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India-Bhutan Relations: Navigating the Complex Geopolitical Landscape

Context: On October 18, 2024, officials from Bhutan and India held a significant meeting to discuss enhancing collaboration on the Puna-1 Hydroelectric Power (HEP) Project, aimed at boosting energy production. The discussions also focused on finalizing tariffs for the Puna-2 project, highlighting efforts to ensure the economic viability of these initiatives.

- Both sides explored avenues for future cooperation in energy generation, underscoring the importance of maintaining a robust partnership in this sector. India reaffirmed its commitment to hydropower development in Bhutan, emphasizing that increased energy production contributes to mutual prosperity.

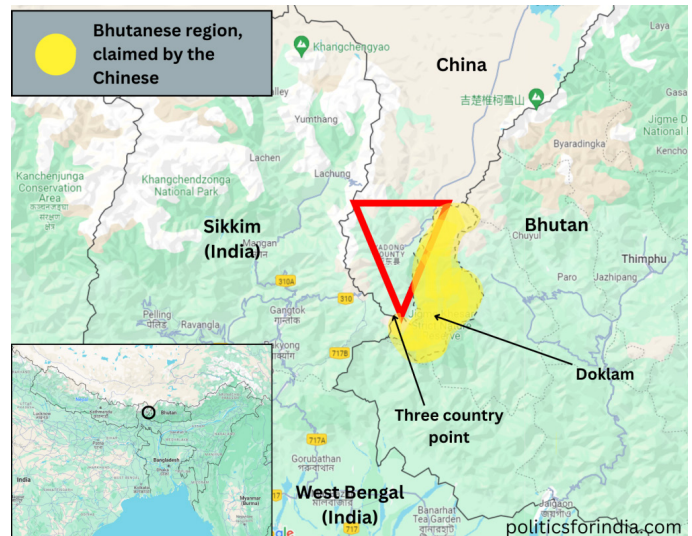
Significance of Bhutan for India:

- India has historically supported Bhutan by assisting in border management and addressing security threats from insurgent groups. Bhutan holds a strategic position for India as a buffer state between itself and China.
- With Bhutan located between China to the north and India to the south, its significance is heightened by its proximity to the Siliguri Corridor, a critical strip of land connecting India's northeastern states with the rest of the country.
- This corridor is vital for troop and supply movement, making Bhutan's cooperation crucial to India's national security.
- India's military involvement, including training the Royal Bhutan Army, strengthens Bhutan's defense capabilities. Furthermore, India has provided essential diplomatic backing to Bhutan, ensuring its sovereignty in international forums.

Hydropower Cooperation:

- Hydropower cooperation forms the backbone of India-Bhutan economic relations, tapping into Bhutan's vast hydropower potential.
- India's major hydropower projects in Bhutan, including Tala, Chukha, and Mangdechhu, supply renewable energy to India while significantly boosting Bhutan's economy.

- Hydropower exports represent a substantial portion of Bhutan's revenue, contributing to its status as one of the highest per capita income countries in South Asia.
- Despite the success of projects like the 720 MW Mangdechhu, handed over in 2022, challenges remain. India faces issues with power purchasing policies, tariff negotiations, and delays in projects like Punatsangchhu I and II, impacting the pace and effectiveness of this collaboration.



Major Challenges in India-Bhutan Relations:

While the India-Bhutan relationship is rooted in strong cooperation, several challenges affect the partnership:

- Increased Financial Burden:** Bhutan faces financial strain as India transitioned from the 60:40 funding model (60% grant, 40% loan) to a 30:70 model. This shift has increased Bhutan's financial burden, affecting its ability to undertake development projects.
- China's Presence:** Bhutan's border disputes with China, particularly over regions like Doklam, raise security concerns for India. China's growing assertiveness in the region challenges India's influence and complicates the geopolitical dynamics.
- BBIN Initiative Stalemate:** The Bangladesh-Bhutan-India-Nepal (BBIN) Motor Vehicle Agreement, designed to enhance regional connectivity, is on hold due to Bhutan's environmental concerns, delaying cooperation on transportation and economic integration.
- Hideout for Militants:** India's northeastern insurgent

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groups, such as the United Liberation Front of Assam (ULFA) and the National Democratic Front of Bodos (NDFB), have used Bhutan as a hideout, posing security challenges for India and complicating bilateral relations.

Conclusion:

India-Bhutan relations face evolving challenges, particularly with China's growing regional influence. To sustain and strengthen the partnership, India must continue leveraging its historical ties with Bhutan while addressing the complexities of regional geopolitics. By proactively engaging with Bhutan on security, economic cooperation, and infrastructure development, India can help ensure stability in South Asia while securing its strategic interests in the region.

SC Recalls Verdict Declaring Benami Law Provisions Unconstitutional

Context: A Special Bench of the Supreme Court recalled its August 23, 2022 judgment which declared provisions and amendments made in the benami property law “unconstitutional and manifestly arbitrary.”

- The amendments, introduced in 2016, had applied retrospectively and could send a person to prison for three years. It had empowered the Centre to confiscate “any property” subject to a benami transaction.
- The decision to recall and have a re-look at the issue was based on review petitions filed by the Union Government and Deputy Commissioner of Income Tax (Benami Prohibition).

2022 Supreme Court Judgment:

- **Ruling Overview:** In a landmark decision in 2022, the Supreme Court struck down certain amendments to the Benami Transactions Act, declaring them unconstitutional. This ruling questioned the government's expansive powers to seize properties and impose penalties, arguing that it infringed upon individual rights and due process.

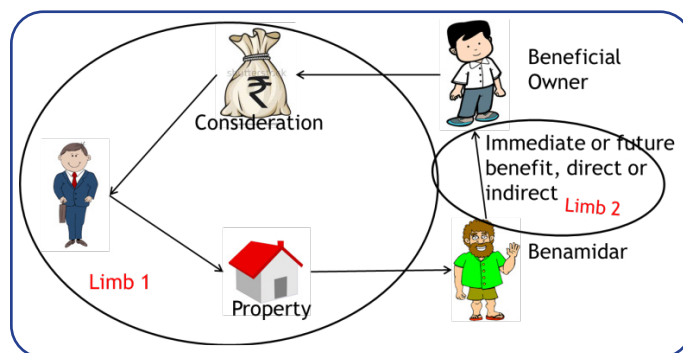
Legal Basis for the Judgment:

- The court highlighted concerns regarding the adequacy of safeguards against arbitrary action by authorities.
- It raised issues related to the burden of proof and the rights

of individuals accused of engaging in benami transactions.

Recall of the 2022 Judgment:

- **Recent Development:** In a surprising turn, the Supreme Court has recalled its 2022 judgment, which raises significant implications for the enforcement of the Benami Transactions Act.
- **Implications of the Recall:** Reinstatement of Provisions: The recall effectively reinstates the amendments that were deemed unconstitutional, empowering authorities to pursue benami cases more aggressively.
- **Legal Framework:** It reinforces the legal foundation for the government's efforts to investigate and prosecute benami transactions, thus expanding its reach in combating corruption and financial misconduct.



Impact on Enforcement and Investigations

- **Enhanced Enforcement Powers:** With the recall, the government can more effectively carry out investigations into suspected benami transactions. This could involve:
- **Targeting High-Value Properties:** Authorities may intensify efforts to identify properties owned by individuals hiding behind proxies.
- **Increased Scrutiny:** Greater scrutiny will be applied to financial transactions, particularly in real estate and large asset purchases.
- **Potential for Misuse:** While the recall aims to bolster enforcement, there are concerns regarding the potential misuse of the Act:
- **Arbitrary Seizures:** Critics fear that authorities might overreach, leading to unjustified confiscations without adequate evidence.
- **Chilling Effect on Property Transactions:** The uncertainty may deter legitimate transactions, as

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individuals fear unwarranted scrutiny.

Conclusion:

The Supreme Court's decision to recall the 2022 judgment on the Benami Transactions (Prohibition) Act marks a significant moment in India's legal landscape regarding economic offenses. While it aims to strengthen the government's ability to combat corruption and illicit financial activities, it also raises critical questions about individual rights and the potential for misuse of power. As the situation evolves, stakeholders will be closely watching how these legal and enforcement dynamics play out in practice.

Child Marriage in India

Context: Recently, Supreme Court of India has declined to enforce the Prohibition of Child Marriage Act (PCMA) uniformly across all faiths, highlighting unresolved conflicts and gaps within the legislation.

- Instead, the court has called on Parliament to consider a ban on child betrothals, stressing the urgent need for comprehensive measures to safeguard minors from the perils of child marriage.

Context of the Judgment:

- The Supreme Court's decision follows a Public Interest Litigation (PIL) that drew attention to the ongoing prevalence of child marriages in India, despite the enactment of the PCMA 18 years ago.

Key Points from the Judgment:

- Child Betrothals:** The court recommended that Parliament explore the possibility of outlawing child betrothals. This practice often serves as a loophole that allows individuals to circumvent penalties prescribed by the PCMA.
- Protection of Minors:** The ruling emphasized the importance of protecting minors from child marriages. The court stressed the need to uphold their rights to free choice, autonomy, and agency.
- International Law:** The judges referred to international legal frameworks, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which explicitly prohibits the

betrothal of minors, thereby reinforcing the need for alignment between domestic and international standards.

- Penalizing Approach:** The court cautioned that a punitive approach should be a last resort when addressing violations of the PCMA. Instead, it advocated for preventive measures that focus on awareness and education.

About Child Marriage in India

- Current Statistics:** A study published in The Lancet Global Health on December 15, 2023, indicates that one in five girls and one in six boys in India are married below the legal age. The current prevalence of child marriage is 23.3%, which is concerning in a nation of over 1.4 billion people.

State Variations:

- Eight states report higher rates of child marriage than the national average.
- Top States:** West Bengal, Bihar, and Tripura lead with over 40% of women aged 20-24 married before 18.

About Legal Framework:

India has established various laws to protect children from rights violations, including:

- Prohibition of Child Marriage Act (2006):**
 - Defines a "child" as any male under 21 or female under 18.
 - Allows annulment of child marriages up to two years after reaching adulthood.
 - Ensures offspring of child marriages are considered legitimate.
 - Custody decisions are made by district courts, prioritizing the child's welfare.
- Compulsory Registration of Marriages Act (2006):**
 - Mandates the registration of all marriages within 10 days, irrespective of religion, to help prevent child marriages.
- Committee to Review Legal Marriage Age (2020):**
 - Led by Jaya Jaitely, this committee was established to study the impact of raising the legal marriage age for girls to 21, considering issues like maternal mortality and women's health.
- Prohibition of Child Marriage (Amendment) Bill, 2021:**
 - Proposes to raise the legal marriage age for women from 18 to 21 years.

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Way Forward:

To effectively combat child marriages, experts propose reforms that include amending the Prohibition of Child Marriage Act (PCMA) to clarify its overriding effect over personal laws,

enhancing grassroots awareness of the PCMA's provisions, and engaging a diverse range of stakeholders such as NGOs, community leaders, and government agencies in collaborative efforts to prevent child marriages and protect minors' rights.

Power Packed News

New Zealand women's team won the 2024 T20 Cricket World Cup title

- New Zealand made history on October 20, 2024, by winning their first Women's T20 World Cup title, defeating South Africa by 32 runs in the final at the Dubai International Cricket Stadium.
- Amelia Kerr was a standout performer throughout the tournament, earning the titles of player of the series and player of the match. Her all-around skills were evident, as she scored a total of 135 runs and took 15 wickets in the series, showcasing her significant impact on New Zealand's success.
- In the final, New Zealand posted a score of 158/5. Amelia Kerr played a crucial role, contributing 43 runs off 38 balls and taking three wickets for 24 runs. South Africa, chasing a target of 159 runs, fell short, finishing at 126/9.
- The Women's T20 World Cup has seen nine editions, with Australia leading with six titles, while England (2009), West Indies (2016), and now New Zealand (2024) have also claimed victories.



Deepika Kumari

- Recently, Deepika Kumari has secured silver medal in the women's recurve category at the Archery World Cup Final held in Tlaxcala, Mexico. This achievement highlights her exceptional skill and dedication to the sport.
- In the women's recurve event, the medal winners were:
 - » Gold Medal: Li Jiaman (China)
 - » Silver Medal: Deepika Kumari (India)
 - » Bronze Medal: Alejandra Valencia (Mexico)
- India's silver medal is the only medal the country has earned at the tournament so far. Korea led the medal tally at the Archery World Cup Final 2024, winning two medals in the men's recurve event, while China, Colombia, and the United States each secured one gold medal in various categories.



Police Commemoration Day 2024

- Recently, Police Commemoration Day is observed on October 21 to honor the loyalty and supreme sacrifice of police personnel for the nation.
- The day commemorates the martyrdom of 10 Central Reserve Police Force (CRPF) personnel who were ambushed by

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Current affairs summary for prelims

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heavily armed Chinese troops during patrol duty at the Indo-China border in 1959. In 1962, the Director General of Police (DGP) / Inspector General of Police (IGP) Conference established October 21 as Police Commemoration Day to honor these brave officers.

- The National Police Memorial was dedicated by PM Modi on Police Commemoration Day in 2018, features a 30-foot high granite monolith, the 'Wall of Valour' with engraved names of martyrs, and a museum.

India-Oman Bilateral Naval Exercise: Naseem-Al-Bahr 2024

- The Indo-Oman naval exercise Naseem-Al-Bahr, held from October 13-18, 2024, featured the Indian Navy's INS Trikand and Dornier Maritime Patrol Aircraft alongside Oman's vessel RNOV Al Seeb.
- The exercise occurred in two phases—harbour (13-15 October) and sea (16-18 October)—off Goa's coast.
- The exercise involved Subject Matter Expert Exchanges, joint planning sessions, and social and sports engagements on land. At sea, both navies conducted gun firings, anti-aircraft drills, and tactical maneuvers, along with Replenishment at Sea Approaches and cross-deck helicopter operations.
- Additionally, the Indian Navy's Dornier aircraft provided valuable Over-the-Horizon Targeting (OTHT) data to improve operational effectiveness.
- The exercise successfully strengthened naval interoperability, fostering mutual understanding and cooperation between India and Oman, reaffirming India's commitment to enhancing maritime security in the Indian Ocean Region.



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