



# WEEKLY CURRENT AFFAIRS JANUARY 2023 THIRD WEEK



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#### **GS I: Social reformer**

### SWAMI VIVEKANANDA

#### 1. Context

January 12 this year marks the 161st birth anniversary of Swami Vivekananda, observed as National Youth Day.

#### 2. Key Points

- Spiritual primacy is the central theme of Vivekananda's teachings, through which human beings can succeed in every sphere of their lives.
- Nevertheless, he urges people, especially the youth, to never let go of reason.
- Instead, he premises his philosophy, ideas and life work on the premise of reason.
- The three instruments of knowledge that he propounded are **instincts**, **reason**, **and inspiration**.

#### 3. Work, philosophy and message

- Swami Vivekananda believed that there is only one Self in the universe.
- There is only one Existence. He saw the entire universe as a manifestation of the absolute One.
- On the coexistence of various faiths, he believed religious acceptance, and not tolerance was important.
- He claimed that tolerance comes out of a superiority complex.

For Vivekananda, the most desirable path for self-realisation was the selfless service of man. Some ways through which the essential unity of all human beings can be realised are unconditional love for all, judicious detachment, and expansion of self through service of fellow humans despite any sectarian difference, he believed.



- He was an exponent of vedantic humanism.
- He did not propagate a world-negating concept of spirituality, rather he said that each and every chore of your life should be done with divinity.
- He articulated that external rituals of religion are of secondary importance but the spiritual essence of a religion should be preserved and accepted.

Vivekananda's understanding of religion, Religion is a topic of experience, peace can only last if people understand the real meaning of religion, practise it in their daily lives and feel one with it.

#### 4. Divinity within ourselves

- "Infinite power is in the soul of man, whether he knows it or not. Its manifestation is only a question of being conscious of it. With the full consciousness of his infinite power and wisdom, the giant will rise to his feet." has come to be associated with the politics of Hindutva Swami Vivekananda asserted that each soul is potentially divine.
- The goal of human beings should be to manifest this divinity within, which can be done by controlling nature, external and internal.

#### 5. Karma Yoga, Bhakti Yoga, Raja Yoga:

Swami Vivekananda talked about the four pathways of attaining moksha from worldly pleasure and attachment in his books, we look at three of them.

#### 5.1. Karma Yoga

- Swami Vivekananda, emphasising the importance of work, said that God can be attained through work.
- He said that in every society there are people whose minds cannot be concentrated on the plane of thought alone.
- He stressed that a lot of people fritter away a great amount of their energies because they are oblivious to the secret of work.
- The key to this secret lies in Karma Yoga, as it teaches how to employ to the maximum advantage all our energies in our work.
- Karma-Yoga teaches how to work for work's sake, unattached to the results.



- A Karma Yogin works out of her nature as she feels it is the right thing for her to do and that is the sole objective of her work.
- "Whatever you do, let that be your worship for the time being," he said.

#### 5.2. Bhakti Yoga

- Bhakti Yoga teaches that love is a vital element of all human beings.
- It teaches how to love bereft of any ulterior motives.
- "All love is expansion, all selfishness is contraction. Love is therefore the only law of life. He who loves lives, he who is selfish is dying," said Swami Vivekananda.

#### 5.3. Raja Yoga

- Raja Yoga opens up the psychological way to union with God.
- This Yoga teaches that in order to acquire knowledge, we'd have to use a method called concentration.
- Swami Vivekananda, to explain this Yoga, gives an example of a chemist who works in her laboratory, concentrating all the powers of her mind, bringing them into one focus, and throwing them onto the elements; the elements stand analysed and thus her knowledge comes.
- The more this power of concentration, the more knowledge is acquired. The stronger the power of concentration, the better will that thing be done.

#### 6. Faith in oneself

• He emphasises that the ideal of faith in ourselves is of the greatest help to us as whatever "you think, that you will be. If you think yourselves weak, weak you will be; if you think yourselves strong, strong you will be." One has to know that all knowledge, power, purity, and freedom are in oneself.

Swami Vivekanand also urges people to not shy away from taking responsibility for their actions. "We, as Vedantists, know for certain that there is no power in the



universe to injure us unless we first injure ourselves. Let us blame none, let us blame our own karma. The effect is here and the cause is here too. We are to blame. Stand up, be bold, and take the blame on your own shoulders."

#### **GS I: World heritage**

### COLD WAVE

#### 1. Context

In Delhi, the Safdarjung weather station, which provides representative figures for the city, has recorded cold wave conditions for five consecutive days so far this month, making it the longest such spell in a decade. The lowest minimum temperature recorded this month was 1.9 degrees Celsius on January 8, the secondlowest minimum temperature in January in 15 years.

#### 2. What is a Cold Wave?

According to the IMD, cold wave conditions occur when the mercury falls below 10 degrees Celsius in the plains, and the minimum temperature stays at least 4.5 degrees to 6.4 degrees Celsius below the normal level.

#### **2.1 Conditions**

- Inflow of cold air mass from higher latitudes over the region in the rear of the passage of a well marked low pressure system in the westerly wind flow of mid-latitudes.
- Foggy weather during the day which inhibits day warming of the region.
- Strong radiation cooling during the night under clear sky conditions.

#### 3. Cold waves in India



Cold waves over the country are generally experienced during December -February. The frequency of occurrence of cold waves is over northwestern parts of India. Occurrence of cold waves is associated with the inflow of very cold air from extreme northwestern parts of the Indian-subcontinent or even beyond.

#### 4. Reasons Behind Cold Wave Conditions in India

**4.1 Impact of Western disturbance:** Cold wave conditions form due to lack of western disturbances. Western disturbances create precipitation and bring down day temperatures, but night temperatures remain steady.

**4.2 Snowfall in the upper Himalayas:** This creates a wind chill factor for the northern states of India

**4.3 Downward subsidence of cold air:** Subsiding air (from the upper Himalayas) further cools down creating low-temperature conditions over North India for a longer period.

#### 4.4 La Nina is known to favor cold waves in North India

It increases the severity of cold conditions, also the frequency and area covered under the grip of a cold wave become larger e.g. winters of October 2020 were colder than usual (2 degrees Celsius, the lowest since 1962) due to the impact of La Nina in the pacific.

#### 5. Impacts of ColdWave

**5.1 Impact on Agriculture**: It has the potential to destroy the Rabi crop and reduce the production of cash crops (Coffee, Tea). The temperature difference between day and night would be greater.

**5.2 Impact on Health**: The cold wave is extremely dangerous to human health, and it may impact vulnerable persons (infants, pregnant women, the elderly, and people suffering from chronic diseases). The likelihood of illnesses such as the flu as a result of prolonged exposure to the cold.

**5.3 Impact on visibility**: A cold wave can reduce visibility, making people more likely to be prone to accidents and lose their lives as a result of them.

#### **GS I: Social reformer**



### FATIMA SHEIKH

#### 1. Context

On her 192nd birth anniversary, we remember the life and contributions of Fatima Sheikh, pioneering Muslim woman educator and a collaborator with Savitribai and Jyotirao Phule.

#### 2. About Fatima Shiekh

Fatima Sheikh, often a lost figure in Indian history, was a pioneering teacher, anticaste activist, proponent of girls' education, and social reformer in 19th century Maharashtra. Along with Savitribai and Jyotirao Phule, she started the first girls' school in the country, in spite of loud, threatening opposition.

#### 3. Befriending Savitribai and starting a girls' school in Pune

- Fatima Sheikh befriended Savitribai when the two were enrolled in a teachers' training programme by American missionary Cynthia Farrar.
- While in the programme, both developed a bond over their politics and mission to educate those who had been traditionally denied knowledge and education.
- In 1848, Savitribai, Fatima and Jyotirao opened the first school for girls inside the premises of Fatima's home in Pune.
- Savitribai and Fatima took on the work of teaching a small group of girls there, with the help of Farrar, who at the time was based in Ahmednagar.
- Other schools for Dalits and women followed, with Fatima and Savitribai going to individual families across the town in attempts to persuade them into enrolling their children.

#### 4. Standing strong amidst fervent opposition



- In Pune, a conservative bastion of Marathi culture and tradition, the very act of trying to educate the underprivileged caused uproar.
- It is said that the two women would often have stones and pieces of dung thrown at them while walking in the streets.
- Fatima specifically is said to have borne the wrath of both uppercaste Hindus and orthodox Muslims.
- Under pressure from upper castes, Jyotirao's father evicted Savitribai and Jyotirao from the family home in the late 1840s.
- With nowhere else to go, the Phules would find shelter at the house of Mian Usman Sheikh, where they would live till 1856.
- As many from their own community abandoned them, Fatima Sheikh and her brother stood strongly with the Phules and the mission to educate girls and bahujans.

#### 5. An elusive figure

- Unfortunately, many details of Fatima Sheikh's life and pioneering work have been lost.
- Unlike the Phules, who left behind a treasure trove of literature in the form of personal diaries, notes, letters, poems and books, no surviving documents of Fatima Sheikh are available today.
- Even among Muslim icons, she is often forgotten, with figures such as Syed Ahmed Khan, who established the Aligarh Muslim University, dominating discourse on education and social reform.

#### GS I: Indian heritage& culture

### **ARCHEOLOGIAL SURVEY OF INDIA**

#### 1. Context



Fifty of India's 3,693 centrally protected monuments have gone missing, the Ministry of Culture has told Parliament.

The submissions were made by the ministry on December 8 to the Parliamentary Standing Committee on Transport, Tourism and Culture as part of a report titled 'Issues relating to Untraceable Monuments and Protection of Monuments in India'.

#### 2. Archaeological Survey of India

- The ASI was founded in 1861 by Alexander Cunningham, when he realised the need for a permanent body to oversee archaeological excavations and conservation.
- But while the body remained largely dysfunctional in the 19th century owing to fund crunch, in the decades preceding Independence, it became very active.
- A bulk of the protected monuments were taken under the ASI's wings during the 1920s and 30s, up till the 50s.
- But in the decades after independence, the focus of successive governments was on health, education and infrastructure, rather than protecting heritage.
- Even within the scope of heritage, the aim was to uncover more monuments and sites, instead of conservation.

#### 3. AMASR Act

- The Ancient Monuments and Archaeological Sites and Remains Act (AMASR Act) regulates the preservation of monuments and archaeological sites of national importance.
- The Archaeological Survey of India (ASI), which is under the aegis of the Union Ministry of Culture, functions under this Act.

The Act protects monuments and sites that are more than 100 years old, including temples, cemeteries, inscriptions, tombs, forts, palaces, step-wells, rock-cut caves, and even objects like cannons and mile pillars that may be of historical significance.



- According to the provisions of AMASR Act, ASI officials are supposed to regularly inspect the monuments to assess their condition.
- Apart from various conservation and preservation operations, ASI officials can also file police complaints, issue show cause notices for the removal of encroachments, and communicate to the local administration the need for demolition of encroachments.

#### 4. Missing of Monuments

• So in due course, many monuments and sites were lost to activities like urbanisation, construction of dams and reservoirs, and even encroachments.

As per the ASI submission in Parliament, 14 monuments have been lost to rapid urbanisation, 12 are submerged by reservoirs/dams, while 24 are untraceable, which brings the number of missing monuments to 50.

- "Even now, we are grappling with an acute manpower shortage to physically man all the big and small monuments which may fall under a particular region".
- The agency told the Parliamentary committee that security guards were posted at only 248 of the 3,693 monuments.
- "The committee notes with dismay that out of the total requirement of 7,000 personnel for the protection of monuments, the government could provide only 2,578 security personnel at 248 locations due to budgetary constraints,"

#### 4.1. CAG report

- A comprehensive physical survey of all monuments has never been conducted after Independence, in 2013, a Comptroller and Auditor General (CAG) report said that at least 92 centrally protected monuments across the country had gone missing.
- The CAG report said that the ASI did not have reliable information on the exact number of monuments under its protection.



- It recommended that periodic inspection of each protected monument be carried out by a suitably ranked officer.
- The Culture ministry accepted the proposal, but there was hardly any movement.
- The report notes that "out of the 92 monuments declared as missing by the CAG, 42 have been identified due to efforts made by the ASI."
- Of the remaining 50, 26 have been accounted for, as mentioned earlier, while 24 are untraceable.

The Ministry said, "Such monuments which could not be traced on ground for a considerable

time because of multiple factors, despite the strenuous efforts of ASI through its field offices, were referred as Untraceable monuments."

#### 4.2. List of Missing Monuments

- These include 11 in Uttar Pradesh, two each in Delhi and Haryana, and in states like Assam, West Bengal, Arunachal Pradesh and Uttarakhand.
- "Many such cases pertain to inscriptions, batteries and tablets, which don't have a fixed address. They could have been moved or damaged and it may be difficult to locate them."
- The Parliamentary panel said it was perturbed to find that the Barakhamba Cemetery in the very heart of Delhi was among the untraceable monuments.
- "If even monuments in the Capital cannot be maintained properly, it does not bode well for monuments in remote places in the country," it said.
- The particular cemetery may have been lost to the "redevelopment of the New Delhi Railway Station".

Other missing monuments include

- 1. the Guns of Emperor Sher Shah, Tinsukia (Assam);
- 2. the Ruins of Copper Temple, Paya, Lohit (Arunachal Pradesh);
- 3. Kos Minar, Mujesar, Faridabad (Haryana); Kutumbari Temple, Dwarahat, Almora (Uttarakhand);
- 4. Rock Inscription, Satna (Madhya Pradesh);



- 5. Old European Tomb, Pune (Maharashtra);
- 6. 12th Century Temple, Baran (Rajasthan); and
- 7. Telia Nala Buddhist ruins, Varanasi (Uttar Pradesh).

#### 5. Untraceable monuments

- The CAG audit included a joint physical inspection, along with the ASI, of merely 1,655 monuments out of the 3,678 on the protected list at the time.
- The 24 monuments reported to be untraceable are from this sample of 1,655 monuments.
- "The Committee is perturbed to note that having found out that at least 24 monuments are untraceable out of the sample of monuments studied, no further surveys were conducted for the remaining monuments, even nearly a decade after the original study," the panel said.
- The ASI submitted that even as the monuments lost to urbanisation or dams can be deemed gone, it will make one last attempt to locate the 24 untraceable monuments.
- If any of those can be traced, the missing monuments list will be pruned.

#### 6. Section 35 of the AMASR Act

- However, deleting the lost/untraceable monuments from the protected list may not be that simple.
- The deletion requires denotification of the said monument under Section 35 of the AMASR Act, which happens to be a long-drawn process.
- Section 35 has the provision to issue notifications only for such Centrally Protected Monuments (CPMs) which, according to the central government, have ceased to be of national importance.
- The situation of a missing monument cannot be automatically equated with the loss of its historical importance, the committee said.

#### 7. The wayforward

• It recommended that the untraceable monuments may not be removed from the list, because once that is done, there would be no imperative to find them.



• Since the missing monuments cannot continue to be on the protected list either, the Committee recommended that the list of Untraceable Monuments may be maintained as such and if necessary, the AMASR Act be amended to include this terminology.

#### **GS II: Governance**

## THE PLACES OF WORSHIP ACT

#### 1. Context

The Supreme Court hear a challenge to the order of a civil court in Varanasi directing a videographic survey of the Maa Shringar Gauri Sthal in the Kashi Vishwanath temple Gyanvapi mosque complex.

#### 2. The Places of Worship Act and its Provisions

The long title describes it as "An Act to prohibit conversion of any place of worship and to provide for the maintenance of the religious character of any place of worship as it existed on the 15th day of August, 1947, and for matters connected therewith or incidental thereto."

Section 3 of the Act bars the conversion, in full or part, of a place of worship of any

religious denomination into a place of worship of a different religious denomination or even a different segment of the same religious denomination.

Section 4(1) declares that the religious character of a place of worship "shall continue to be the same as it existed" on August 15, 1947.

Section 4(2) says any suit or legal proceeding with respect to the conversion of the religious character of any place of worship existing on August 15, 1947, pending before any court, shall abate and no fresh suit or legal proceedings shall be instituted.



The proviso to this subsection saves suits, appeals and legal proceedings that are pending on the date of commencement of the Act, if they pertain to the conversion of the religious character of a place of worship after the cut-off date.

**Section 5** stipulates that the Act shall not apply to the Ramjanmabhoomi-Babri Masjid case, and to any suit, appeal or proceeding relating to it.

At least two petitions challenging the Act are pending before the Supreme Court.

The law has been challenged on the ground that it bars judicial review, which is a basic feature of the Constitution, imposes an **"arbitrary irrational retrospective cutoff date"**, and abridges the right to religion of Hindus, Jains, Buddhists and Sikhs.

#### **3. Reasons for bringing of the act**

- The Act was brought by the Prime Minister P V Narasimha Rao at a time when the Ram temple movement was at its peak.
- The Babri Masjid was still standing, but L K Advani's rath yatra, his arrest in Bihar and the firing on kar sevaks in Uttar Pradesh had raised communal tensions.

Moving the Bill in Parliament, then Home Minister S B Chavan said: "It is considered necessary to adopt these measures in view of the controversies arising from time to time with regard to conversion of places of worship which tend to vitiate the communal atmosphere Adoption of this Bill will effectively prevent any new controversies from arising in respect of conversion of any place of worship..."

#### 4. Supreme Court verdict

- The constitutional validity of the 1991 Act was not under challenge, nor had it been examined before the Supreme Court Bench that heard the Ramjanmaboomi-Babri Masjid title suit.
- Even so, the court, while disagreeing with certain conclusions drawn by the Allahabad High Court about the Act, made specific observations in its support.



"In providing a guarantee for the preservation of the religious character of places of public worship as they existed on 15 August 1947 and against the conversion of places of public worship, Parliament determined that independence from colonial rule furnishes a constitutional basis for healing the injustices of the past by providing the confidence to every religious community that their places of worship will be preserved and that their character will not be altered," the court said.

#### 5. Constitutional obligations

- The law addresses itself to the State as much as to every citizen of the nation.
- The State, has by enacting the law, enforced a constitutional commitment and operationalised its constitutional obligations to uphold the equality of all religions and secularism which is a part of the basic features of the Constitution.
- The Places of Worship Act imposes a non-derogable obligation towards enforcing our commitment to secularism under the Indian Constitution.
- The law is hence a legislative instrument designed to protect the secular features of the Indian polity, which is one of the basic features of the Constitution.
- The Places of Worship Act is a legislative intervention which preserves nonretrogression as an essential feature of our secular values.

**GS II: Governance** 

### **BASIC STRUCTURE OF INDIAN CONSTITUTION**



#### 1. Context

Vice President Jagdeep Dhankhar sparked a debate on the separation of powers between the executive and the judiciary. He criticised the Supreme Court once again for using the doctrine of basic structure to strike down the constitutional amendment that introduced the National Judicial Appointments Commission Act.

#### 2. What is the Basic Structure Doctrine?

- The Doctrine of Basic Structure is a form of judicial review that is used to test the legality of any legislation by the courts.
- The doctrine was evolved by the Supreme Court in the 1973 landmark ruling in Kesavananda Bharati v State of Kerala. In a 7-6 verdict, a 13-judge Constitution Bench ruled that the 'basic structure' of the Constitution is inviolable, and could not be amended by Parliament.
- If a law is found to "damage or destroy" the "basic features of the Constitution", the Court declares it unconstitutional.
- The test is applied to constitutional amendments to ensure the amendment does not dilute the fundamentals of the Constitutional itself.

#### **3. Evolution of Basic Structure Doctrine**

#### 3.1 Shankari Prasad Case, 1951

- SC opined that the power of the parliament to amend the constitution under Article 368 also includes the power to amend Fundamental Rights.
- It based its judgment on the logic that the word 'law' mentioned in Article 13 includes only ordinary laws and not constitutional amendment acts.

#### 3.2 Golaknath Case, 1967

• SC overruled its judgment. It ruled in this that- Fundamental Rights are given a transcendental and immutable position and hence the Parliament cannot abridge or take away any of these rights.



- It opined the constitutional amendment act is also a law under Art 13.
- Parliament reacted to this judgment by enacting 24<sup>th</sup> amendment act which included a provision in Art 368 which declared that Parliament has power to take away any of the fundamental rights.

#### 3.3 Keshavananda Bharati Case, 1973

SC overruled its judgment in the Golaknath case. It upheld the validity of the 24<sup>th</sup> amendment act and opined that parliament is empowered to take away or abridge any of the FRs. However, such changes should not alter the 'basic structure' of the constitution.

#### 3.4 42nd CAA 1976

Amended Art. 368-no limitation on the constituent power of Parliament. Any amendment cannot be questioned in any court on any ground.

#### 3.5 Minerva Mills Case, 1980

Parliament reacted to the above case by enacting 42nd amendment act which declared under article 368 that there is no limitation on the constituent power of Parliament and it barred the courts from questioning such amendments. This provision was invalidated by the SC stating that Parliament cannot take away the 'judicial review' power of the constitution since it is part of the 'basic structure of the doctrine'.

#### 3.6 Waman Rao Case, 1981

SC clarified that doctrine would be apply to constitutional amendments enacted after April 24, 1973 (Kesavananda Bharati case) (Including 9th schedule).

#### 4. Basic Features of Indian Constitution

In the Kesavananda ruling, the Supreme Court cited several aspects of the Constitution that could be identified as "basic features" of the document but added that it was not an exhaustive list.



- the supremacy of the Constitution,
- $\circ$  the rule of law,
- Independence of the judiciary,
- doctrine of separation of powers,
- sovereign democratic republic,
- the parliamentary system of government,
- the principle of free and fair elections,
- welfare state, etc.

#### 5. Significance of Basic Structure

- The basic structure doctrine is a testimony to the theory of Constitutionalism to prevent the damage to essence of COI by brute majority of the ruling majority.
- The basic doctrine saved the Indian democracy as it acts as a limitation of constituent power or else unlimited power of parliament might have turned India into a totalitarian.
- It helps us to retain the basic tenets of our constitution so meticulously framed by the founding fathers of our Constitution.
- It strengthens our democracy by delineating a true separation of power where Judiciary is independent of other two organs. It has also given immense untold unbridled power to Supreme Court and made it the most powerful court in the world.
- By restraining the amending powers of legislative organ of State, it provided basic Rights to Citizens which no organ of State can overrule.
- Being dynamic in nature, it is more progressive and open to changes in time unlike the rigid nature of earlier judgements.

#### **GS II: Governance**

### **SECTION 6A OF CITIZENSHIP ACT**

#### 1. Context



A Supreme Court Constitution Bench, while hearing petitions challenging Section 6A of the Citizenship Act, said Tuesday it would first decide whether the provision is constitutionally valid before proceeding to other issues raised in the pleas.

#### 2. About the Section

Questions around citizenship, **"illegal immigrants"** and rights of **"indigenous Assamese"** citizens in Assam largely revolve around the Assam Accord, which was signed in 1985 between the Rajiv Gandhi government and the All Assam Students' Union at the end of a six-year-long agitation against the influx of migrants from Bangladesh into the state.

#### 3. Assam Accord

- The plea before the Constitutional bench in the Supreme Court challenges one of the core elements of the Accord which determines who is a foreigner in the state and the basis of the final National Register of Citizens in Assam, published in 2019.
- Clause 5 of the Assam Accord states that January 1, 1966 shall serve as the base cutoff date for the detection and deletion of "foreigners" but it also contains provisions for the regularisation of those who arrived in the state after that date and up till.

Section 6 A of the Citizenship Act was inserted as an amendment to accommodate this.

What Section 6 A essentially does is establish March 24, 1971 as the cut-off date for entry into the state, meaning that those entering the state after that would be considered **"illegal immigrants"**.

• It states that while those who came to Assam on or after January 1, 1966 but before March 25, 1971 from Bangladesh shall be detected as "foreigners", they would have to register themselves according to rules made by the Central Government.



- Till a period of 10 years from the date they were detected as foreigners, they would have the same rights and obligations as Indian citizens except being included in electoral rolls for any assembly or parliamentary constituency.
- At the end of the ten-year period, they were to be deemed citizens.
- The final National Register of Citizens in Assam which was published in 2019 was conducted with this cut-off date of 24 March 1971.

#### 4. The plea

- The plea before the constitutional bench, while questioning the constitutional validity of Section 6 A, wants 1951 to be established as the cut-off date for inclusion in the National Register of Citizens instead of 1971.
- The primary petitioner is the Assam Sanmilita Mahasangha (ASM) an organisation that says that it advocated for the rights of **"indigenous"** communities of Assam.
- Their core argument is that by establishing a different cut-off date for Indian citizenship in of India which is July 1948 Section 6 A is "discriminatory, arbitrary and illegal" and violative of the rights of "indigenous" Assamese people.
- Their petition, which had been filed in 2012, states that " the application of Section 6-A to the State of Assam alone has led to a perceptible change in the demographic pattern of the State and has reduced the people of Assam to a minority in their own State.
- The same is detrimental to the economic and political well-being of the State and acts as a potent force against the cultural survival, political control and employment opportunities of the people." While the final NRC in Assam was released in 2019.

By settling on the date of Bangladesh's independence in violation of the Constitution, the AASU has gone against the indigenous tribes of Assam by favouring the 70-80 lakh Hindu and Muslim Bengalis and Nepalis who fled from East Pakistan over the course of those years and illegally occupied the lands of indigenous tribes and government lands.



#### 5. The questions surrounding Section 6 A

While hearing the 2012 plea by the ASM, a two-judge bench of Justices Ranjan Gogoi and Rohinton had framed 13 questions on Section 6 A for deliberation by a constitutional bench, in an order passed on December 17, 2014.

- 1. Whether Articles 10 and 11 of the Constitution of India permit the enactment of Section 6A of the Citizenship Act in as much as Section 6A, in prescribing a cut-off date different from the cut-off date prescribed in Article 6, can do so without a "variation" of Article 6 itself; regard, in particular, being had to the phraseology of Article 4 (2) read with Article 368 (1)
- 2. Whether Section 6A violates Articles 325 and 326 of the Constitution of India in that it has diluted the political rights of the citizens of the State of Assam;
- 3. What is the scope of the fundamental right contained in Article 29(1)? Is the fundamental right absolute in its terms? In particular, what is the meaning of the expression "culture" and the expression "conserve"? Whether Section 6A violates Article 29(1)?
- 4. Whether Section 6A violates Article 355? What is the true interpretation of Article 355 of the Constitution? Would an influx of illegal migrants into a State of India constitute "external aggression" and/or "internal disturbance"? Does the expression "State" occurring in this Article refer only to a territorial region or does it also include the people living in the State, which would include their culture and identity?
- 5. Whether Section 6A violates Article 14 in that, it singles out Assam from other border States (which comprise a distinct class) and discriminates against it. Also whether there is no rational basis for having a separate cut-off date for regularizing illegal migrants who enter Assam as opposed to the rest of the country; and
- 6. Whether Section 6A violates Article 21 in that the lives and personal liberty of the citizens of Assam have been affected adversely by the massive influx of illegal migrants from Bangladesh.
- 7. Whether delay is a factor that can be taken into account in moulding relief under a petition filed under Article 32 of the Constitution?



- 8. Whether, after a large number of migrants from East Pakistan have enjoyed rights as Citizens of India for over 40 years, any relief can be given in the petitions filed in the present cases?
- 9. Whether section 6A violates the basic premise of the Constitution and the Citizenship Act in that it permits Citizens who have allegedly not lost their Citizenship of East Pakistan to become deemed Citizens of India, thereby conferring dual Citizenship to such persons?
- 10. Whether section 6A violates the fundamental basis of section 5 (1) proviso and section 5 (2) of the Citizenship Act (as it stood in 1985) in that it permits a class of migrants to become deemed Citizens of India without any reciprocity from Bangladesh and without taking the oath of allegiance to the Indian Constitution?
- 11. Whether the Immigrants (Expulsion from Assam) Act, 1950 being a special enactment qua immigrants into Assam, alone can apply to migrants from East Pakistan/Bangladesh to the exclusion of the general Foreigners Act and the Foreigners (Tribunals) Order, 1964 made thereunder?
- 12. Whether Section 6A violates the Rule of Law in that it gives way to political expediency and not to Government according to law?
- 13. Whether Section 6A violates fundamental rights in that no mechanism is provided to determine which persons are ordinarily resident in Assam since the dates of their entry into Assam, thus granting deemed citizenship to such persons arbitrarily?

**GS II: Governance** 

### THE PLACES OF WORSHIP ACT

#### 1. Context

The Supreme Court hear a challenge to the order of a civil court in Varanasi directing a videographic survey of the Maa Shringar Gauri Sthal in the Kashi Vishwanath temple Gyanvapi mosque complex.



#### 2. The Places of Worship Act and its Provisions

The long title describes it as "An Act to prohibit conversion of any place of worship and to provide for the maintenance of the religious character of any place of worship as it existed on the 15th day of August, 1947, and for matters connected therewith or incidental thereto."

Section 3 of the Act bars the conversion, in full or part, of a place of worship of any religious denomination into a place of worship of a different religious denomination or even a different segment of the same religious denomination.

Section 4(1) declares that the religious character of a place of worship "shall continue to be the same as it existed" on August 15, 1947.

Section 4(2) says any suit or legal proceeding with respect to the conversion of the religious character of any place of worship existing on August 15, 1947, pending before any court, shall abate and no fresh suit or legal proceedings shall be instituted.

The proviso to this subsection saves suits, appeals and legal proceedings that are pending on the date of commencement of the Act, if they pertain to the conversion of the religious character of a place of worship after the cut-off date.

**Section 5** stipulates that the Act shall not apply to the Ramjanmabhoomi-Babri Masjid case, and to any suit, appeal or proceeding relating to it.

At least two petitions challenging the Act are pending before the Supreme Court.

The law has been challenged on the ground that it bars judicial review, which is a basic feature of the Constitution, imposes an **"arbitrary irrational retrospective cutoff date"**, and abridges the right to religion of Hindus, Jains, Buddhists and Sikhs.

#### 3. Reasons for bringing of the act



- The Act was brought by the Prime Minister P V Narasimha Rao at a time when the Ram temple movement was at its peak.
- The Babri Masjid was still standing, but L K Advani's rath yatra, his arrest in Bihar and the firing on kar sevaks in Uttar Pradesh had raised communal tensions.

Moving the Bill in Parliament, then Home Minister S B Chavan said: "It is considered necessary to adopt these measures in view of the controversies arising from time to time with regard to conversion of places of worship which tend to vitiate the communal atmosphere Adoption of this Bill will effectively prevent any new controversies from arising in respect of conversion of any place of worship..."

#### 4. Supreme Court verdict

- The constitutional validity of the 1991 Act was not under challenge, nor had it been examined before the Supreme Court Bench that heard the Ramjanmaboomi-Babri Masjid title suit.
- Even so, the court, while disagreeing with certain conclusions drawn by the Allahabad High Court about the Act, made specific observations in its support.
- "In providing a guarantee for the preservation of the religious character of places of public worship as they existed on 15 August 1947 and against the conversion of places of public worship, Parliament determined that independence from colonial rule furnishes a constitutional basis for healing the injustices of the past by providing the confidence to every religious community that their places of worship will be preserved and that their character will not be altered," the court said.

#### 5. Constitutional obligations

- The law addresses itself to the State as much as to every citizen of the nation.
- The State, has by enacting the law, enforced a constitutional commitment and operationalised its constitutional obligations to uphold the equality of all



religions and secularism which is a part of the basic features of the Constitution.

- The Places of Worship Act imposes a non-derogable obligation towards enforcing our commitment to secularism under the Indian Constitution.
- The law is hence a legislative instrument designed to protect the secular features of the Indian polity, which is one of the basic features of the Constitution.
- The Places of Worship Act is a legislative intervention which preserves nonretrogression as an essential feature of our secular values.

#### **GS II: Governance**

### FOREIGN UNIVERSITIES IN INDIA

#### 1.Context

The University Grants Commission's announcement allowing **foreign universities to set up campuses** here offers a path of globalisation to the Indian higher education landscape. The draft regulations signal the widest opening of doors with the government even permitting cash remittances to the parent university.

#### **2.Earlier attempts**

Governments in the past have made several attempts to enact legislation for the entry, operation and regulation of foreign universities in the country.

The first was in 1995 when a Bill was introduced but could not go forward. In 2005-06, too, the draft law could only go up to the Cabinet stage.

The last attempt was by UPA-II in 2010 in the shape of the Foreign Educational Institutions Bill, which failed to pass muster in Parliament and lapsed in 2014 since the BJP, Left and Samajwadi Party opposed it

#### **3.Key takeaways**

• One of the main reservations against foreign universities operating in India was that they would raise the cost of education (high tuition fees, faculty poaching from public universities), rendering it out of reach for a large part of the population.



- At that time, it was also not clear if this Bill would enthuse the best universities abroad to set up campuses in India.
- The latest UGC draft regulations try to address the latter by promising foreign universities complete autonomy in operating their Indian branch, including academic matters, governance, admission policy, tuition fee, faculty hiring, and remuneration
- More significantly, repatriation of funds to the parent institution abroad, which was prohibited under the UPA-era Bill and had emerged as a major sticking point, has also been allowed
- There's also no requirement for foreign education providers to maintain a corpus fund to operate in India.
- The UPA Bill insisted on an undertaking from universities to maintain a corpus fund of at least Rs 50 crore
- Despite the freedoms offered by the Indian government, attracting top universities may still remain a challenge.
- Over the last two decades, overseas branch campuses have mushroomed across the globe
- According to the Cross-Border Education Research Team at the State University of New York at Albany, there are over 200 international branch campuses of foreign universities currently operating around the globe
- US universities alone run over 70 foreign campuses, most of which are clustered in China and the Gulf countries
- Interestingly, the funding of most of the foreign campuses of American universities mainly comes from the host countries' governments
- New York University's campus in Abu Dhabi and US campuses in Doha, including those run by Northwestern, Cornell, Carnegie Mellon, Georgetown and Texas A&M are all built on state funding and state-sponsored infrastructure

#### 4.Way forward

Currently, just over a quarter of India's 18-23-year-olds are enrolled in a college or university. This leaves a vast potential market open for foreign education providers It remains to be seen if this, along with operational and financial autonomy (including the freedom to repatriate income) will be enough to attract reputed universities to India.



#### **GS II: International news**

### **TITLE 42**

#### 1. Context

The United States announced on Thursday it will extend COVID-19 pandemic-era restrictions, known as Title 42, to expel migrants from Nicaragua, Cuba and Haiti caught crossing the U.S.-Mexico border back to Mexico, a move would block more nationalities from seeking asylum in the United States.

At the same time, the White House said it would open more legal pathways for migrants from those nations to apply to enter the country from abroad.

#### 2. Migrants blocked at the border under covid rules

- At the start of the COVID-19 pandemic in March 2020, U.S. health authorities issued Title 42 to allow border agents to rapidly send migrants crossing the U.S.-Mexico border back to Mexico or other countries.
- The order was implemented under Republican former President Donald Trump, whose administration sought to greatly curtail both immigration.
- The U.S. Centers for Disease Control and Prevention (CDC) said at the time it was needed to stem the spread of COVID-19 in crowded detention settings.
- Migrants and immigrant advocate organizations sued seeking to lift the order, while Republican states have sued to keep it in place, litigation that is still ongoing.

#### **3. Handling of Title 42**

• U.S. President Joe Biden, a Democrat who took office in January 2021, campaigned on a promise to reverse Trump's restrictive asylum policies.



- While Biden moved to end some Trump restrictions, he left Title 42 in place for more than a year, exempting unaccompanied children but allowing U.S. authorities to send hundreds of thousands of migrants, including families, back to Mexico.
- Since Biden took office, there have been record numbers of migrants caught crossing the U.S.-Mexico border, causing operational and political challenges for his administration.
- Many have repeatedly crossed after being expelled under Title 42 to nearby Mexican border cities.
- Mexico, however, had initially only accepted the return of some nationalities, including its own citizens and migrants from Guatemala, Honduras and El Salvador.
- In October, the expulsions were expanded to Venezuelans.
- Other nationalities have generally been let into the United States to pursue their immigration cases, straining some border cities where many migrants have recently arrived like El Paso, Texas.

#### **3.1. Supreme Court rule on Title 42**

• The CDC announced in April 2022 that it would end Title 42, saying it was no longer needed to limit the spread of COVID-19 in light of vaccines and other medical advances.

But a federal judge in Louisiana blocked the termination after a legal Loose soil, tremors, choked drainage: Joshimath alarm bells rang for years challenge brought by a group of two dozen U.S. states with Republican attorneys general who argued that increased migration would saddle their states with costs.

- In a separate lawsuit, brought by the American Civil Liberties Union (ACLU) and other groups on behalf of migrant families who argue they were harmed by Title 42, a Washington, D.C.-based judge struck down Title 42 on Nov. 15.
- The judge, U.S. District Judge Emmet Sullivan, ruled Title 42 violated federal regulatory law but delayed the effective date of his decision until Dec. 21 to give authorities time to prepare.



- Following the ruling, a coalition of U.S. states with Republican attorneys general sought to intervene in the lawsuit to keep Title 42 in place, making their case at the U.S. Supreme Court.
- In arguments similar to those made in the Louisiana case, the states said that ending Title 42 would "cause an enormous disaster at the border" and leave them shouldering the cost of services for new arrivals.
- The conservative-leaning Supreme Court ruled in December that the policy should stay in place as they consider the case.

## **3.2. Expanding Title 42**

- After the Supreme Court ruling, the Biden administration said it would start expelling Cubans, Nicaraguans and Haitians back to Mexico under Title 42, migrants who previously had been allowed into the United States to pursue their immigration cases.
- The move builds on a policy launched in October that began expelling Venezuelans but at the same time allowed thousands of migrants from that country to enter by air if they applied from abroad and could demonstrate they had a U.S. sponsor under a new "humanitarian parole" program.

#### 4. Humanitarian parole program

- Biden's plan would open that program to additional nationalities and in total accept up to 30,000 migrants per month from the four countries combined.
- Those who have a U.S. sponsor and meet certain requirements can apply to enter the country legally by air.
- Previously, human rights groups and immigrant advocates have criticized expanding the nationalities that can be expelled under Title 42, which they say no longer has a basis in public health and continues to limit asylum access.

The humanitarian entry for Venezuelans, and now Cubans, Nicaraguans and Haitians, will operate similarly to one created following Russia's Feb. 24 invasion of Ukraine that allows Ukrainians with U.S. sponsors to enter and temporarily stay in the United States by applying from outside the country.



 Tense diplomatic relations between the United States and the governments of Cuba, Nicaragua and Venezuela have complicated deportations to those countries.

## 5. Title 8

- Deportation, under a statute known as Title 8, is a more formal and drawn out process that can lead to long bars on U.S. re-entry as compared to expulsions that can take just hours under Title 42 and leave no deportation record.
- Haiti has accepted deportees and migrants expelled under Title 42, but U.S. lawmakers and advocates have criticized the Biden administration for returning people to a country beset by political violence and instability.

#### **GS II: Governance**

## **DECENNIAL CENSUS**

#### 1. Context

The decennial census of 2021 has been pushed forward yet again and is unlikely to start till September 2023, at least. The Additional Register General of India communicated to states on January 2, without specifying a reason, that the date of freezing of administrative boundaries has been extended till June 30.

#### 2. What does the Constitution say about the Census?

• The Constitution talks about the use of Census data for the delimitation of constituencies and for determining the quantum of reservation for Scheduled



Castes and Scheduled Tribes. However, it does not say what should be the periodicity of the census.

- The Census Act,1948 which predates the Constitution provides the legal background for several activities relating to the Census without mentioning anything about its periodicity.
- It says: "The Central Government may declare its intention of taking a census whenever it may consider it necessary or desirable to do so".
- This provision puts the onus of deciding when to conduct a Census on the executive. This is unlike the position in several countries such as the U.S. and Japan where the Constitution or the Census law mandates a Census with defined periodicity.

## 3. Census

- The census provides information on size, distribution and socio-economic, demographic and other characteristic of the country's population.
- The Census was first started under British Viceroy Lord Mayo in 1872.
- It helped in framing new policies, government programs to uplift areas of improvement in the community.
- The first synchronous census in India was held in 1881.
- Every ten years: Since then, censuses have been undertaken uninterruptedly once every ten years.
- The responsibility of conducting the decennial Census rests with the Office of the Registrar General and Census Commissioner, India under the Ministry of Home Affairs, Government of India.

India's first Census was held in 1872, conducted non-synchronously in different parts of the country. After that, India has held its decadal censuses regularly from 1881 to 2011.

#### 4. Importance of Census

• The census can provide population data for every village and town in the country.



- Sample surveys can provide reliable data on social and demographic indicators only at higher geographic levels.
- Census has been providing data on polulation characteristics, housing and amenities.
- The census data are used to determine the number of seats to be reserved for SCs and STs in Parliament, State legislatures, local bodies, and government services.

#### 5. Why there is a delay in Census?

- Administrative boundaries demarcation: As per norms, census can be conducted only three months after freezing of boundary limits of administrative units such as districts, sub-districts, tehsils, talukas etc.
- **COVID-19 Pandemic:** The pandemic is being cited as the official reason for the delay, but it is an unconvincing excuse. Pandemic-related restrictions were removed long back.
- CAA, NRC Issue: The Union government had declared that the 2021 census would be used to draw up an all-India NRC. The Centre is yet to frame the rules for Citizenship Amendment Act (CAA).
- Lack of Political will: The Union government has shown no urgency in getting census operations back on track. When questioned about the delay, it refuses to clarify when the census might take place.

## 6. Implications of Delay

- Firstly, the Census alone can provide population data for every village and town in the country. Sample surveys can also provide reliable data on social and demographic indicators but only at higher geographic levels.
- Secondly, the Census data are used to determine the number of seats to be reserved for SCs and STs in Parliament, State legislatures, local bodies, and government services. In the case of panchayats and municipal bodies, the reservation of seats for SCs and STs is based on their proportion in the population.
- Delay in the Census means that the data from the 2011 Census would continue to be used. In many towns and even panchayats that have seen



rapid changes in the composition of their population over the last decade, this would mean that either too many or too few seats are being reserved.

• Delimitation of parliamentary and Assembly constituencies would also continue to be based on the 2001 Census till data from a Census after 2026 are published.

#### **GS II: Governance**

## ANDHRA PRADESH VS TELANGANA

## 1. Context

More than eight years after the bifurcation of the erstwhile united Andhra Pradesh, division of assets and liabilities between the two States remain elusive as the States make theirown interpretation of the provisions under the Andhra Pradesh Reorganisation Act 2014.

Several bilateral meetings between the two States as well as those convened by the Union Home Ministry failed and the Andhra Pradesh government has now approached the Supreme Court seeking "just, reasonable and equitable apportionment" of assets and liabilities.

#### 2. Division of assets

- There are 91 institutions under Schedule IX and 142 institutions under Schedule X of the Act.
- The division of another 12 institutions not mentioned in the Act has also become contentious between the States.
- The issue involves 245 institutions with a total fixed asset value of ₹1.42 lakh crore headquarter assets under Schedule IX institutions are pegged at ₹24,018.53 crore while institutions under Schedule X are at ₹34,642.77 crore.
- The other 12 institutions are valued at ₹1,759 crore.

#### 3. AP government's claims



- The AP Government is firm on the implementation of the recommendations given by the expert committee headed by retired bureaucrat Sheela Bhide for bifurcation of 89 out of the 91 Schedule IX institutions.
- But it lamented that the Telangana government had selectively accepted the recommendations leaving others which was resulting in delays in division of assets and liabilities.

The Andhra Pradesh Government has been of the view that the recommendations of the expert committee be accepted in toto so as to expedite the process of division and put quietus on the division of these institutions.

#### 4. Expert committee recommendations

- The committee has made recommendations with respect to the division of 89 out of the 91 Schedule IX institutions.
- Its recommendations on the division of assets that are not a part of the headquarter assets attracted criticism from the Telangana government which said it is against the spirit of the Reorganisation Act.
- The division of several institutions like the RTC head quarters and the Deccan Infrastructure and Landholdings Limited (DIL) which have huge land parcels in its possession have become the key bone of contention between the two States.
- The committee, for instance, recommended the division of RTC workshops and other assets which do not come under the de!nition of **'head quarter assets'.**
- Telangana opposes these divisions.
- The land parcels held by the DIL do not come under the provisions of the Act either, Telangana contended.
- The Union Home Ministry has given clarity about the headquarter assets way back in 2017.

In the case of one single comprehensive State undertaking (which includes the headquarters and the operational units in one facility) which is exclusively located in, or its operations are confined in one local area, it shall be apportioned on the



basis of location as per sub-section (1) of Section 53 of the Reorganisation Act.

## 5. Telangana's stand

- The Telangana government has contended that the expert committee's recommendations were against the interests of Telangana.
- There is a clear definition of division of headquarter assets in Section 53 of the Reorganisation Act.

The assets and liabilities relating to any commercial or industrial undertaking of the existing State of Andhra Pradesh, where such undertaking or part thereof is exclusively located in, or its operations are confined to, a local area, shall pass to the State in which that area is included on the appointed day, irrespective of the location of its headquarters, the Act specifically says.

• The government is firm that the assets located outside the erstwhile united State like Andhra Pradesh Bhavan in New Delhi could be divided between the States on the basis of population as per the provisions of the Act.

#### 6. Centre role

- Several meetings of the dispute resolution committee headed by the Union Home Secretary and comprising of the Chief Secretaries of the two States and those convened by the dispute resolution sub-committee headed by the Home Ministry's joint secretary could not break the impasse.
- The Act empowers the Union Government to intervene as and when needed.
- Hopefully, the Home Ministry takes steps to expeditiously and amicably settle the issues between the two States.

#### **GS II: Governance**

## **OBSCENITY LAWS IN INDIA**



## 1. Context

BJP leader appealed to the authorities to take action against actor Urfi Javed for "roaming the streets of Mumbai and exhibiting her body".

## 2. What is called an Obscene

- The Oxford dictionary defines obscene as 'offensive or disgusting by accepted standards of morality and decency'.
- But on the contrary for lawyers, the meaning of 'obscene' is not the same. For instance, a book or object to be obscene, Section 292 of the IPC says it must be lascivious or prurient or have the effect of depraving or corrupting someone. The terms 'lascivious', 'prurient', 'deprave' and 'corrupt' have not been clearly defined, leaving room for interpretation by courts.
- While the courts, for their part, have developed tests to determine whether something is 'obscene'.
- In 1965, the Supreme Court adopted the Victorian-era Hicklin test. The test assessed obscenity by the standard of someone who was open to immoral influences and was likely to be corrupted or depraved by the material in question. When approached from this angle, a wide range of material could be 'obscene'.
- Over the years, the judiciary has narrowed the scope of obscenity. In 2014, the Supreme Court did away with the British Hicklin test and adopted the American Roth test.
- According to this test, obscenity was to be evaluated like an average person would, applying contemporary community standards.
- The contemporary community standards test takes into account the changing values in society. The things that were obscene a century or even a decade ago, need not be obscene now.

## 3. Obscenity laws in India

• Under the Indian Penal Code (IPC), Sections 292, 293 and 294 deal with the offence of obscenity.



- One can find a vague definition of what constitutes obscenity in Section 292, which says that any content shall be deemed to be obscene if it is lascivious or appeals to the prurient interest, or if its effect tends to deprave and corrupt persons likely to read, see or hear the content. This section prohibits the sale or publication of any obscene pamphlet, book, paper, painting, and other such materials.
- Section 293 criminalises the sale or distribution of obscene objects to anyone who is under the age of 20, or an attempt to do so. Although it is a bailable offence, the maximum punishment for the first conviction is three years of imprisonment and a fine up to Rs 2,000, and for the second conviction seven years with a fine up to Rs 5,000.
- Section 294 prohibits obscene acts and songs in public spaces. The maximum punishment for the person convicted under this charge is three-month jail and a fine.
- With the advent of the digital age, laws were made to criminalise obscene conduct on the internet also.
- Section 67 of the Information Technology Act says that anyone who publishes or transmits obscene material in electronic form can be punished.

#### 4. Other Notable cases of Obscenity

- In 2022, after Bollywood actor Ranveer Singh posted pictures of his nude photoshoot for the New York-based Paper magazine on social media, police booked him under Sections 292, 293 and 509 of the IPC and Section 67A of the IT Act.
- Before Singh, model and actor Milind Soman was booked by the Goa Police in November 2021 for uploading a photograph of himself running nude on a beach in the state.

#### **GS II: Governance**

## DEMONETISATION



## 1. Context

The Supreme court upheld the government's decision to demonetise currency notes of Rs. 500 and Rs. 1,000 by a 4:1 majority. Rather than the effect of the decision, the court was to consider whether the recommendation for the policy came from the government or the RBI.

## 2. About Demonetisation

On 8th November 2016, the government announced that the largest denomination of Rs. 500 and Rs. 1000 were demonitised with immediate effect ceasing to be a legal tender. It is the act of stripping a currency unit of its status as legal tender or fiat money. It occurs whenever there is a change of national currency and the current from or forms of money is pulled from circulation and retired, often to be replaced with new notes or coins.

#### 3. Objectives of Demonetisation

- To discourage the use of high-denomination notes for illegal transactions and thus curb the widespread use of black money.
- To encourage digitisation of commercial transactions, formalise the economy and so, boost government tax revenues.
- The formalisation of the economy means bringing companies under the regulatory regime of government and subject to laws related to manufacturing and income tax.

## 4. Operation Clean Money

- It was launched by the Income Tax Department (CBDT) for e-verification of large cash deposits made during the period from 9th November to 30th December 2016.
- The programme was launched on 31st January 2017 and entered into the second phase in May 2017.
- It aimed to verify cash transaction status (exchaange/savings of banned notes) of taxpayers during the demonetisation period and to take tax enforcement action if transactions do not match the tax status.



#### 5. Supreme Court's verdict on demonetisation

- The court stated that the Centre has the power to demonetize all series of notes and that there was consultation between the Centre and the Reserve Bank of India (RBI) for six months leading up to the demonetization.
- During the hearing, two seperate judgements were pronounced, with Justice BR Gavai supporting the demonetization and the Justice BV Nagarathna opposing it. Nagarathna argued that only the Central Board of the RBI can recommend demonetization and that the RBI did not have time to consider the move properly.
- The verdict was pronounced by five Judges, with Nagarathna's being the only dissenting jedgement.
- Earlier, during a hearing on December 7, the Supreme court directed the Centre and the RBI to present relevant records relating to the demonstration decision and reserved its verdict.
- The arguements of the Attorney General, the RBI's counsel, and the petitioner's lawyers, including P.Chindambaram and Shyam Divan, were heard. Chidambaram had called the demonetisation deeply flawed and argued that the government can only initiate proposals for legal tender on the recommendation of the RBI's central board.

## 6. Doctrine of Proportionality

Proportionality is a ground for judicial review. In India, the decision of Proportionality was adopted by the Supreme court of India in the case of Om Kumar vs Union of India.

Proportionality means that the administrative action should not be more drastic than it ought to be for obtaining the desired result.

In K.S.Puttaswamy vs Union of India (2017) case, the court held that any restriction placed on the right must conform to a doctrine of Proportionality. **This requires few tests**,

- State action must have a legislative mandate.
- The action must show that the objective of its law is founded on a legitimate government aim.



- It must be proportionate, i.e., such state action- both in its nature and extent, must be necessary for a democratic society. Further, such action must have no alternative and less intrusive measures available to achieve the same objective.
- The principle of Proportionality calls for striking down of laws that are excessively harsh or disproportionate.

#### **GS II: International news**

## **FREEDOM CAUCUS**

#### 1. Context

Republicans in the House of Representatives failed for a second straight day to elect a leader on Wednesday (January 4), as a faction of holdouts continued to not vote for Kevin McCarthy (R-CA). In a massive embarrassment for the GOP, this was the time since 1923 that a nominee of the majority party in the House wasn't able to win the first vote for the position of Speaker.

#### 2. The Freedom Caucus

- The Freedom Caucus is considered to be the most conservative, far-right caucus of the Republican Party in the US House of Representatives.
- The caucus has roughly 30 members (more than the number voting against McCarthy) and a long-term goal to drag the Republican Party and indeed American politics further to the right. It was formed in 2015 out of general frustration that certain lawmakers shared about the GOP establishment.
- It emerged from the Tea Party Movement, a fiscally conservative political movement within the Republican Party that began in 2009.
- Members of this movement called for lower taxes and for a reduction of the national debt and federal budget deficit through decreased government spending.



## **3. Ideological and political positions held by the Freedom Caucus**

- In the past, the group has tried to repeal the Affordable Care Act multiple times in general, it is in favour of budget cuts, lower taxes and decentralisation of government powers.
- The caucus also stands against immigration and has been called by many observers as "nativist", "anti-globalist", and "white supremacist."
- In 2016, the Freedom Caucus put all its strength behind Donald Trump as he campaigned for a seemingly improbable victory in the Presidential elections.
- Nearly all of the lawmakers who voted against McCarthy made statements casting doubts on the 2020 election. Fourteen of the 15 incumbents who voted against McCarthy were among the 139 House Republicans who, on Jan. 6, 2021, voted to overturn the 2020 Electoral College results.

#### 4. Why is the Freedom Caucus opposing Kevin McCarthy's Speakership bid?

To be clear, not every member of the Freedom Caucus has opposed Kevin McCarthy.

Major names in the Freedom Caucus such as Jim Jordan and Marjorie Taylor Greene have voted for McCarthy. However, 19 of the 20 GOP members who have voted for other candidates (so far), are from the Freedom Caucus.

#### 5. Disunity Among Republicans

This is not the first that the Freedom Caucus has disrupted the Speakership bids of GOP candidates. Back in 2015, Paul Ryan became Speaker when the Freedom Caucus made it clear that its members wouldn't support Kevin McCarthy's bid. This happened after The Freedom Caucus essentially forced the Republican speaker of the House, John Boehner, to resign in 2015 because its members felt "he wasn't forceful enough against Obama".

#### 6. Disruptions

As the Republican establishment has stayed silent amidst the growing right-wing surge within the party, groups such as the Freedom Caucus have been more emboldened than ever. For many, they do not even represent cogent and coherent



political positions. Rather, they ostensibly stand against the "establishment" – a term used by its members for any lawmaker who calls out their antics.

#### **GS II: Governance**

## **DRAFT FOR ONLINE GAMES**

## 1. Context

Recently, the Ministry of Electronics and IT (Meity) released the Draft Rules for Online Gaming. The Proposed rules have been introduced as an amendment to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

#### 2. What do draft rules say?

- Online games will have to register with a self-regulatory body, and only games cleared by the body will be allowed to legally operate in India. Online gaming companies will not be allowed to engage in betting on the outcome of games, the proposed rules say.
- The Proposed Rules include several important recommendations, including the creation of a self-regulatory body, a grievance procedure, and strict know-your-customer standards for verification.

#### 2.1 Self-Regulatory body

They will have a board of directors with five members from diverse fields including online gaming, public policy, IT, Psychology, and medicine. It must make sure that nothing in the registered games is in the interest of the sovereignty and integrity of India, defense of India, security of the state, friendly relations with other nations, or public order, or incites the commission of any cognizable offense related to the aforesaid.

#### 2.2 Registration of online games



Online games must register with a self-regulatory organization, and only those approved by the organization will be permitted to legally function in India.

## **2.3 Prohibition on betting**

According to the proposed regulations, online gaming organizations will not be permitted to place bets on the result of games.

#### **2.4 Compliance officer**

Online gaming platforms will also need to appoint a compliance officer to make sure the platform is abiding by the rules, a nodal officer to act as a liaison with the government and help law enforcement agencies, and a grievance officer to handle user complaints.

#### 3. Need for the Rules

- Around 40 to 45 % of the gamers in India are women, and therefore it was all the more important to keep the gaming ecosystem safe.
- It is believed to be a great first step for comprehensive regulation of online gaming and will reduce the state-wide regulatory fragmentation that was a big challenge for the industry.
- The goal is to regulate online gaming platforms as intermediaries and place due diligence requirements on them.
- The proposed rules aim to grow the online gaming sector and encourage innovation.

#### 4. Issues with Online Gaming

- Many social activists, government officials, and those in law enforcement believe that online games like rummy and poker are addictive; and when played with monetary stakes may lead to other issues.
- Some people are losing money and falling into a debt trap. Some of the victims took their own lives.
- The study shows that online games are addictive whether these games involve skill or mere tricks.
- Reportedly, there have been a few instances where youngsters, faced with mounting debts due to losses in online games have committed other crimes like theft and murder.



• Shifting of users to grey or illegal offshore online gaming apps not only results in loss of tax revenue for the State and job opportunities for locals but results in users being unable to avail remedies for any unfair behavior or refusal to pay out winnings.

## 5. Online gaming sector in India

- The revenue of the Indian mobile gaming industry is expected to reach USD 5 billion in 2025.
- The industry grew at a compound annual growth rate (CAGR) of 38% in India between 2017-2020, as opposed to 8% in China and 10% in the US.
- It is expected to grow at a CAGR of 15% to reach Rs 153 billion in revenue by 2024, as per a report by VC firm Sequoia and management consulting company BCG.

**GS II: Governance** 

## DELIMITATION

## 1.Context

The Election Commission of India said that **it has begun the process of delimitation of Assembly** and Parliamentary constituencies in Assam. The process will be based on Census data from 2001. The last delimitation of constituencies in Assam was done in 1976 on the basis of the 1971 Census.

#### 2.What is delimitation

Delimitation is the act of redrawing boundaries of Lok Sabha and state Assembly seats to represent changes in population.

The main objective of delimitation is to provide equal representation to equal segments of a population.

## **3.Process of delimitation**



- Delimitation is carried out by an independent Delimitation Commission, appointed by the Government of India under provisions of the Delimitation Commission Act.
- The Delimitation Commission is appointed by the President of India and works in collaboration with the Election Commission of India.
- It comprises a retired Supreme Court judge, the Chief Election Commissioner of India and respective State Election Commissioners.
- The Delimitation Commission is to work without any executive influence
- The Constitution mandates that the Commission's orders are final and cannot be questioned before any court as it would hold up an election indefinitely.
- For instance, in 1971, Assam's population was 1.46 crore. In 2001, it increased to 2.66 crores. Further, the population does not grow uniformly across all areas of a state. Hence, delimitation of constituencies is periodically carried out to reflect not only an increase in population but changes in its distribution.

#### **4.Procedure of delimitation**

- Under Article 82, Parliament is to enact a Delimitation Act after every Census. Once the Act is in force, the Union government sets up the Delimitation Commission
- The Commission is supposed to determine the number and boundaries of constituencies in a way that the population of all seats, so far as practicable, is the same
- The Commission is also tasked with identifying seats reserved for Scheduled Castes and Scheduled Tribes
- The draft proposals of the Delimitation Commission are published for public feedback, The Commission also holds public sittings.
- After hearing the public, it considers objections and suggestions, and carries out changes, if any, in the draft proposal.
- The final order is published in the Gazette of India and the State Gazette concerned and comes into force on a date specified by the President.

## **5.Previous delimitation exercises**



- In the history of the Indian republic, Delimitation Commissions have been set up four times 1952, 1963, 1973 and 2002 under the Acts of 1952, 1962, 1972 and 2002.
- There was no delimitation after the 1981, 1991 and 2001 Censuses.
- However, the 2002 Act did not make any changes in total Lok Sabha seats or their apportionment between various states
- It also left out a few states including Assam, Arunachal Pradesh, Nagaland and Manipur from the exercise due to "security risks."
- The central government reconstituted the Delimitation Commission for these four states as well as the union territory of Jammu and Kashmir on 6 March 2020.

## 6. Missed delimitation exercises

- a. The last delimitation exercise that changed the state-wise composition of the Lok Sabha was completed in 1976 and done on the basis of the 1971 census
- b. The reason for not having more frequent delimitation processes is an unintended consequence of how the Constitution envisioned constituencies to be delimited
- c. The Constitution mandates that the number of Lok Sabha seats allotted to a state would be such that the ratio between that number and the population of the state is, as far as practicable, the same for all states.

#### 6.Way forward

However, this provision meant that states that took little interest in population control could end up with a greater number of seats in the Parliament.

The fear of losing meaningful political representation was especially great in the southern states which not only had had greater success in controlling populations but also economically developed such that they generated a lot more per capita revenue than the northern states.

Delimitation on the basis of population would disenfranchise them politically while the central government would continue to benefit from these states' economic contributions to the country.



To allay these fears, the Constitution was amended during Indira Gandhi's Emergency rule in 1976 to suspend delimitation until 2001

**GS III: Economy** 

## **INDIA'S GDP GROWTH**

## 1. Context

According to the first advance estimates of national income released by the National Statistical Office (NSO), India's Gross Domestic Product (GDP) is expected to grow 7 percent in the financial year 2022-23.

## 2. First Advance Estimates(FAE) of GDP

- It was first introduced in 2016-17, and is typically published at the end of the first week of January.
- They are the "first" official estimates of how GDP is expected to grow in that financial year.
- But they are also the "advance" estimates because they are published long before the financial year (April to March) is over.
- The FAE is published soon after the end of the third quarter (October, November, December), they do not include the formal Q3 GDP data, which is published at the end of February as part of the Second Advance Estimates (SAE).

## 2.1 Significance

• The first advance estimates are released early to help officers in the Union Finance Ministry and other departments frame the broad contours of the next Union Budget.



• From the Budget-making perspective, it is important to note what has happened to nominal GDP -both absolute level and its growth rate. All Budget calculations start with the nominal GDP.

## 3. Nominal GDP vs Real GDP

There are two ways to look at the First Advance Estimates (FAE).

- One is to look for the "nominal" GDP growth rate; this is the rate of growth that is observed and includes the effect of prices. The nominal growth rate is the one used to decide the next year's Budget allocation.
- The second way to look at the FAE is to look for the "real" GDP growth data; that is, the growth once we remove the effects of inflation. Looking at the real GDP data tells you what has been happening in the economy in "real" terms.

#### 3.1 Real GDP

It is the GDP after taking away the effect of inflation. **Real GDP growth rate = Nominal GDP growth rate — Inflation Rate** 

#### **3.2 Nominal GDP**

India's nominal GDP is set to grow by 15% in the current financial year. While this is an impressive number, it is lower than the 20% growth in 2021-22. Moreover, it is also noteworthy that a large part of this nominal growth is a result of the high prices (read inflation). In fact, inflation contributed to a majority of the nominal GDP growth since the real GDP growth rate is expected to be just 7%. **Declining Growth of Nominal GDP:** 

India's nominal GDP, which factors in the inflation rate, is set to grow by 15.4 percent in 2022-23, down from 19.5 percent in 2021-22.

#### 4. Real GDP and real GVA

The FAE suggest that in the current financial year, real GVA (gross value added) and real GDP (gross domestic product) — the two main ways to measure India's



national income -will grow by 6.7% and 7%, respectively. By themselves, these numbers may seem impressive; even more so when compared internationally. But international comparisons are of limited value.

## 4.1 Gross Value Added (GVA)

- It is the value of output minus the value of intermediate consumption.
- GVA is a measure of the contribution to growth made by an individual producer, industry or sector.
- It provides the rupee value for the number of goods and services produced in an economy after deducting the cost of inputs and raw materials that have gone into the production of those goods and services.
- Simply put, GDP provides the demand side of the economy, and GVA the supply side.

## 5. Slower GDP Growth

- This is slower than the 8.7 percent GDP growth in 2021-22, but slightly higher than the Reserve Bank of India (RBI) forecast of 6.8 percent for the current financial year (FY).
- Gross Value Added (GVA) is seen growing at sub-7 percent 6.7 percent in FY23 as against 8.1 percent last fiscal.
- The GDP projection of 7 percent factors in a 0.2 percent contraction in private final consumption expenditure during the second half of the current FY, indicating weak demand and the impact of slowing exports.

#### 6. Performance of various sectors

- The growth of GDP will be aided by good performance and higher growth of the agriculture and services sectors.
- Agriculture is seen growing at 3.5 percent in FY23 as against 3 percent growth in the previous year.
- The manufacturing sector is seen growing 1.6 percent as against 9.9 percent last fiscal.



- Electricity generation is estimated to grow 9 percent as against 7.5 percent last year, while the construction sector is seen growing at 9.1 percent as against 11.5 percent last fiscal.
- The services sector, especially hospitality and financial services, are expected to post a strong rebound. Trade, hotels, and transport services are projected to post a growth of 13.7 percent in 2022-23 from 11.1 percent growth last fiscal.

#### **GS III: Economy**

## **INDIAN ECONOMY STATISTICS**

## 1. Context

After two disappointing years when the Covid pandemic hit the entire country, Indian industry is showing signs of optimism on the investments front. New investment proposals by the industry rose by 71 per cent during the calendar year 2022 with the lifting of lockdown restrictions and reopening of the economy.

## 2. Key points

- On a cumulative basis, total investment proposals during 2022 shot up to Rs 23.6 lakh crore as compared with Rs 13.8 lakh core in the previous year and Rs 11.6 lakh crore in 2020.
- In fact, the Rs 23.6 lakh crore announcements made in 2022 is the highest in the last six years, according to data compiled by CMIE and Bank of Baroda.
- With reopening of the economy and gradual pickup in economic activity, new investment announced peaked at Rs 8.6 lakh crore in March 2022 quarter.
- Since then, in Q1 of FY23 and Q2 of FY23 a dip in new announcements was noticed.

However, things are now beginning to look optimistic. As of December 2022, there has been a steady pick up in new announcements and stands at around Rs 6.1 lakh crores compared with Rs 3.7 lakh crore in September 2022 and Rs 4.2 lakh crore in



#### December 2021 quarter.

## 3. Materialised plans

- It has also been seen that while investment announcements are made, they do not necessarily materialize as can be seen from the gross fixed capital formation rate which has been stagnant in the region of 27-29 per cent in the last 5 years.
- In this context it would be relevant to look at the funding side where banks are important players.

#### 4. Sector-wise data on banking business

- The latest sector-wise data on banking business shows that non-food credit has grown by 8.9 per cent on a year-to-date basis ended November 18 2022.
- While the figure for last year was 1.8 per cent, data up to December 16 suggests growth
- increased further to 10.5 per cent as against 3.3 per cent last year.
- Making announcements is quite different from their fructification and the mirage has been seen in the last 5 years.

#### 5. Sectors showcasing intentions

- Chemicals and related products along with machinery accounted for 54.1 per cent share of total new announcements made between April-December of 2022.
- The chemical and related sector witnessed an uptrend in terms of new announcements, its share had been relatively lower previously.
- For the power sector, the share of new announcements has been growing at a healthy pace of 27.4 per cent.

#### 6. Declined sectors

• The share of new announcements in the metal sector registered a dip in the ninemonth period compared with last year for the same period.



- Transport services (mainly airlines) used to account for a bigger share of pie in terms of new announcements.
- However, its share of new announcements declined the most for the ninemonth period as compared with the last three years.
- Construction and real estate sector also disappointed as the share of new investment projects dwindled this time, thus signalling not many new projects have not been launched.

## 7. Rising interest rates

- While there has been improvement in growth in credit to industry, it is still the lowest performer as the overall non-food credit offtake was at 17.4 per cent as on December 16, 2022, according to RBI data.
- While the industry's credit offtake was only 10.5 per cent, the progress on the whole is satisfactory given that the RBI has increased interest rates by 225 basis points since May 2022. Corporates were mostly depending on the bond market for funds till recently.
- However, bond yields have now started rising, making it a costlier route. On the other hand, banks have started hiking lending rates.
- The responsiveness of bank interest rates to repo rate changes has been varied.
- On fresh loans the weighted average lending rate was up by 135 bps as retail and SME loans are largely benchmarked with this rate.
- In case of outstanding loans, the increase was by just 71 bps. In terms of the one-year MCLR the increase was around 96 bps.
- Corporate loans would typically be affected by the MCLR and hence the cost has not increased commensurately with the repo rate hikes of RBI.

#### **GS III: Economy**

## **RBI GUIDELINES FOR BANKS**

## 1. Context



Inorder to enhance the safety, transparency and effective management of safe deposit lockers provided by banks, apex banking regulator Reserve Bank of India (RBI) released a list of revised guidelines, which came into force from January 1, 2022.

## 2. RBI Revised Guidelines for Locker management

## 2.1 What is Locker Agreement?

- According to the PNB locker agreement policy, At the time of allotment of the locker to a customer, the bank shall enter into an agreement with the customer to whom the locker facility is provided, on a paper duly stamped.
- A copy of the locker agreement in duplicate signed by both the parties shall be furnished to the locker- hirer to know his/her rights and responsibilities.
- Original Agreement shall be retained with the bank's branch where the locker is situated.

## 2.2 Locker Rent

- Banks could encounter circumstances when the locker-hirer does not maintain the locker or pay the fee. Banks are permitted to demand a Term Deposit at the time of allotment, which would cover three years' rent plus the costs associated with opening the locker in the event of an emergency, to assure prompt payment of locker rent.
- According to the RBI notification dated August 18, 2021, "Banks, however, shall not insist on such Term Deposits from the existing locker holders or those who have satisfactory operative account. The packaging of allotment of locker facility with placement of term deposits beyond what is specifically permitted above will be considered as a restrictive practice."

#### 2.3 Discharge of locker contents by banks due to non-payment of locker rent

• According to the RBI notification, "Banks shall have the discretion to break open any locker following due procedure if the rent has not been paid by the customer for three years in a row.



- The bank shall ensure to notify the existing locker-hirer prior to any changes in the allotment and give him/her reasonable opportunity to withdraw the articles deposited by him/her. A clause may be incorporated in the locker agreement to this effect."
- Banks must make sure that the inventory created following locker opening and during claim settlement is in the proper forms, or as close to them as the situation calls for, as stated at the end of this circular.
- In addition, unless otherwise required by law, banks must not examine sealed or unopened packets placed with them for safe custody or discovered in a locker before releasing them to the nominee(s) and surviving locker hirers/depositors of safe custody items.

## **2.4 Nomination Facility**

In accordance with the terms of sections 45-ZC to 45-ZF of the Banking Regulation Act of 1949 and the Banking Companies (Nomination) Rules of 1985/Co-operative Banks (Nomination) Rules of 1985, banks must provide a nomination facility for safe deposit boxes and the safe custody of articles. If the nominee is a minor, the banks must follow the same method as set forth for bank accounts. At the customer's discretion, a passport-sized photo of the candidate with the customer's attestation may be obtained and kept in the records.

#### 3. What is new for Customers?

- For lockers operated through an electronic system, the bank must institute measures to safeguard it against any breach of security.
- It must also devise a standard operating procedure for issuing a new password should the customers have lost or forgotten them. Customers must also inform the bank immediately if they lose the locker key.
- Banks would reserve the discretion to break open the locker with regards to due procedure if the rent stands pending for three years in a row. They must however inform the user and accord him 'reasonable opportunity' to withdraw the deposited contents.



• The break-open process would take place in the presence of a bank officer and two independent witnesses and the entire process needs to be taped. The idea is to collect evidence in case of any dispute or in the future.

#### GS III: Science&technology

## **VSHORAD MISSILE**

#### 1. Context

The Defence Acquisition Council (DAC) accorded Acceptance of Necessity (AoN) to procure the Very Short Range Air Defence System or VSHORAD (IR Homing) missile system, designed and developed by the Defence Research and Development Organisation (DRDO), among other weapon systems for the Army and Navy at a total cost of Rs4,276 crore. The development comes amid the ongoing military standoff with China at the LAC in eastern Ladakh and reports of air violations by China along the LAC last year.

#### 2. VSHORAD Missile system

- Very Short-Range Air Defence System (VSHORADS) is a Man-portable air defence system (MANPADS) designed and developed indigenously by DRDO's Research Centre Imarat (RCI), Hyderabad in collaboration with other DRDO laboratories and Indian Industry Partners.
- The VSHORADS missile's design integrates a number of cutting-edge technology, including an integrated avionics system and a miniaturised reaction control system (RCS), both of which have been successfully tested.
- The missile is driven by a dual thrust solid motor and is designed to destroy low-altitude aerial threats at close ranges.
- The missile's design, including the launcher, has undergone extensive optimization to ensure portability.



**Significance:** The Armed Forces will experience an additional technological boost thanks to this new missile that is packed with cutting-edge technology.

## 3. About Reaction Control System (RCS)

Thruster-based attitude control and steering are handled by a reaction control system (RCS). Small quantities of thrust can be delivered by the RCS system in any desired direction or set of directions.

#### 4. What are MANPADS

- MANPADS are short-range, lightweight and portable surface-to-air missiles that can be fired by individuals or small groups to destroy aircraft or helicopters.
- They help shield troops from aerial attacks and are most effective in targeting low-flying aircraft.
- MANPATs or Man-Portable Anti-Tank Systems work in a similar manner but are used to destroy or incapacitate military tanks.
- MANPADS have a maximum range of 8 kilometers and can engage targets at altitudes of 4.5 km.
- The first MANPADS were introduced by the United States and Soviet Union in the 1960s.

#### 5. How this Missile system will help India?

- While the exact specifications of the missile are not immediately known, officers in the Army explained that being man portable and lightweight compared to the other missile systems in the Army's armoury, it can be deployed in the mountains close to the LAC at a short notice.
- When it comes to man portable air defence missiles, there was a critical gap in the Army's inventory, especially for the eastern and northern borders, though not so much for the western borders with Pakistan, for which India has the Soviet-vintage OSA-AK missile systems.
- Others like the Akash Short Range Surface to Air Missile System are heavier with a theatre air defence umbrella of up to 25 km and can be



deployed further away from the LAC for static formations, that they may not be the best bet for mountains.

- When inducted, they will be a critical air defence missile for the forces, even for an all-equipped infantry unit, and will be the best option for mountain warfare.
- It added that the procurement of VSHORAD, as a robust and quickly deployable

system, will strengthen India's air defence capabilities.

#### GS III: Environment& ecology

## **OZONE HOLE**

#### 1. Context

The ozone 'hole', once considered to be the gravest danger to planetary life, is now expected to be completely repaired by 2066, a scientific assessment has suggested. In fact, it is only the ozone layer over Antarctica-where the hole is the most prominent-which will take a long time to heal completely. Over the rest of the world, the ozone layer is expected to be back to where it was in 1980 by 2040 itself, a UN-backed scientific panel has reported.

#### 2. About Ozone Layer

It is a special form of oxygen with the chemical formula O3. The oxygen we breathe and that is so vital to life on earth is O2. Most ozone resides high up in the atmosphere, between 10 and 40 km above Earth's surface. This region is called the stratosphere and it contains about 90% of all the ozone in the atmosphere.

#### 2.1 Classification:

#### **Good Ozone:**



Ozone occurs naturally in the Earth's upper atmosphere (Stratosphere) where it forms a protective layer that shields us from the sun's harmful ultraviolet rays. This "good" ozone is gradually being destroyed by man-made chemicals referred to as Ozone-Depleting substances (ODS) including chlorofluorocarbons (CFCs), Hydrochlorofluorocarbons (HCFCs), halons, methyl bromide, carbon tetrachloride, and methyl chloroform.

#### **Bad Ozone:**

In the Earth's lower atmosphere (troposphere) near ground level, ozone is formed when pollutants emitted by cars, power plants, industrial boilers, refineries, chemical plants, and other sources react chemically in the presence of sunlight. Surface level ozone is a harmful air pollutant.

## 3. Depletion of Ozone Layer

- The depletion of the ozone layer, first noticed in the early 1980s, used to be the biggest environmental threat before climate change came along. Ozone (chemically, a molecule having three Oxygen atoms, or O3) is found mainly in the upper atmosphere, an area called stratosphere, between 10 and 50 km from the Earth's surface.
- It is critical for planetary life, since it absorbs ultraviolet rays coming from the Sun. UV rays are known to cause skin cancer and many other diseases and deformities in plants and animals.
- Though the problem is commonly referred to as the emergence of a 'hole' in the ozone layer, it is actually just a reduction in concentration of the ozone molecules.
- Even in the normal state, ozone is present in extremely low concentrations in the stratosphere. Where the 'layer' is supposed to be the thickest, there are no more than a few molecules of ozone for every million air molecules.
- In the 1980s, scientists began to notice a sharp drop in the concentration of ozone. This drop was much more pronounced over the South Pole, which was later linked to the unique meteorological conditions -temperature, pressure, wind speed and direction -that prevail over Antarctica.
- The ozone hole over Antarctica is the biggest during the months of September, October, and November.
   By the middle of 1980s, scientists had figured out that the chief cause of



ozone depletion was the use of a class of industrial chemicals that contained chlorine, bromine or fluorine.

• The most common of these were the chlorofluorocarbons, or CFCs, that were used extensively in the airconditioning, refrigeration, paints, and furniture industries.

## 4. Montreal protocol plays a crucial Role In Tackling Ozone Depletion

## 4.1 Montreal Protocol:

The 1987 Montreal Protocol on Substances that deplete the Ozone Layer and its succeeding amendments were subsequently negotiated to control the consumption and production of anthropogenic (ODSs) and some hydrofluorocarbons (HFCs). India became Party to the Montreal Protocol on substances that deplete the Ozone layer on19<sup>th</sup> June 1992.

#### 4.2 Kigali Amendment:

The adoption of the 2016 Kigali Amendment to the Montreal Protocol will phase down the production and consumption of some HFCs and avoid much of the projected global increase and associated climate change.

#### **5. Improvement in the situation**

- The ozone hole has been steadily improving since 2000, thanks to the effective implementation of the Montreal Protocol. The latest scientific assessment has said that if current policies continued to be implemented, the ozone layer was expected to recover to 1980 values by 2066 over Antarctica, by 2045 over the Arctic, and by 2040 for the rest of the world.
- The elimination of ozone-depleting substances has an important climate change co-benefit as well. These substances also happen to be powerful greenhouse gases, several of them hundreds or even thousands of times more dangerous than carbon dioxide, the most abundant greenhouse gas and the main driver of global warming.
- The report said that global compliance to the Montreal Protocol would ensure the avoidance of 0.5 to 1 degree Celsius of warming by 2050. This



means that if the use of CFCs and other similar chemicals had continued to grow the way it did before they were banned, the world would have been 0.5 to 1 degree Celsius warmer than it already is.

• The Kigali Amendment to the Montreal Protocol seeks to eliminate 80-90 per cent of the HFCs currently in use by the year 2050. This is expected to prevent another 0.3 to 0.5 degree Celsius of global warming by the turn of the century.

#### 6. Way forward

- The success of the Montreal Protocol in repairing the ozone hole is often offered as a model for climate action. It is argued that emissions of greenhouse gases can also similarly be curtailed to arrest rapidly rising global temperatures.
- The case of fossil fuels is very different. Emission of carbon dioxide is inextricably linked to the harnessing of energy. Almost every economic activity leads to carbon dioxide emissions.
- The emissions of methane, the other major greenhouse gas, comes mainly from agricultural practices and livestock.
- The impact of restraining greenhouse gas emissions is not limited to a few industries or economic sectors, but affects the entire economy, and also has implications for the quality of life, human lifestyles and habits and behaviours.
- Climate change, no doubt, is a far more difficult and complex problem than dealing with ozone depletion.

#### GS III: Environment& ecology

## **GREEN HYDROGEN**

#### 1.Why in news



The government has formally approved the **National Green Hydrogen Mission**, with a stated aim of making India a global hub for the production of green hydrogen.

## 2.Hydogen as fuel

Hydrogen, the most common element in nature, exists only in combination with other elements, and has to be extracted from naturally occurring compounds like water (H2O)

Hydrogen is a clean molecule, but the process of extracting it is energy intensive While hydrogen's potential as a clean fuel source has a history of nearly 150 years, it was only after the oil price shocks of the 1970s that the possibility of hydrogen replacing fossil fuels came to be considered seriously

Three carmakers Japan's Honda and Toyota, and South Korea's Hyundai having since moved decisively to commercialise the technology, albeit on a limited scale The sources and processes by which hydrogen is derived are categorised by colour tabs

- 1. Hydrogen produced from fossil fuels is called grey hydrogen, which constitutes the bulk of the hydrogen generated today
- 2. Hydrogen generated from fossil fuels with carbon capture and storage options is called blue hydrogen
- 3. Hydrogen generated using electrolysers powered by renewable power sources is called green hydrogen

## 3. Green hydrogen potential

Green hydrogen has specific advantages

- 1. It is a clean burning molecule that can decarbonise a range of sectors including iron and steel, chemicals, and transportation
- 2. Renewable energy that cannot be stored or used by the grid can be channeled to produce hydrogen
- Green hydrogen is not commercially viable at present. The current cost in India is around Rs 350-400 per kg; it is likely to become viable only at a



production cost of under Rs 100/ kg. This is what the Hydrogen Energy Mission aims for

- With implicit subsidy support and a government-backed R&D push, the plan is to target lower costs of renewable power generation and to bring down the costs of electrolysers to make the production of green hydrogen costcompetitive
- Green hydrogen could eventually potentially replace fossil fuels and fossil fuel-based feedstocks in fertiliser production, petroleum refining, steel production, and transport applications.
- The United States and European Union have already pledged incentives worth several billions of dollars for green hydrogen projects
- The Ministry of New and Renewable Energy is in the process of formulating guidelines for the scheme that seeks to promote the development of green hydrogen production capacity of at least 5 million metric tonnes (MMT) per annum with an associated renewable energy capacity addition of about 125 gigawatts (GW) by 2030
- A major part of this is a proposed Strategic Interventions for Green Hydrogen Transition Programme (SIGHT), under which two financial incentive mechanisms targeting domestic manufacturing of electrolysers and the production of green hydrogen will be promoted to achieve a reduction in fossil fuel imports and abatement of annual greenhouse gas emissions by 2030
- The draft Mission document is likely to propose support for production and deployment of green hydrogen, alongside a major push for hydrogen in the auto sector R&D for fuel cell development and pilot projects for fuel cell vehicles

#### 4.Auto Sector

- Hydrogen is an energy carrier, not a source of energy. Hydrogen fuel must be transformed into electricity by a device called a fuel cell stack before it can be used to power a car or truck
- A fuel cell converts chemical energy into electrical energy using oxidising agents through an oxidation-reduction reaction



- Fuel cell-based vehicles most commonly combine hydrogen and oxygen to produce electricity to power the electric motor on board
- Since fuel cell vehicles use electricity to run, they are considered electric vehicles (EVs)
- Inside each fuel cell, hydrogen is drawn from an onboard pressurised tank and made to react with a catalyst, usually made from platinum
- As the hydrogen passes through the catalyst, it is stripped of its electrons, which are forced to move along an external circuit, producing an electrical current
- This current is used by the electric motor to power the vehicle, with the only byproduct being water vapour
- Hydrogen fuel cell cars have a near-zero carbon footprint, Hydrogen is about 2-3 times as efficient as burning petrol, because an electric chemical reaction is much more efficient than combustion

#### **5.Indian scenario**

- India's electricity grid is predominantly coal-based and will continue to be so, thus negating collateral benefits from a major EV push as coal will have to be burnt to generate the electricity that will power these vehicles
- In several countries that are pushing EVs, much of the electricity is generated from renewables in Norway for example, 99 per cent is hydroelectric power
- Hydrogen vehicles can be especially effective in long-haul trucking and other hard-to-electrify sectors such as shipping and long-haul air travel
- Using heavy batteries in these applications would be counterproductive, especially for countries such as India, where the electricity grid is predominantly coal-fired
- Also, given that much of the generation capacity addition over the last 10 years has been by way of renewable energy sources such as solar and wind, this can be diverted for green hydrogen production during non-peak hours
- Besides auto, there is a concerted attempt to leverage green hydrogen in sectors such as petroleum refining and steel



- In April 2022, state-owned Oil India Limited commissioned India's first
   99.99 per cent pure green hydrogen plant in Jorhat, Assam
- In the proposed Mission, the steel sector has been made a stakeholder, and it has been proposed to set up pilot plants with part funding from the government to explore the feasibility of using green hydrogen in Direct Reduced Iron (DRI) production by partly replacing natural gas with hydrogen in gas-based DRI plants
- Based on the success of the pilot projects, the gas-based DRI units are to be encouraged for large-scale adoption of the process
- Kerala has set up a high-level working group for its own Hydrogen Economy Mission to devise a strategic roadmap, policy formulations, and implementation plans for facilitating investments in green hydrogen and making the state "a green hydrogen hub"
- Indian Oil Corporation Ltd's R&D centre, in collaboration with Tata Motor Limited, had earlier carried out trials of hydrogen fuel cell buses. Companies such as Reliance Industries Ltd, Adani Enterprises, JSW Energy, and Acme Solar have plans to tap the green hydrogen opportunity
- Adani announced in June that it will collaborate with France's Total Energies to jointly create the "world's largest green hydrogen ecosystem". US-based Ohmium International has commissioned India's first greenhydrogen factory in Karnataka

#### GS III: Environment& ecology

## **HEAT DOME**

#### 1. Context

Several parts of Europe witnessed an unprecedented winter heat wave over New Year's weekend.

Calling it an "extreme event", experts said that temperatures increased 10 to 20 degrees Celsius above normal.



## 2. Key points

- According to the report, at least seven countries recorded their hottest January weather ever.
- These included Poland, Denmark, the Czech Republic, the Netherlands, Belarus, Lithuania and Latvia.
- Climatologists suggested that the temperatures surged to summer or springtime levels.
- For example, at Korbielów, a small village in Poland, the mercury reached 19 degree Celsius a temperature the region is more used to in May and 18 degree Celsius above the one degree Celsius yearly average for January.
- Meanwhile, in parts of Belarus, where temperatures usually remain around zero degree Celsius, they peaked at 16.4 degree Celsius on January 1.
- The continent is experiencing an extreme warm spell because of the formation of a heat dome over the region.

#### 3. What is Heat dome?

- A heat dome occurs when an area of high-pressure traps warm air over a region, just like a lid on a pot, for an extended period of time.
- The longer that air remains trapped, the more the sun works to heat the air, producing warmer conditions with every passing day.
- Heat domes generally stay for a few days but sometimes they can extend up to weeks, which might cause deadly heat waves.
- Scientists suggest that any region of high pressure, whether a heat dome or not, forces air to sink and once it reaches the ground, it gets compressed and becomes even warmer.
- Moreover, when air sinks, it gets drier and further raises the temperature of the area.

## 4. Relationship between heat domes and the jet stream

• The heat dome's formation is related to the behaviour of the jet stream an area of fast-moving air high in the atmosphere.



- The jet stream is believed to have a wavelike pattern that keeps moving from north to south and then north again.
- When these waves get bigger and elongated, they move slowly and sometimes can become stationary.
- This is when a high-pressure system gets stuck and leads to the occurrence of a heat dome.
- Although heat domes are likely to have always existed, researchers say that climate change may be making them more intense and longer.
- They suggest with the rising temperatures, it is expected that the jet stream will become more wavy and will have larger deviations, causing more frequent extreme heat events.

## **5. Previous instances of heat domes**

- In 2021, a heat dome formed over western Canada and the US, causing deadly heat waves.
- Portland city in Oregon, US, saw the mercury rise to 46 degree Celsius while the temperature in Washington hit 49 degree Celsius.
- In Lytton in British Columbia, temperatures soared to over 46 degree Celsius.
- Hundreds of people are believed to have died due to this extreme weather event.
- Subsequently, a 2022 study found that this heat dome was amplified by climate change and it could become a once-in-10-year event if global temperatures aren't kept under two degree Celsius above pre-industrialisation levels.

The researchers said that the dry soil one of the repercussions of the rising temperatures in different areas of the Pacific northwest "potentially allowed the heat to become more extreme, and so they amplified the heat that was already at a high level".



• Another heat dome settled over the US in September 2022 and raised temperatures to a new high. The extreme heat fueled wildfires and stressed the power grid.

## GS IV: Ethics & integrity

## **HUMAN VALUES**

## 1. About Values

- Value has its Latin origin and it comes from the word, VALERE. The meaning is, "to be of worth."
- So either the value of a product or an action carries a significant worth tangible as well as intangible.
- In other words, Value means the worth or utility of a thing. So when we say Profile Value, it means the worth of a profile.
- In the same way, the monetary worth of a skill associated with a profile can bring economic value.
- Now in the industrial era, we have products and their values.
- So everywhere we understand something or somebody with the value associated or exhibited.
- Value is an enduring belief, a specific mode of conduct or an end state of existence, along a continuum of relative importance.

## 2. Human Values

- When we associate the worth or utility of human attributes in life or personality, we refer to them as Human Values. Simply put, Values which make us Human.
- Here we can understand in a simple way that values are those notions or feelings which are urgent as well as important for the collective survival and happiness of society.
- It promotes harmonious living as well as guides our relationship with the environment across.



• So before moving to Ethics it is better to align with the spirit of Human Values.

### 3. Human value- Service

• The pain and suffering around the world and in our country due to COVID brought us closer to a specific human value the spirit of service.

In a world where profit and loss decide human interaction, it was the essence of service, the doctor and the nurse, the delivery person, the storekeeper, all risking their lives to help ease ours, that touched everyone across the world, even in the most powerful of nations.

Service and only service stirred our souls.

- The French designer Coco Chanel said, "the best things in life are free. The secondbest things are very expensive."
- Apart from water, sunlight, and air, during the pandemic, we came closer to the human value of selfless service.
- It prepared us to relate, to forge solidarity with others.
- The pandemic has, therefore, defined the texture of a human relationship in terms of service and connection. But the nature of that connection has a history.
- This sense of service as key to the human relationship got sharply defined during the pandemic.
- To care for and serve somebody without any prejudice or immediate interest became the calling card of compassion.
- The values of interpersonal relationships, community bonding, and intrapersonal relationships emerged larger than life.

Swami Vivekananda affirmed that **"if one wants to find God, serve man. To reach Narayana, one must serve the Daridra Narayan."** Here, Daridra Narayan would mean those fighting the COVID-19 virus in critical care or those who succumbed to it, those who had to care for their loved ones.



- The day and night became a battle for the survival of humanity itself.
- Professionals, from frontline workers to vaccine researchers, emerged to serve in the middle of a crisis.
- They proved that one can live individually but survival needs the collective spirit.
- This wasn't the case before the pandemic.
- Between customers the customer is god or king service and selfless service, we liked to read balance sheets and work out the margin of profit.
- Selfless service wasn't a natural choice. Many of us have worked with countless people all our lives, but most of us will find it a challenge to pick four to five persons whom we have served selflessly.

## 4. Studying Human Values as aspiring bureaucrats

- You are aspiring not just for a prestigious job but also as you will be a role model for many in society.
- We are studying Human Values because governance is based on the ideals of justice, transparency, and the spirit of civil service.
- So it is expected that a civil servant must carry those human feelings or attributes which can do justice and take care of the needs of the last person in society.
- Simultaneously, there must be holistic and sensitive governance that can balance the relationship between man and nature.

Here it is important that a civil servant must exhibit the values of empathy, transparency, trust, integrity, courage, and many other human values in the execution or decision making process. Human values are equally needed even in policy formulation.

#### 5. Secular Ethics by Dalai Lama

• There is good reason to develop these basic human values, because I believe that human nature is basically gentle.



- I believe that we are only occasionally aggressive and that generally our lives are very much involved with love and affection.
- Even the cells in our body work better if we have peace of mind. An agitated mind usually provokes some physical imbalance.
- If peace of mind is important for good health, that means the body itself is structured in a way that accords with mental peace.
- We can therefore conclude that human nature is more inclined to gentleness and affection.

## 6. "Caesar's wife must be above suspicion"

- The phrase means that those holding important public positions should avoid even the appearance of wrongdoing.
- Their behaviour must always be "**above suspicion**", since any misconduct, or rumours of misconduct, by them besmirches the high office they hold.

## 7. Plato's "philosopher king" ( Plato, The Republic)

- The idea means that the best governance is the one in which philosophers rule.
- The Platonic idea here is that philosophers are both ethically and intellectually the best class to rule.
- Ethically, they are built of values and are free from greed and other temptations which push them away from their duties.
- Intellectually, they are wise enough to understand the task at hand.

#### **Mains Corner**

1. Discuss the philospohy, ideas and life work of the Swami Vivekanand (250 Words)

2. What is the Basic Structure Doctrine? Explain the evolution and significance of Basic Structure Doctrine?



3. What is Assam accord and discuss the constitutional validity of section 6A of citizenship act. (250 words)

4. What is the Places of Worship Act and discuss its constitutional obligations (250 words)

# 5. The success of the Montreal Protocol in repairing the ozone hole is often offered as a model for climate action.Discuss? (250 words)

## **Prelims Corner**

1. With reference to *hydrogen*, consider the following sentences:

1. Hydrogen produced from fossil fuels is called grey hydrogen, which constitutes the bulk of the hydrogen generated today.

2. Hydrogen generated from fossil fuels with carbon capture and storage options is called green hydrogen.

3. Hydrogen generated using electrolysers powered by renewable power sources is called blue hydrogen.

4. Hydrogen is an energy carrier, not a source of energy.

Which of the above statements are *incorrect*?

A) 1 and 4 B) 2 and 3 C) 4 only D) 1, 2 and 3

Answer (B)

The government has formally approved the National Green Hydrogen

Mission, with a stated aim of making India a global hub for the production of green hydrogen.

The sources and processes by which hydrogen is derived are categorised by colour tabs. Hydrogen produced from fossil fuels is called grey hydrogen, which constitutes the bulk of the hydrogen generated today. Hydrogen generated from



fossil fuels with carbon capture and storage options is called blue hydrogen, while hydrogen generated using electrolysers powered by renewable power sources is called green hydrogen.

Hydrogen is an energy carrier, not a source of energy. Hydrogen fuel must be transformed into electricity by a device called a fuel cell stack before it can be used to power a car or truck.

2. Bavan Kashi Subodh Ratnakar (1892) was published by:

A) Kamaladevi Chattopadhyay B) Pritilata Waddedar

C) Savitribai Phule D) Suniti Chaudhary

Answer (C)

- Savitribai Phule published her first Collection of poems, called Kavya Phule (Poetry's Blossoms), at the age of 23 in 1854.
- She published Bavan Kashi Subodh Ratnakar (The Ocean of Pure Gems), in 1892.

3. Recently seen in news, Sagol Kangjei is related to:

A) music B) agriculture C) sport D) handicraft

Answer (C)

"It is believed that Sagol Kangjei, the modern-day Polo game originated in Manipur. Today, inaugurated a 122 feet Marjing Polo Complex in Imphal. This will surely take the legacy forward and inspire more youngsters toward the game," Shah tweeted on Friday afternoon.

4. With reference to Mahadayi river, consider the following statements:

1. Mahadayi originates inside the Brahmagiri Wildlife Sanctuary.



2. The river flows in the states of Goa, Maharashtra and Karnataka.
3. Kalasa and Banduri are tributaries of Mahadayi.
Which of the above statements are incorrect?
A) Only 1 B) Only 2 C) 1 and 2 only D) 2 and 3 only

Answer (D)

Mahadayi originates inside the Bhimgad Wildlife Sanctuary in the Belagavi district of Karnataka and flows into the Arabian Sea in Goa.

Tributaries of Mahadayi include, Kalasa Nala, Surla Nala, Haltar Nala, Poti Nala, Mahadayi Nala, Pansheer Nala, Bail Nala, Andher Nala and many more.

The Mahadayi River, also called Mandovi in Goa, is a rain-fed river that is shared between Karnataka and Goa for their water needs. The project involves the construction of dams and a canal system to divert water from the Mahadayi River, located in Goa, to the Malaprabha River basin in Karnataka.

5. With reference to popular *space missions* in 2023, consider the following statements:

1. Juice mission is NASA's Jupiter Icy Moons Explorer mission planned in April 2023.

2. NASA plans to launch the Psyche mission to study the metallic asteroid 16 Psyche.

3. Ispace's Hakuto R mission aims to land on Mars in 2023.

4. Russia's Roscosmos space agency plans to launch its Luna-25 mission to the Moon in 2023.

Which of the above statements are true?

A) 1 and 3 only B) 2 and 4 only C) 2 only D) All of the above



## Answer(B)

The European Space Agency (ESA) plans to launch the Jupiter Icy Moons Explorer mission in April 2023. The Juice mission will complete 35 fly-bys near Jupiter and will make detailed observations about the gas giant and its three large ocean-bearing moons–Europa, Ganymede and Callisto. Apart from exploring Jupiter's environment in depth using the ten sensors aboard, the mission will also characterise its moons as both planetary objects and potential habitat.