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AUGUST
19.08.2021

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THE HINDU

GS 2 : Polity, Governance, International Relations

1. UNITE Aware Platform

Why in News

India, in collaboration with the **United Nations (UN)**, has launched a technology platform to ensure the safety and security of peacekeepers who are operating across the world.

- The launch of the UNITE AWARE platform came as India assumed the **Presidency of the 15-nation UN Security Council** for the month of August.

Key Points

- **About the UNITE Aware:**
 - **Aim:** This project aims to demonstrate the impact of **modern surveillance technology** on the **detection of asymmetric threats**.
 - **Situational Awareness Software Programme:** It utilises modern surveillance technology for real time threat assessments to peacekeepers in maintaining security.
 - This will access live video and satellite imagery, and in very volatile circumstances can also deliver early warnings to peacekeepers.
 - It can also record data on critical incidents and events and follow daily operational activities.
 - Using the platform, the entire peacekeeping operation can be visualised, coordinated, and monitored on a real time basis.
 - **Partnership:** India has developed the technology platform in partnership with the **UN Department of Peacekeeping Operations** and the **Department of Operational Support**.
 - **Deployment:** The platform will be deployed initially in four UN Peacekeeping Missions: **MINUSMA (Mali)**, **UNMISS (South Sudan)**, **UNFICYP (Cyprus)** and **AMISOM (Somalia)**.
 - **India's Contribution:** India has contributed USD 1.64 million for this project.
- **UN Peacekeeping:**
 - **Joint Effort:** It is a joint effort between the **Department of Peace Operations** and the **Department of Operational Support**.

- It deploys troops and police from around the world, integrating them with civilian peacekeepers to address a range of mandates set by the **UN Security Council (UNSC)** and the **General Assembly**.
- It helps countries navigate the difficult path from conflict to peace.
- **Financial Contribution:** The **financial resources of UN Peacekeeping operations** are the collective responsibility of UN Member States.
- **Legal Obligation:** According to the UN Charter, every **Member State is legally obligated** to pay their respective share for peacekeeping.
- **India's Contribution:**
 - India is a major contributing nation to UN peacekeeping activities.
 - Currently, there are 5506 troops and police from India who have been deployed to nine different UN peacekeeping missions, the second highest amongst troop-contributing countries.
 - More than 200,000 Indians have served in 49 of the 71 UN peacekeeping missions established around the world since 1948.
 - India has a long tradition of sending **women on UN peacekeeping missions**.
 - In 2007, India became the first country to deploy an all-women contingent to a UN peacekeeping mission.

2. Community Policing

Why in News

Recently, the **Delhi Police** Commissioner inaugurated a **Community Policing Programme 'Ummeed'**.

Key Points

- **About:**
 - The Basic Principle Underlying Community Policing is that '**A Policeman is a Citizen with Uniform and a Citizen is a Policeman without Uniform**'.
 - The essence of Community Policing is to **minimize the gap between policemen and citizens** to such an extent that the policemen become an integrated part of the community they serve.

- It is defined as a **law enforcement philosophy that allows police to continuously operate in the same area** in order to create a stronger bond with the citizens living and working in that area.
- It **helps in reducing the trust deficit between police and public** as it requires the police to work with the community for prevention and detection of crime, maintenance of public order, and resolving local conflicts, with the objective of providing a better quality of life and sense of security.
- **Benefits:**

- ☐ No government funds are required
- ☐ Enhances immunity against crime and disorder
- ☐ Assists traditional policing
- ☐ Bridges the gap of trust
- ☐ Encourages social interactions
- ☐ Police and public share credit and discredit
- ☐ Police officer feels safe in his area of responsibility
- ☐ Reliable and workable information is available
- ☐ Inculcates sense of responsibility in the public
- ☐ Police and the public are accountable to each other
- ☐ Promotes democratic values in the society

- **Challenges:**
 - **Poor public image of the police force.**
 - **Poor customer service** procedures within the police force.
 - It might lead to **vigilantism and mob justice.**
 - Belief by the residents that **crime is a source of livelihood for some people.**
- **Other Examples:**
 - **Janamaithri Suraksha Project:** Kerala
 - **Joint Patrolling Committees:** Rajasthan
 - **Meira Paibi:** Manipur
 - **Community Policing Project:** West Bengal
 - **Maithri:** Andhra Pradesh
 - **Mohalla Committees:** Maharashtra
 - **Friends of Police:** Tamil Nadu

Way Forward

- Any **volunteers** under the Community Policing **should be allowed to help police, but not to take the role of police.** The criminal background of the volunteers must be checked before their deployment.
- Community policing **is a philosophy, not a program.** If the philosophy of community policing is not understood by all of those that are involved, then the programs will not succeed.

- The biggest obstacle that community policing and the community-based programs have to face is the idea of change. **Officers have to change the concept of policing and citizens** have to be willing to accept that change.

3. Collegium System for the Appointment of Judges

Why in News

Recently, the **Supreme Court (SC) Collegium**, led by **Chief Justice of India (CJI)** has recommended to the government nine names for appointment as SC judges.

- The Collegium has for the **first time, in one single resolution, recommended three women judges**.
- It has thus sent a **strong signal in favour of representation of women** in the highest judiciary.

Key Points

- **Collegium System:**
 - It is the **system of appointment and transfer of judges** that has **evolved through judgments** of the SC, and not by an Act of **Parliament** or by a provision of the Constitution.
 - **Evolution of the System:**
 - **First Judges Case (1981):**
 - It declared that the **“primacy” of the CJIs recommendation** on judicial appointments and transfers can be refused for **“cogent reasons.”**
 - The ruling gave the **Executive primacy over the Judiciary in judicial appointments** for the next 12 years.
 - **Second Judges Case (1993):**
 - SC **introduced the Collegium system**, holding that **“consultation” really meant “concurrence”**.
 - It **added that it was not the CJI’s individual opinion**, but an institutional opinion formed in consultation with the two senior-most judges in the SC.
 - **Third Judges Case (1998):**
 - SC on **President’s reference (Article 143)** **expanded the Collegium to a five-member body**, comprising the CJI and four of his senior-most colleagues.
 - The SC **collegium is headed by the CJI** and comprises **four other senior most judges of the court**.

- A **HC collegium** is led by its **Chief Justice** and four other senior most judges of that court.
 - Names recommended for appointment by a HC collegium reaches the government only after **approval by the CJI and the SC collegium**.
- Judges of the **higher judiciary are appointed only through the collegium system** and the government has a role only after names have been decided by the collegium.
- The **government's role is limited to getting an inquiry conducted by the Intelligence Bureau (IB)** if a lawyer is to be elevated as a judge in a High Court or the Supreme Court.
 - **Intelligence Bureau (IB):** It is a reputed and established intelligence agency. It is authoritatively controlled by the Ministry of Home Affairs.
- It can also raise objections and seek clarifications regarding the collegium's choices, but if the collegium reiterates the same names, the government is bound, under Constitution Bench judgments, to appoint them as judges.
- **Procedure for Various Judicial Appointments:**
 - **For CJI:**
 - The **President of India appoints the CJI** and the other SC judges.
 - As far as the CJI is concerned, the **outgoing CJI recommends his successor**.
 - In practice, **it has been strictly by seniority** ever since the supersession controversy of the 1970s.
 - **For SC Judges:**
 - For other judges of the SC, the **proposal is initiated by the CJI**.
 - The CJI **consults the rest of the Collegium members**, as well as the senior-most judge of the court hailing from the High Court to which the recommended person belongs.
 - The **consultees must record their opinions in writing** and it should form part of the file.
 - The Collegium **sends the recommendation to the Law Minister**, who forwards it to the Prime Minister to advise the President.
 - **For Chief Justice of High Courts:**
 - The **Chief Justice of the High Court** is appointed as per the policy of having Chief Justices from **outside the respective States**.
 - The Collegium takes the call on the elevation.
 - High Court **judges are recommended by a Collegium comprising the CJI and two senior-most judges**.

- The proposal, however, is **initiated by the outgoing Chief Justice of the High Court concerned** in consultation with two senior-most colleagues.
- The **recommendation is sent to the Chief Minister**, who advises the Governor to send the proposal to the Union Law Minister.
- **Criticism of the Collegium System:**
 - Opaqueness and a **lack of transparency**.
 - Scope for **nepotism**.
 - Embroilment in public **controversies**.
 - **Overlooks** several **talented** junior judges and advocates.
- **Attempts to reform the Appointment System:**
 - The attempt made to replace it by a '**National Judicial Appointments Commission**' (through Ninety-ninth Amendment Act, 2014) was struck down by the court in 2015 on the ground that it posed a threat to the independence of the judiciary.

Related Constitutional Provisions

- **Article 124(2)** of the Indian Constitution provides that the **Judges of the SC are appointed by the President after consultation** with such a number of the Judges of the SC and of the High Courts in the States as the President may deem necessary for the purpose.
- **Article 217** of the Indian Constitution states that the **Judge of a High Court shall be appointed by the President in consultation with the CJI, the Governor of the State**, and, in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High Court.

Way Forward

- Filling up of vacancies is a continuous and collaborative process involving the executive and the judiciary, and there cannot be a time frame for it. However, **it is time to think of a permanent, independent body to institutionalize the process with adequate safeguards** to preserve the judiciary's independence guaranteeing judicial primacy but not judicial exclusivity.
- It should **ensure independence, reflect diversity, demonstrate professional competence and integrity**.
- Instead of selecting the number of judges required against a certain number of vacancies, the **collegium must provide a panel of possible names to the President** to appoint in order of preference and other valid criteria.

4. Tribunals Reforms Bill, 2021

Why in News

Recently, the **Supreme Court of India (SC)** has challenged the government to produce material showing its reasons for introducing the **Tribunal Reforms Bill of 2021**.

- The Bill replaces the **Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021** which was quashed by the Supreme Court.

Key Points

- **Issues Raised by SC:**
 - **Unconstitutional Legislative Overriding:** There was **lack of discussion** over the bill, and the government has re-enacted the very same provisions struck down by the Court in the **Madras Bar Association case (2021)**.
 - It amounts to "**unconstitutional legislative overriding**" of the judgement passed by the SC.
 - **Repeated Violation of SC Orders:** The Centre is not following the repeated directions issued by the Court to ensure the **proper functioning of the Tribunals**.
 - The provisions in the ordinance regarding **conditions of service** and **tenure of Tribunal Members** and **Chairpersons** were struck down by the Supreme Court.
 - **Security of Tenure:** The Tribunals Reforms Act, 2021 bars appointments to tribunals of persons below 50 years of age. It **undermines the length/security of tenure**.
 - **Undermines the Separation of Powers:** The bill allows the **Central Government to take a decision** on the recommendations made by the selection Committee, preferably within three months from the date of such recommendation.
 - **Section 3(7)** of the bill mandates the recommendation of a panel of two names by the search-cum selection committee to the Central Government, violating the **principles of separation of powers and judicial independence**.
 - **Vacant Positions in Tribunals:** India now has 16 tribunals including the National Green Tribunal, the Armed Forces Appellate Tribunal, the Debt Recovery Tribunal among others which also suffer from **crippling vacancies**.
 - Existence of large number of vacancies of Members and Chairpersons and the inordinate delay caused in filling them up has resulted in weakening of the tribunals.

- **Detrimental to the Decision-making Process:** These cases will be transferred to High Courts or commercial civil courts immediately.
 - The lack of specialisation in regular courts could be detrimental to the decision-making process.
 - For example, the **Film Certification Appellate Tribunal (FCAT)** exclusively heard decisions appealing against decisions of the censor board, which requires expertise in art and cinema.
 - Further, the **dissolution of certain tribunals** and appellate bodies, and the transfer of their functions to High Courts can be criticized on the grounds that Indian courts are **already overburdened** with their existing caseload.
- **About the Tribunals Reforms Bill, 2021:**
 - **Dissolution of Existing Bodies:** The Bill seeks to dissolve certain appellate bodies and transfer their functions to other existing judicial bodies. For example, the disputes heard by the **Film Certification Appellate Tribunal** will be addressed by the **High Court**.
 - **Merging of Existing Bodies:** The Finance Act, 2017 merged tribunals based on domain. For example, the **Competition Appellate Tribunal** has been merged with the **National Company Law Appellate Tribunal**.
 - **Search-cum-selection Committees:** The Chairperson and Members of the Tribunals will be appointed by the central government on the recommendation of a Search-cum-Selection Committee. The Committee will consist of:
 - The **Chief Justice of India, or a Supreme Court Judge** nominated by him, as the **Chairperson** (with casting vote).
 - **Two Secretaries** nominated by the central governments.
 - The **sitting or outgoing Chairperson**, or a retired Supreme Court Judge, or a retired Chief Justice of a High Court, and
 - The **Secretary of the Ministry** under which the Tribunal is constituted (with no voting right).
 - **State Administrative Tribunals:** It will have separate search-cum-selection committees with the **Chief Justice of the High Court** of the concerned state, as the Chairman (with a casting vote).
 - **Eligibility and Term of Office:** The Bill provides for a four-year term of office (subject to the upper age limit of 70 years for the Chairperson, and 67 years for members).
 - Further, it specifies a minimum age requirement of 50 years for appointment of a chairperson or a member.
 - **Removal of Tribunal Members:** It states that the central government shall, on the recommendation of the Search-cum-Selection Committee, remove from office any Chairperson or a Member.

Tribunals

- The term '**Tribunal**' is derived from the word '**Tribunes**', which means '**Magistrates of the Classical Roman Republic**'.
- Tribunal is a **quasi-judicial institution** that is set up to deal with problems such as resolving **administrative or tax-related disputes**.
 - It performs a number of functions like adjudicating disputes, determining rights between contesting parties, making an administrative decision, reviewing an existing administrative decision and so forth.
- The objective may be to reduce the caseload of the judiciary or to bring in subject expertise for technical matters.
- **Constitutional Provisions:**
 - Tribunals were not part of the original constitution, it was incorporated in the Indian Constitution by **42nd Amendment Act, 1976**.
 - **Article 323-A:** It deals with Administrative Tribunals.
 - **Article 323-B:** It deals with tribunals for other matters.
 - **Article 262:** The Indian Constitution provides a role for the Central government in adjudicating conflicts surrounding inter-state rivers that arise among the state/regional governments.

GS 3 : Economy, Science and Technology, Environment

5. Centre to boost oil palm farming

Context:

- Approval of the **National Mission on Edible Oils – Oil Palm (NMEO-OP)** by the Cabinet.

Details:

- In a bid to reduce India's dependence on imports of edible oils, the new mission will strive to **ensure self-sufficiency in edible oil production**.
 - Under the NMEO-OP mission, the aim is to **reduce import dependence from 60% to 45% by 2024-25, by increasing domestic edible oil production** from 10.5 million tonnes to 18 million tonnes, a 70% growth target.
- As part of the palm oil-related targets, the Mission hopes to **increase oil palm acreage by an additional 6.5 lakh hectares by 2025-26** and grow production

of crude palm oil to 11.2 lakh tonnes by 2025-26 and up to 28 lakh tonnes by 2029-30.

- Currently, less than four lakh hectares are planted with oil palm in India.
- The Centre will **offer price assurances, viability gap funding and planting material assistance to oil palm farmers** to boost domestic production.
 - The provision of price assurance will reduce the risk for farmers facing price fluctuation due to volatility in the international market. The government will fix a viable palm oil price and in case of high volatility, the government will pay the difference in price to the farmers through direct benefit transfer. This assurance will inculcate confidence in the Indian oil palm farmers to go for the increased area and thereby more production of palm oil. The assurance to the farmers will be in the form of the viability gap funding and the industry will be mandated to pay 14.3% of the crude palm oil prices.
 - The Mission will also more than double the support provided for the cost of planting materials. A substantial increase has been made for planting material for oil palm and this has increased from Rs 12,000 per ha to Rs.29,000 per ha. Further, a substantial increase has been made for maintenance and inter-cropping interventions as well.
- In a bid to encourage oil palm cultivation in northeastern India and in the Andaman and Nicobar Islands, the Centre will bear an additional cost of 2% of the crude palm oil prices in these States.
- Over a five-year period, the financial outlay for the National Mission on Edible Oils – Oil Palm (NMEO-OP) will amount to Rs. 11,040 crore.

Significance:

- The scheme will immensely benefit the oil palm farmers, increase capital investment, create employment generation, **shall reduce the import dependence and consequently save foreign exchange and also increase the income of the farmers.**

Challenges:

- There are some **biodiversity concerns involved with palm oil monoculture plantations** as observed in countries like Indonesia and Malaysia.

6. Government Securities Acquisition Programme (GSAP 2.0)

The Reserve Bank of India (RBI) has announced that it will conduct an open market purchase of government securities of ₹25,000 crore under the G-sec Acquisition Programme (G-SAP 2.0).

What are Government Securities?

- These are debt instruments issued by the government to borrow money.
- The two key categories are:
 1. Treasury bills (T-Bills) – short-term instruments which mature in 91 days, 182 days, or 364 days, and
 2. Dated securities – long-term instruments, which mature anywhere between 5 years and 40 years

Why G-Secs?

- Like bank fixed deposits, g-secs are not tax-free.
- They are generally considered the safest form of investment because they are backed by the government. So, the risk of default is almost nil.
- However, they are not completely risk-free, since they are subject to fluctuations in interest rates.
- Bank fixed deposits, on the other hand, are guaranteed only to the extent of Rs 5 lakh by the Deposit Insurance and Credit Guarantee Corporation (DICGC).

7. A delayed intervention

Context:

The government has notified the Remission of Duties and Taxes on Export Products (RoDTEP) scheme – the rules and rates based on which exporters can claim rebates on taxes paid on their outbound cargo.

Details:

- The Government is confident that the RoDTEP is WTO-compliant.
- It covers roughly 65% of India's exports with the remission rates being notified in the range of 0.5% to 4.3% of the Freight On Board value of outbound consignments.
- For some goods, there is a cap on the value of the exported items.
- Steel, pharmaceuticals and chemicals have been excluded from the RoDTEP.

Issues:

- Some sectors are concerned about the rates being lower than expected.
- Engineering firms are concerned about the taxes on key raw materials not being adequately offset.

While fine-tuning of the scheme may be needed, it is a relief to the exporters that a major vacuum has been plugged.

Way Forward:

- The global economy is on the cusp of one of its strongest rebounds as COVID-19 vaccination drives have picked up pace in many advanced economies.
- As these economies look to go beyond China to service domestic consumption demand, India must aggressively step up to the opportunity.
- Furthermore, having opted out of RCEP, India is looking to re-ignite free trade pact negotiations with Australia, the U.K., the EU and the U.S.
- Prime Minister's call to scale up exports to \$400 billion in 2021 has helped expedite the notification of rules and rates under RoDTEP scheme.
- A new foreign trade policy, a few smaller export-related schemes and a mechanism to fork out the pending dues under the earlier export incentive programme are expected in the near future.
- Till domestic recovery in India firms up, private investments are unlikely to take off. In this scenario, public capital spending and exports are the two growth engines with feasible firepower to aid the recovery momentum.

GS 2 : Polity, Governance, International Relations**1. India ratifies Kigali Amendment to the Montreal Protocol**

The Union Cabinet has given its approval for ratification of the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer for phase down of Hydrofluorocarbons (HFCs) by India.

What is Montreal Protocol?

- The Montreal Protocol on Substances that Deplete the Ozone Layer is an international agreement made in 1987.
- It was designed to stop the production and import of ozone-depleting substances and reduce their concentration in the atmosphere to help protect the earth's ozone layer.
- It sits under the Vienna Convention for the Protection of the Ozone Layer.

Objectives

- The convention was adopted in 1985 and has highlighted the adverse effect of human activity on ozone levels in the stratosphere and the discovery of the 'ozone hole'.
- Its objectives are to promote cooperation on the adverse effects of human activities on the ozone layer.
- It has since undergone nine revisions, in 1990 (London), 1991 (Nairobi), 1992 (Copenhagen), 1993 (Bangkok), 1995 (Vienna), 1997 (Montreal), 1998 (Australia), 1999 (Beijing) and 2016 (Kigali).

India and the Protocol

- India became a Party to the Protocol on 19 June 1992 and since then has ratified the amendments.

What is the Kigali Amendment?

- It is an international agreement to gradually reduce the consumption and production of hydrofluorocarbons (HFCs).
- It is a legally binding agreement designed to create rights and obligations in international law.

- While HFCs do not deplete the stratospheric ozone layer, they have high global warming potential ranging from 12 to 14,000, which have adverse impact on climate.

What are the Ozone Depleting Substances?

Ozone-depleting substances are chemicals that destroy the earth's protective ozone layer. They include:

- chlorofluorocarbons (CFCs)
- halons
- carbon tetrachloride (CCl₄)
- methyl chloroform (CH₃CCl₃)
- hydrobromofluorocarbons (HBFCs)
- hydrochlorofluorocarbons (HCFCs)
- methyl bromide (CH₃Br)
- bromochloromethane (CH₂BrCl)

Where are they used?

The main uses of ozone depleting substances include:

- CFCs and HCFCs in refrigerators and air conditioners,
- HCFCs and halons in fire extinguishers,
- CFCs and HCFCs in foam,
- CFCs and HCFCs as aerosol propellants, and
- Methyl bromide for fumigation of soil, structures and goods to be imported or exported.

Implementation strategy and targets:

- India will complete its phase down of HFCs in 4 steps from 2032 onwards with cumulative reduction of 10% in 2032, 20% in 2037, 30% in 2042 and 80% in 2047.

Major Impact

- HFCs phasedown is expected to prevent the emission of up to 105 million tonne of carbon dioxide equivalent of GHGs, helping to avoid up to 0.5 degree Celsius of global temperature rise by 2100, while continuing to protect the ozone layer.
- It will achieve energy efficiency gains^ and carbon dioxide emissions reduction – a “climate co-benefit,”

- HFCs phase down implementation will involve synergies to maximize the economic and social co-benefits, besides environmental gains.
- There would be scope for domestic manufacturing of equipment as well as alternative non-HFC and low-global warming potential chemicals to enable the industry to transition to the low global warming potential alternatives as per the agreed HFC phase-down schedule.
- In addition, there would be opportunities to promote domestic innovation for new generation alternative refrigerants and related technologies.

2. Nuclear Fusion and the recent breakthrough

California based researchers have announced that their experiment has made a breakthrough in nuclear fusion research.

What exactly is Nuclear Fusion?

- Nuclear fusion is defined as the combining of several small nuclei into one large nucleus with the subsequent release of huge amounts of energy.
- The difference in mass between the reactants and products is manifested as either the release or the absorption of energy.
- Nuclear fusion powers our sun and harnessing this fusion energy could provide an unlimited amount of renewable energy.
- An example of nuclear fusion is the process of four hydrogens coming together to form helium.

What was the experiment?

- In the experiment, lasers were used to heat a small target or fuel pellets.
- These pellets containing deuterium and tritium fused and produced more energy.
- The team noted that they were able to achieve a yield of more than 1.3 megajoules of heat energy.
- This megajoule of energy released in the experiment is indeed impressive in fusion terms.

How was the new breakthrough achieved?

- The team used new diagnostics, improved laser precision, and even made changes to the design.
- They applied laser energy on fuel pellets to heat and pressurize them at conditions similar to that at the centre of our Sun. This triggered the fusion reactions.

- These reactions released positively charged particles called alpha particles, which in turn heated the surrounding plasma.
- At high temperatures, electrons are ripped from atom's nuclei and become a plasma or an ionised state of matter. Plasma is also known as the fourth state of matter.
- The heated plasma also released alpha particles and a self-sustaining reaction called ignition took place.

Future prospects: Benefits

- It is expected that fusion could meet humanity's energy needs for millions of years.
- Fusion fuel is plentiful and easily accessible: deuterium can be extracted inexpensively from seawater, and tritium can be produced from naturally abundant lithium.
- Future fusion reactors will not produce high activity, long lived nuclear waste, and a meltdown at a fusion reactor is practically impossible.
- Importantly, nuclear fusion does not emit carbon dioxide or other greenhouse gases into the atmosphere, and so along with nuclear fission could play a future climate change mitigating role as a low carbon energy source.

3. Guarantee the Speaker's impartiality

Context

The decline in the functioning of India's Parliament — and state assemblies as well — is caused by one primary reason: The lack of independence and impartiality of the Speaker.

Important role of the Speaker

- Our Constitution, after extensive debate, adopted the Westminster model of governance.
- In the Lok Sabha, as in the United Kingdom, **the Speaker is the supreme authority**; he has vast powers and it is his primary duty to ensure the orderly conduct of the business of the House.
- Constitutional law points out the two essential qualities of a Speaker: **Independence and impartiality**.
- As the principal spokesperson of the Lok Sabha, the Speaker **represents its collective voice**.
- Indeed, **the supremacy of Parliament** is emphasised by Article 75(3) of the Constitution: "The Council of Ministers shall be collectively responsible to the House of the People".

- Pandit Nehru referred to the Speaker as “the symbol of the nation’s freedom and liberty” and emphasised that Speakers should be men of “outstanding ability and impartiality”.

How role of Speaker matters in functioning Legislature

- **Power to allow debate or discussion:** It is the Speaker’s duty to **decide what issues will be taken up for discussion.**
- He has the sole **discretion to permit an adjournment motion** to be tabled or to admit a calling attention notice, if the issue is of urgent public importance.
- The present practice of the Speaker continuing to be an active member of the ruling party has the inevitable **result of his refusing to allow any debate or discussion** that may be essential in national interest but may embarrass the ruling party.
- This inevitably leads to constant disruption of Parliament by the Opposition.
- The stalling of parliamentary proceedings has led to the passing of important bills in several sessions **without any discussion.**
- **Violation of separation of power between legislature and executive:** The most dangerous consequence is the vastly increased powers that the executive – the bureaucracy – begins to command by default.
- In 1951, a nine-judge bench of the Supreme Court (In Re Delhi Laws Act Case) held that **essential legislative functions cannot be delegated to the bureaucracy**; law-making must remain the domain of the legislature.
- This constitutional mandate is now increasingly and consistently being violated **by issuing rules and notifications that have far-reaching consequences.**
- The new rules on information technology and electronic commerce are clear instances of **changes that should have come about by a parliamentary law.**
- And worse still is the power given to the executive to issue **retrospective notifications** – a step unknown to any civilised democracy.
- **Partisan conduct in anti-defection law issues:** Several judgments on the anti-defection law have been rendered by the Supreme Court.
- A common factor that shows up in these rulings is the blatant, **partisan conduct** of speakers in state assemblies.

Way forward

- **Speaker should resign from Party:** It should be made mandatory that the Speaker ought **to resign from his party** and his sole allegiance must be to the Constitution and to maintaining the dignity of the House.
- The separation of powers is part of the basic structure of our Constitution.
- It is imperative that the Speaker of every legislature resigns from his party to honour his constitutional **obligation of independence and impartiality.**

- This must be accepted as the primary responsibility of every ruling party, both at the Centre and in each state, and made into a constitutional convention.

Conclusion

The option is a binary: Either allow Parliament and state legislatures to descend into terminal decline or make the Speaker truly independent and let every legislature perform its constitutional function.

GS 3 : Economy, Science and Technology, Environment

4. Getting the perfect haircut from the IBC

Understanding the role of IBC 2016

- For reasons sometimes a company may experience stress, that is, is **unable to repay the debt in time** – implying that it has assets less than claims against it.
- So, when a company has inadequate assets, the claim of an individual creditor may be consistent with its assets while **claims of all creditors put together may not**.
- In such a situation, creditors may rush to recover their claims before others do, triggering a run on the company's assets.
- The IBC **provides for reorganisation** that prevents a value-reducing run on the company.
- It aims to **rescue the company if its business is viable** or close it if its business is unviable, **through a market process**.
- **Restructuring:** The claims of creditors are restructured, which may be paid to them immediately or over time.
- In case of closure, the assets of the company are sold, and **proceeds are distributed to creditors immediately** as per the priority rule.
- **Reorganisation by financial creditor:** The IBC **entrusts the responsibility of reorganisation to financial creditors** as they have the capability and the willingness to restructure their claims.

Why so much variation in haircut?

- Where the company does not have adequate assets, realisation for financial creditors, through a rescue, may fall short of their claims known as haircut.

- The IBC process yields a zero haircut (100% recovery of claimed amount) in one case and **100 per cent haircut** (i.e. 0% recovery) in another.
- **Factors:** It depends on several factors, including the nature of business, business cycles, market sentiments, and marketing effort.
- It critically depends on **at what stage of stress, the company enters the IBC process.**
- If the company has been sick for years, and its assets have depleted significantly, the **IBC process may yield a huge haircut or even liquidation.**
- A haircut is typically the total claims minus the amount of realisation/amount of the claims.
- But this formulation may not tell the complete story.
- The realisation often does not include the amount that would be **realised from equity holding post-resolution**, and through the reversal of **avoidance transactions** and the insolvency resolution of guarantors — personal and corporate.
- It also does not include realisations made in other accounts.
- The amount of claim often includes NPA, which may be completely written off, and the interest on such NPA.
- These understate the numerator and overstate the denominator, projecting a higher haircut.

Significance of IBC

- A haircut should be seen in relation to the assets available and not in relation to the claims of creditors.
- The market offers a value in relation to what a company brings on the table, not what it owes to creditors.
- **Value maximisation:** So, the IBC **maximises the value of existing assets**, not of assets that probably existed earlier.
- **Market determined value:** The IBC enables and facilitates market forces to resolve stress as a going concern.
- **Resolution applicants**, who have many options for investment, including in stressed companies, compete to offer the best value.
- If the best value offered by the market is not acceptable to creditors, **the company is liquidated.**
- **Maximum realisation:** In addition to rescuing the company, the IBC realises, of the available options for creditors, the highest in percentage terms.

Conclusion

It is a tool in the hands of stakeholders to be used at the right time, in the right case, in the right manner.

5. Non-Transparent Pollution Control Boards

Why in News

Recently, a new report by the **Centre for Science and Environment (CSE)** has revealed that most of the **State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs)** in India remain **non-transparent entities** when it comes to sharing information with the public.

- CSE is a public interest research and advocacy NGO based in New Delhi.

Key Points

- **About the Report:**
 - The report is titled, **Transparency Index: Rating of pollution control boards on public disclosure**.
 - It has assessed the **data disclosure performance of 29 State Pollution Control Boards And Six Pollution Control Committees** from across the country. Of these, only **17 boards and committees scored 50% or above**.
 - Pollution control agencies under **Air Act 1981 and Water Act 1974** is to **collect and disseminate information related to air and water pollution** and also about its prevention, control or abatement.
 - The law also asks the **boards to share the data in the public domain**.
 - However, this is rarely done in practice.
 - The pollution control boards of **Odisha and Telangana were the top performers** and had scored 67% in transparency.
 - Putting in the public domain crucial pollution-related information, data and details of actions taken is critical. It **can help policy-makers** take the discussions to the next level of pollution management.
 - It can also **reassure the people** about the efficiency of these boards and committees.
- **Other Issues Pertaining to SPCBs:**
 - **More Responsibilities, Limited Institutional Capacity:** Over the last two decades, SPCBs have seen an expansion in the scope and scale of their work but not in their budgets and workforce.
 - Remuneration is meagre, making it hard for the board to retain talent.
 - **Shortage of Technical Experts:** Further, an acute shortage of technical experts and other staff has reduced central and state pollution regulators to mere advisory bodies, leaving them unable to enforce air quality standards.

- **Top Administrators Have No Domain Expertise:** Leadership positions in SPCBs are usually held by civil servants with no expertise in science or environmental studies--necessary for comprehending issues relating to pollution and climate change.
 - For example, the CPCB is dominated by government representatives and is constituted by the central government “which conflicts with the expectation of it acting as a watchdog”.
- **Low Motivation and Accountability:** State board officials often have a diminished view of their own role and responsibility.
 - Also, the process of framing standards was not inclusionary and state officials were simply asked to implement these.
- **Poor Multi-Sectoral Coordination:** The lack of convergence and coordination between various state and central departments often means that other departments do not implement SPCB directives.
- **Little Expertise in Monitoring:** While the capacity for real-time monitoring increases every year, gaps in data collection and erroneous readings due to poor calibration remain.

Pollution Control Boards in India

- **Central Pollution Control Board (CPCB):**
 - CPCB is a statutory organisation which was constituted in September, 1974 under the **Water (Prevention and Control of Pollution) Act, 1974**.
 - It was also entrusted with the powers and functions under the **Air (Prevention and Control of Pollution) Act, 1981**.
 - It serves as a field formation and also provides technical services to the **Ministry of Environment, Forest and Climate Change** of the provisions of the **Environment (Protection) Act, 1986**.
 - **Principal Functions** of the CPCB:
 - To promote cleanliness of streams and wells in different areas of the States by prevention, control and abatement of water pollution.
 - To improve the quality of air and to prevent, control or abate air pollution in the country.
- **State Pollution Control Board (SPCB):**
 - They **supplement the CPCB** as they are a statutory organization entrusted to implement Environmental Laws and rules within the jurisdiction of a state.
- **Pollution control committees (PCC):**
 - They perform similar functions to SPCB. The difference between the two is that **PCC belongs to Union territories**.

Way Forward

- **Uniform Standards:** There should be a uniform format for presenting annual reports and sharing information on websites.
 - The Central Pollution Control Board (CPCB) should come up with a website format for the SPCBs/PCCs and guidelines for framing annual reports.
- **Specialised Recruitment:** There is a need for clear qualifications to be laid down for the recruitment of various members to the pollution control boards.
 - Having special knowledge or practical experience in respect of matters relating to environmental protection can be one of the criteria.
- **Strengthening Institutional capacity:** Regulatory bodies that enable their implementation are strengthened with the technical and financial resources needed.

6. International Bullion Exchange

The International Financial Services Centres Authority (IFSCA) has inaugurated the pilot run/soft launch of the International Bullion Exchange scheduled to go live on October 1, 2021.

What is Bullion?

- Bullion is gold and silver that is officially recognized as being at least 99.5% and 99.9% pure and is in the form of bars or ingots.
- Bullion is often kept as a reserve asset by governments and central banks.
- To create bullion, gold first must be discovered by mining companies and removed from the earth in the form of gold ore, a combination of gold and mineralized rock.
- The gold is then extracted from the ore with the use of chemicals or extreme heat.
- The resulting pure bullion is also called “parted bullion.” Bullion that contains more than one type of metal, is called “unparted bullion.”

The Bullion Market

- Bullion can sometimes be considered legal tender, most often held in reserves by central banks or used by institutional investors to hedge against inflationary effects on their portfolios.
- Approximately 20% of mined gold is held by central banks worldwide.
- This gold is held as bullions in reserves, which the bank uses to settle the international debt or stimulate the economy through gold lending.

- The central bank lends gold from their bullion reserves to bullion banks at a rate of approximately 1% to help raise money.
- Bullion banks are involved in one activity or another in the precious metals markets.
- Some of these activities include clearing, risk management, hedging, trading, vaulting, and acting as intermediaries between lenders and borrowers.

What is International Bullion Exchange?

- This shall be the “Gateway for Bullion Imports into India”, wherein all the bullion imports for domestic consumption shall be channelized through the exchange.
- The exchange ecosystem is expected to bring all the market participants to a common transparent platform for bullion trading.
- It would provide efficient price discovery, assurance in the quality of gold, enable greater integration with other segments of financial markets and help establish India’s position as a dominant trading hub in the World.

7. Sea Erosion in India

Why in News

Recently, the **National Centre for Coastal Research (NCCR)** under the **Ministry of Earth Science** has published a report that said **one-third of India’s coastline underwent sea erosion in 28 years.**

- As much as **32% of India’s coastline underwent sea erosion** and **27% of it expanded between 1990 and 2018.**

Key Points

- **Findings of the Report:**
 - **India’s Coastline:**
 - The country’s coastline is **6,631.53 kilometres long** which is surrounded by the Arabian Sea in the west, Bay of Bengal in the east, and the Indian Ocean in the south.
 - **2,135.65 kilometres** was subject to **varying degrees of erosion** and **1,760.06 km expanded** during this period.
 - Nearly **2,700 km** of the coastline is **stable**.
 - The long coastline of India is **dotted with several major ports** such as Kandla, Mumbai, Nhava Sheva, Mangalore, Cochin, Chennai, Tuticorin, Visakhapatnam, and Paradip.
 - **Coastal Erosion:**

- 60% of the coastline of West Bengal underwent erosion during the period followed by Puducherry (56%), Kerala and Tamil Nadu at 41% and 41%, respectively.
- **More erosion in Eastern Coast** than the Western coast:
 - The **eastern coast sees a lot of rain** which keeps the seas rough through most of the year. Besides the **Southwest Monsoon** (June to September), the **eastern coast also witnesses the Northeast Monsoon** from October to December and brings rain to coastal Andhra Pradesh and Tamil Nadu.
 - The eastern coast **underwent more erosion due to frequent Cyclonic Activities from Bay of Bengal in the past three decades**, compared to the western coast, which remained largely stable.
- **Land Accretion:**
 - Odisha on the eastern coast is the only state where the coast witnessed an expansion of more than 50%.
 - This was followed by the coast of Andhra Pradesh, which expanded 48%; Karnataka (26%) etc.
- **Coastal Erosion:**
 - **Meaning:** Coastal erosion is the **process by which local sea level rise, strong wave action, and coastal flooding wear down or carry away rocks, soils, and/or sands along the coast.**
 - **Erosion and Accretion:** Erosion and accretion **are complementary** to each other. If the sand and sediments have drifted from one side, it must accumulate somewhere else.
 - Soil erosion **is the loss of land and human habitation as sea water washes off** regions of soil along the coastline.
 - Soil accretion, on the other hand, **results in an increase in the land area.**
 - However, if **accretion happens in Deltas, Estuaries, and creeks, the soil will block the inflow of seawater into these areas** which are breeding ground for several species of aquatic flora and fauna.
 - **Impact:** Recreational activities (sun bathing, picnicking, swimming, surfing, fishing, boating, diving, etc.) may be affected if existing beaches are reduced in width or disappear altogether. Also, there can be an impact on livelihoods of coastal communities.
 - **Measures:** Coastal habitats such as **Mangroves, Coral Reefs and lagoons** are recognized as the best defence against sea storms and erosion, deflecting and absorbing much of the energy of sea storms. Therefore, it is important to maintain these natural habitats for shore protection as well as for environmental conservation.

- **Factors causing Coastal Erosion:**
 - **Natural Phenomena:**
 - Wave energy is considered to be the primary reason for coastal erosion.
 - Natural hazards like cyclones, thermal expansion of seawater, storm surges, tsunami etc due to the melting of continental glaciers and ice sheets as a result of climate change hamper the natural rhythm and precipitate erosion.
 - **Littoral Drift:**
 - Strong littoral drift resulting in sand movement can also be considered as one of the major reasons for coastal erosion.
 - Littoral drift means the natural movement of sediment along marine or lake shorelines by wave action in response to prevailing winds.
 - **Anthropogenic Activities:**
 - Dredging, sand mining and coral mining have contributed to coastal erosion causing sediment deficit, modification of water depth leading to longshore drift and altered wave refraction.
 - Coastal erosion has been sparked by fishing harbours and dams constructed in the catchment area of rivers and ports reducing the flow of sediments from river estuaries.
 - **Heavy Rainfall:**
 - Heavy rainfall can enhance the saturation of soils, with high saturation leading to a reduction in the soil's shear strength, and a corresponding increase in the chance of **Slope Failure (landslides)**.
- **Indian Initiatives for Coastal Management:**
 - **National Centre for Sustainable Coastal Management:**
 - It aims to promote **integrated and sustainable management of the coastal and marine areas** in India for the benefit and wellbeing of the traditional coastal and island communities.
 - **Integrated Coastal Zone Management Plan:**
 - It is a process for the management of the coast using an integrated approach, regarding all aspects of the coastal zone, including geographical and political boundaries, in an attempt to achieve sustainability.
 - **Coastal Regulation Zone:**
 - The Coastal Regulation Zone (CRZ) notification was issued in 1991 under the Environmental Protection Act, 1986, by the Ministry of Environment and Forest to regulate activities in coastal areas of India.

Prelims Practice Questions

1. Consider the following statements with respect to Financial Inclusion Index

1. It is being released once in a year by the Ministry of Finance.
2. It has no base year.
3. It covers banking, investments, insurance, postal and pension sectors.

Which of the statement(s) given above is/are correct?

- a. 1 only
- b. 3 only
- c. 2 and 3 only
- d. 1, 2 and 3

Answer : c

Financial Inclusion Index

- Financial Inclusion Index is released by RBI once in a year in the month of July.
- It is to capture the extent of financial inclusion across the country.
- It comprises of 3 parameters - Access (35%), Usage (45%), and Quality (20%) .
- It incorporates details of banking, investments, insurance, postal as well as the pension sector in consultation with the government and respective sectoral regulators.
- It has no base year as it reflects the cumulative efforts of various sectors towards financial inclusion in the country.
- Its value ranges from 0 to 100 in which 0 represents financial exclusion and 100 reflects complete financial inclusion.

2. Shishu, Kishore, Tarun - 3 categories of intervention are linked with which of the following government schemes/programs?

- a. Mission Indradhanush
- b. PM Janani Suraksha yojana
- c. Pradhan Mantri Mudra Yojana
- d. Pradhan Mantri Kisan Sampada Yojana

Answer: c

Explanation:

- Under the aegis of Pradhan Mantri Mudra Yojana (PMMY), Micro Units Development and Refinance Agency Ltd. (MUDRA) has created products/schemes. The interventions have been named 'Shishu', 'Kishore' and 'Tarun' to signify the stage of growth/development and funding needs of the beneficiary micro unit/entrepreneur and also provide a reference point for the next phase of graduation/growth to look forward to:
 - Shishu: covering loans up to 50,000/-
 - Kishor: covering loans above 50,000/- and up to 5 lakh
 - Tarun: covering loans above 5 lakh and up to 10 lakh

3. With reference to Indian Peafowl, which of the statements given above is incorrect?

- a. It is an arid-land species which prefers semi-arid biomes and dry deciduous forests.
- b. It is native to Mediterranean region and travelled from Iran and Turkey to India.
- c. They are now listed under the 'Least Concern' category of International Union for Conservation of Nature (IUCN) Red Data list.
- d. In recent years, the Indian Peafowl have been found to be expanding in Kerala, a region falling under humid tropics.

Answer : b

Increase of Peacock in Kerala

- During recent years, the Indian Peafowl, an arid-land species, have been found to be expanding in Kerala, a region falling under humid tropics.
- Birds can be regarded as a bioindicator of environmental change as they are very sensitive to vagaries of climate.
- The increasing sightings of the Indian Peafowl (*Pavo cristatus*) are an indicator of the changing climate in Kerala.

Indian Peafowl (*Pavo cristatus*)

- It is commonly seen in scrub jungles and forest edges, with an affinity towards dry deciduous forests, semi-desert areas and semi-arid biomes.
- The Indian peafowl is a native of India and some parts of Pakistan and Sri Lanka.
- The Arakan hills prevented their spread further east while the Himalayas and the Karakoram did so northwards.
- As our national bird, the peacock has the utmost level of legal protection.

- It comes under Section 51 (1-A) of Schedule I of the Wild (Life) (Protection) Act, 1972, with imprisonment that may be extended up to seven years, along with a fine that shall not be less than Rs 10,000.
- Since 2014, Indian Peafowl have been protected under Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
- They are now listed under the 'Least Concern' (LC) category of the International Union for the Conservation of Nature Red Data list.

4. With reference to the cultural history of India, which one of the following is the correct description of the term 'paramitas'?

- a. The earliest Dharmashastra texts written in aphoristic (sutra) style.
- b. Philosophical schools that did not accept the authority of Vedas.
- c. Perfections whose attainment led to the Bodhisattva path
- d. Powerful merchant guilds of early medieval South India.

Answer: c

Explanation:

- Paramitas is a Buddhist term often translated as "perfection". It is described in Buddhist commentaries as noble character qualities generally associated with enlightened beings or the attainment of the Bodhisattva path.

5. Consider the following statements regarding the Khasi community:

1. It is the largest tribe of Meghalaya.
2. Khasi people refer to themselves as A'chiks.
3. The inheritance of property and succession in the Khasi community runs through the female line.

Which of the statements given above are correct?

- A 1 and 2 only
B 2 and 3 only
C 1 and 3 only
D 1, 2 and 3

Answer : C

Explanation

- **Khasi people** are an **indigenous ethnic group of Meghalaya** in north-eastern India. They have a distinctive culture and are the **largest tribe of Meghalaya**. Hence, **statement 1 is correct**.
 - The **Garos, who call themselves A'chiks**, are the second largest tribe in Meghalaya. Hence, **statement 2 is not correct**.
- The Khasi speak a Mon-Khmer language of the Austroasiatic stock.
- Both **inheritance of property and succession to tribal office run through the female line**, passing from the mother to the youngest daughter. Hence, **statement 3 is correct**.
- They are divided into several clans. Wet rice (paddy) provides the main subsistence; it is cultivated in the valley bottoms and in terrace gardens built on the hillsides.

6. Consider the following statements:

1. Sundarbans is the only mangrove tiger habitat in the world.
2. The Protected Areas (PA) of Sundarbans are designated by UNESCO as World Heritage Sites.

Which of the statements given above is/are correct?

- A 1 only
- B 2 only
- C Both 1 and 2
- D Neither 1 nor 2

Answer :C

Explanation

- The Sundarbans ecoregion is located in the **tidally active lower deltaic plain** of the **Ganges-Brahmaputra-Meghna (GBM) basin**.
- It hosts the **largest contiguous mangrove forest and the only mangrove tiger habitat in the world**. Hence, **statement 1 is correct**.
 - Mangrove forests perform **multiple ecological functions** such as production of woody trees, provision of habitat, food and spawning grounds for fin-fish and shellfish, provision of habitat for birds and other valuable fauna; protection of coastlines and accretion of sediment to form new land.
- Spread over parts of **Bangladesh and India**, the **Protected Areas (PA)** within the forested parts are designated by the **United Nations Educational,**

Scientific and Cultural Organisation (UNESCO) as **World Heritage Sites** in both countries. **Hence, statement 2 is correct.**

- The natural areas spanning **10,000 square kilometres** across the two countries are also **Ramsar Sites or Wetlands** of International Importance.
- The **cleared forest tracts** in the two countries are now collectively home to over 7.5 million people.
- The area is known for its wide range of fauna, including 260 bird species and is home to many rare and globally threatened wildlife species such as the Estuarine Crocodile, Royal Bengal Tiger, Water Monitor Lizard, Gangetic Dolphin and Olive Ridley Turtles.



Mains Practice Questions

1Q. Farm reform is the need of the hour to achieve the welfare of the agriculture sector. Discuss the statement with reference to the present state of agriculture. (250 Words)

Approach

- Start by writing the present state of the agriculture sector.
- Discuss the issues prevalent in the present day farm sector.
- Suggest some measures.
- Conclude suitably.

2Q. Land reforms in India, are necessary not only to boost agricultural growth but also to eradicate poverty in rural areas. Discuss. (250 words)

Approach

- Briefly discuss the Land Reform measures in India.
- Discuss how land reforms are necessary to boost agricultural growth and to eradicate rural poverty.
- Give conclusion.