament of India on 7<sup>th</sup> May 2015.
- While India will gain 510 acres of land, ten thousand acres of land will notionally go to Bangladesh.
- This legislation will redraw India's boundary with Bangladesh by exchanging enclaves in Assam, West Bengal, Tripura and Meghalaya.

### **Implications of the Agreement:**

- It will secure the long-stranded boundary and enable to curb the illegal migration, smuggling and criminal acts cross the border.
- It would help those stateless citizens by granting them citizenship from their respective countries. It would help settle the boundary dispute at several points in Meghalaya, Tripura, Assam, and west Bengal. It would improve the access to underdeveloped north-eastern states and would further enhance the developmental works in the region.
- It would help to increase the connectivity with south-east Asia as part of India's North-Eastern Policy.