

PERFECT 7

WEEKLY

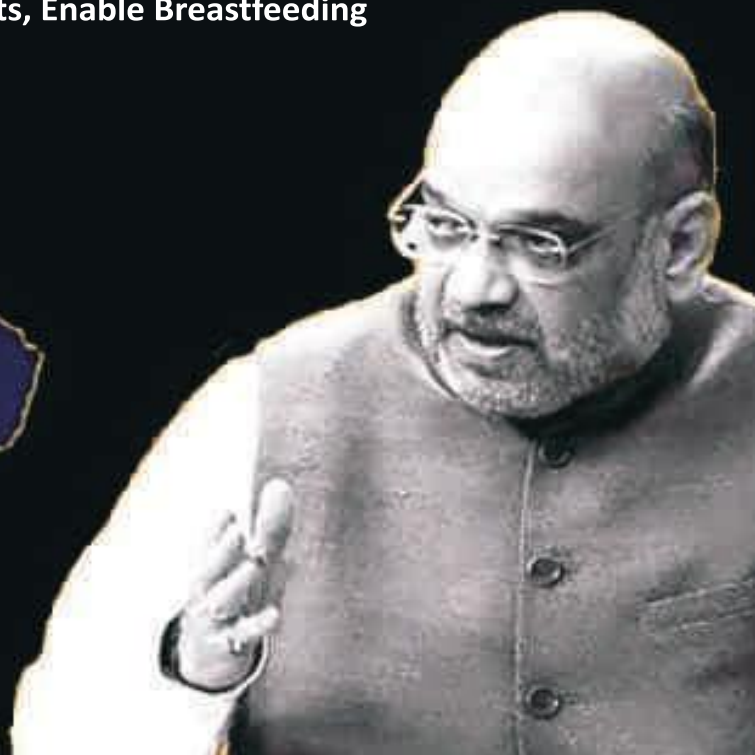
CURRENT AFFAIRS

August: 2019 / Issue-02

SCRAPPING OF ARTICLE 370

Is a Solution of Kashmir Issue?

- Law against Triple Talaq : Securing Justice to Muslim Women
- National Medical Commission Bill, 2019 : An Introduction
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23 AUG | 10:30 AM

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IAS REGULAR BATCH
13 AUG | 10:30 AM
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17 AUG | 11 AM

PCS BATCH
13 AUG | 7:30 AM
UP PCS TARGET FOR PRE
22 AUG | 6 PM

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19 AUG | 8 AM

**LUCKNOW
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GENERAL STUDIES
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19 AUG | 6 PM

**LUCKNOW
(GOMTI NAGAR)**

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Pre-cum-Mains
19 AUG | 6 PM
IAS WEEKEND BATCH
17 AUG | 5:30 PM

LIVE STREAMING

GENERAL STUDIES
IAS REGULAR BATCH
13 AUG | 10:30 AM
IAS WEEKEND BATCH
17 AUG | 11 AM
PCS BATCH
13 AUG | 7:30 AM

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GENERAL STUDIES
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13 AUG | 3:30 PM

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DHYEYA IAS : AN INTRODUCTION



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CEO and Founder
Dhyeya IAS



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PERFECT 7 : AN INTRODUCTION



With immense pleasure and gratitude I want to inform you that the new version of 'Perfect-7', from the Dhyeya IAS, is coming with more information in a very attractive manner. Heartily congratulations to the editorial team. The 'Perfect-7' invites a wider readership in the Institute. The name and fame of an institute depends on the caliber and achievements of the students and teachers. The role of the teacher is to nurture the skills and talents of the students as a facilitator. This magazine is going to showcase the strength of our Institute. Let this be a forum to exhibit the potential of faculties, eminent writers, authors and students with their literary skills and innovative ideas.

I extend best wishes for the success of this endeavor.

Qurban Ali

Chief Editor

Dhyeya IAS

(Ex Editor- Rajya Sabha TV)



We have not only given the name 'Perfect 7' to our magazine, but also left no stone unturned to keep it 'near to perfect'. We all know that beginning of a task is most challenging as well as most important thing. So we met the same fate.

Publishing 'Perfect 7' provided us various challenges because from the beginning itself we kept our bar too high to ensure the quality. Right from the very first issue we had a daunting task to save aspirants from the 'overdose of information'. Focusing on civil services exams 'Perfect 7' embodies in itself rightful friend and guide in your preparation. This weapon is built to be precise yet comprehensive. It is not about bombardment of mindless facts rather an analysis of various facets of the issues, selected in a systematic manner. We adopted the 'Multi Filter' and 'Six Sigma' approach, in which a subject or an issue is selected after diligent discussion on various levels so that the questions in the examination could be covered with high probability.

Being a weekly magazine there is a constant challenge to provide qualitative study material in a time bound approach. It is our humble achievement that we feel proud to make delivered our promise of quality consistently without missing any issue since its inception.

The new 'avatar' of 'Perfect 7' is a result of your love and affection. We feel inspired to continue our efforts to deliver effective and valuable content in interesting manner. Our promise of quality has reached you in around 100 issues and more are yet to come.

Ashutosh Singh

Managing Editor

Dhyeya IAS



PREFACE

Dhyeya family feels honoured to present you a pandora box 'Perfect 7'. 'Perfect7' is an outstanding compilation of current affairs topics as per the new pattern of Civil Service examination (CSE). It presents weekly analysis of information and issues (national and international) in the form of articles, news analysis, brain boosters, PIB highlights and graphical information, which helps to understand and retain the information comprehensively. Hence, 'Perfect 7' will build in-depth understanding of various issues in different facets.

'Perfect7' is our genuine effort to provide correct, concise and concrete information, which helps students to crack the civil service examination. This magazine is the result of the efforts of the eminent scholars and the experts from different fields.

'Perfect 7' is surely a force multiplier in your effort and plugs the loopholes in the preparation.

We believe in environment of continuous improvement and learning. Your constructive suggestions and comments are always welcome, which could guide us in further revision of this magazine.

Omveer Singh Chaudhary
Editor
Dhyeya IAS

Perfect 7

The Weekly Issue

Perfect 7

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Contents

Seven Important Issues & Subjective Questions Based on Them.....1-23

- Scrapping of Article 370 : Is a Solution of Kashmir Issue?
- Law against Triple Talaq : Securing Justice to Muslim Women
- National Medical Commission Bill, 2019 : An Introduction
- The Motor Vehicles (Amendment) Bill : An Understanding
- World Breastfeeding Week 2019 : Empower Parents, Enable Breastfeeding
- India-Africa : Changing Gears in Relationship
- 50 Years of Banks' Nationalisation : An Analysis

Seven Brain Boosters & MCQ's Based on Them 24-32

Seven Important Facts for Prelims 33

Seven Practice Questions for Mains Exam 34

Seven Important News35-37

Seven Important Highlights from PIB38-40

Seven Important Concepts through Graphics.....41-44

Our other initiative



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by Mr. Qurban Ali
(Ex. Editor Rajya Sabha, TV) & by Team Dhyeya IAS
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SEVEN IMPORTANT ISSUES

1. SCRAPPING OF ARTICLE 370 : IS A SOLUTION OF KASHMIR ISSUE?

Why in News?

President Ram Nath Kovind, promulgated the Constitution (Application to Jammu & Kashmir) Order, 2019, in concurrence with the Government of State of Jammu & Kashmir, with immediate effect. The order supersedes the Constitution (Application to Jammu and Kashmir) Order, 1954 and states that all the provisions of the Constitution of India shall apply to the State of Jammu and Kashmir (J&K).

Introduction

The Indian Independence Act, 1947 which brought an end to the British colonization in India, introduced the Instrument of Accession (IoA). The Act provided for three options: to remain an independent country, join Dominion of India, or join Dominion of Pakistan. J&K initially decided to remain independent and signed standstill agreements with India and Pakistan. However, the state ended up signing an IoA with India in return for its help to save the state from an invasion by Pakistan.



The original accession of state was on three matters, i.e., defence, foreign affairs and communications. At the time of drafting of the Constitution, the representatives to the Constituent Assembly of the state proposed that only those provisions of the Indian Constitution which correspond to the original IoA should apply to the state.

Accordingly, Article 370 was incorporated in the Indian Constitution. It gives special status to the state of Jammu and Kashmir and permits the state to draft its own Constitution. It restricts Parliament's legislative powers in respect of J&K in as much as it stipulates that the articles of the Constitution, other than those pertaining to defence, foreign affairs and communications, would apply to the state only with the concurrence of the state's constituent assembly. The provision was incorporated in the Constitution on October 17, 1949, in Part XXI of the Constitution: Temporary, Transitional and Special Provisions. As evident from the title of the Part, it was supposed to be a temporary provision and its applicability was projected to last till the formulation and adoption of the state's constitution.

However, the state's constituent assembly dissolved itself on 25 January 1957 without recommending either abrogation or amendment of the Article 370, leaving the status of the provision on a cliffhanger. The provision was later held to have acquired permanent status by way of rulings of the Supreme Court of India and

the High Court of Jammu and Kashmir. This implied that to apply a central law to the state on subjects included in the IoA, mere "consultation" with the state government is required. However, to apply a central legislation to matters other than defence, foreign affairs and communications, "concurrence" of the state government was mandatory. The Constitution (Application to Jammu & Kashmir) Order, 2019 has removed the special status of the state and has placed it at par with other states of the country.

How Government has Abrogated Article 370?

Article 370 was included in the Indian Constitution as a temporary provision for J&K. Articles 370(1)(c) and 370(1)(d) (which are relevant) deal with the applicability of the Indian Constitution to J&K. Article 370(1)(c) states that Article 1 and Article 370 of the Constitution shall apply to J&K. Article 370(1)(d) states that other provisions of the Constitution can be made applicable to J&K with such "modifications as the President may by order specify".

However Article 370(1)(d) requires that the President secure the concurrence of the J&K government before issuing such an order. Finally, Article 370(3) states that the President can issue a notification making the whole of Article 370 inoperative if such a recommendation is made to the President by the Constituent Assembly of J&K.

Let us now understand what the Indian government did on August 5.

First, the Presidential Order was issued. The Presidential Order uses Article 370(1)(d) to apply all provisions of the Indian Constitution (other than Articles 1 and 370 – which are already applicable) to J&K. The concurrence of J&K government is necessary to effect such a step but since J&K is presently under President's rule and has no state government, this was effectively dispensed with.

Second, when applying provisions of the Indian Constitution to J&K, the President effected one 'modification'— to Article 367. Article 367 is the interpretation clause of the Constitution. In Article 367, the Presidential Order inserts a new sub-clause (4)(d) which states that the words "Constituent Assembly" in Article 370(3) must be read as "Legislative Assembly of the State". This means that the government has sought to overcome the problem of the Constituent Assembly not having abrogated Article 370 by requiring that "Constituent Assembly" in Article 370(3) be read as the J&K Assembly.

By doing so, it now becomes possible for the J&K Assembly to do what the Constituent Assembly did not i.e. recommend the abrogation of Article 370. To be clear, the President has not amended Article 370(3) itself because he does not have the power to do so. He can only modify other provisions of the Constitution when making them applicable to J&K.

Third, applying this new interpretation of Article 370(3), the President could have abrogated Article 370 upon a recommendation to this effect being made by the J&K Assembly. But since J&K is now a Union Territory and is under President's rule and has no legislative assembly at the moment, it fell upon Parliament to make this recommendation under the newly 'modified' Article 370(3). Accordingly,

the recommendation to the President abrogate Article 370 was issued by the Home Minister through his Resolution.

Related Bills and Resolutions

On August 5, Union Minister for Home Affairs introduced two bills and two resolutions regarding Jammu & Kashmir (J&K). These are as follows:

- **Constitution (Application to Jammu and Kashmir) Order, 2019:** The president issued Constitution (Application to Jammu and Kashmir) Order, 2019 which comes into force "at once", and shall "supersede the Constitution (Application to Jammu and Kashmir) Order, 1954". "All the provisions of the Constitution" shall apply in relation to the state of Jammu and Kashmir.
- **Resolution for Repeal of Article 370 of the Constitution of India {Ref. Article 370 (3)}:** Article 370 of the Constitution of India, which granted a special status to the state of J&K will cease to exist. Consequently, the Constitution of India would get applicable to J&K, on par with other states/UTs of the country.
- **Jammu & Kashmir (Reorganisation) Bill, 2019 {Ref. Article 3 of Constitution of India}:** The existing State of Jammu and Kashmir shall cease to exist and two successor Union Territories shall be created – the Union Territory of Ladakh, comprising of the 2 districts of Kargil and Leh, and the Union Territory of Jammu and Kashmir, comprising of the remaining parts of the present State of Jammu and Kashmir.
- **Jammu & Kashmir Reservation (2nd Amendment) Bill, 2019:** The bill amend the Jammu & Kashmir Reservation Act 2004 and seeks to extend the 10% quota to economically weaker sections of society in J&K in jobs and educational institutions.

What will Change in Jammu and Kashmir?

By the Presidential Order of 1994, almost the entire Constitution (including most constitutional amendments) was extended to Jammu and Kashmir. Ninety-four out of the 97 entries in the Union List are today applicable to Jammu and Kashmir as to any other state. Two hundred and

sixty out of the 395 Articles of the Constitution have been extended to the state. Seven out of the 12 Schedules of the Constitution of India too, have been extended to Jammu and Kashmir.

Going further, through application of recent Presidential order Jammu and Kashmir will no longer have separate constitution, flag or anthem. The citizens of Jammu and Kashmir will not have permanent residents -they will be citizens of India alone.

- ◆ As the new union territory of Jammu and Kashmir will be subject to the Indian Constitution, its citizens will now have the Fundamental Rights enshrined in that document-until now, this was not the case. Article 360, which can be used to declare a Financial Emergency, will now also be applicable.
- ◆ All laws passed by Parliament will be applicable in Jammu and Kashmir, including the Right to Information Act and the Right to Education Act.
- ◆ The Indian Penal Code will replace the Ranbir Penal Code of Jammu and Kashmir.
- ◆ Article 35 (A), which originates from the provisions of Article 370 stands null and void. Any Indian citizen from any part of the country can now buy property in Jammu and Kashmir, take a state government job and enjoy scholarships and other government benefits. Children of a woman marrying outside Jammu and Kashmir will not lose property rights.

What is Article 35A?

Article 35A stems from Article 370, having been introduced through a Presidential Order in 1954. Article 35A is unique in the sense that it does not appear in the main body of the Constitution — Article 35 is immediately followed by Article 36 — but comes up in Appendix I. Article 35A empowers the J&K legislature to define the state's permanent residents and their special rights and privileges.

Reasons for Reorganisation of J&K

The government has two reasons for the bifurcation of the existing state of J&K into two Union Territories:

- ◆ The Ladakh Division of the State of Jammu and Kashmir is geographically large but sparsely populated, with a difficult terrain, and there has been a long-pending demand of people of Ladakh to give it the status of a Union Territory.
- ◆ The prevailing internal security situation and cross border terrorism in the existing state of Jammu and Kashmir.

Implications

Article 370 is discriminatory provision within the Indian constitution, creating different class of citizen by providing special law with respect to permanent residents, employment under the state government, such as acquisition of immovable property in the state and settlement in the state. Further, provisions of Article 370 is discriminatory on the basis of gender, class, caste and place of origin too.

- ◆ Article 370 has prevented J&K to merge with India rather than being a basis of its merger.
- ◆ Because of article 370, democracy never took root in J&K, corruption flourished, widespread poverty took root and no socio-economic infrastructure could come up. It is the root cause of terrorism.
- ◆ Further, 73rd and 74th Amendments to the Constitution could not be applied to J&K due to article 370. After revocation of article 370, Panchayat and Nagar Palika will become constitutional bodies and thus elections could be held at regular interval.
- ◆ The doors to private investment in J&K would be opened, which would

in turn increase the potential for development there. Increased investments would lead to increased job creation and further betterment of socio-economic infrastructure in the state. Opening of buying of lands would bring in investments from private individuals and multinational companies and give a boost to the local economy.

Issues and challenges

The founding fathers of the Republic favoured a strong Centre, but they were also prudent in seeking the route of persuasion and accommodation towards linguistic and religious minorities in the interest of national integration. The special status of J&K was never meant to be permanent, but it should not have been scrapped without wider consultations.

True, the special status of J&K was meant to end, but only with the concurrence of its people. The Centre's abrupt move disenfranchised them on a matter that directly affected their life and sentiments. Moreover, that this was done after a massive military build-up and the house arrest of senior political leaders, and the communications shutdown reveals a cynical disregard of democratic norms.

The entire exercise of getting Article 370 of the Constitution effectively abrogated has been marked by executive excess.

- ◆ The first step was to declare by a presidential decree that the 'Governor' — without regard to the fact that he has no Council of Ministers now to aid and advise him — can speak for the state government and give his concurrence to any modification in the way the Constitution of India applies to Jammu and Kashmir.

- ◆ Second, on the basis of this 'concurrence', the latest Presidential Order scraps the previous one of 1954, abrogating the separate Constitution of Jammu and Kashmir.
- ◆ Third, the fact that the State is under President's Rule has been used to usher in a new dispensation under which Jammu and Kashmir becomes a Union Territory with a legislature and Ladakh another such territory without a legislature.
- ◆ Though, one constitutional expert, Subhash Kashyap, told that the recent Presidential order was "constitutionally sound" and that "no legal and constitutional fault can be found in it". But, however another constitutional expert, AG Noorani, told that it was "an illegal decision, akin to committing fraud" that could be challenged in the Supreme Court. Thus, the constitutional experts are sharply divided on the constitutionality of Presidential order.

In sum, a purported process to change the constitutional status of a sensitive border state has been achieved without any legislative input or representative contribution from its people.

Conclusion

J&K would become a true part of India in letter and spirit once article 370 is removed. The path to solution to all the problems of Kashmir goes through the repealing of article 370. This step would stand strong and would pass the test of legal scrutiny. Article 370 was a temporary and transient provision, it had to go. Article 3 of the Jammu and Kashmir constitution itself declares the state to be an integral part of India. Integration thus, was already complete. Article 370 merely gave some autonomy

to Jammu and Kashmir, which has now been withdrawn.

However, Bifurcation of Status into Union territory has strategic importance. The entire region has geo-strategic importance considering it gives access to Afghanistan, China and Central Asia. Therefore apart from our domestic interest it is extremely critical region. And it good to keep under the control of central government, which allow the government to secure the

security in the region is paramount over the other peculiar interest.

Government decision to revoke Article 370, scrap Article 35A and reorganise J&K (into two Union territories) will go down as one the most audacious decisions taken since Independence. The challenge, now, will be to ensure that the ownership for such a move is taken by the real stakeholders, the state's people.

General Studies Paper- II

Topic: Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Topic: Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein.

○○○

2. LAW AGAINST TRIPLE TALAQ : SECURING JUSTICE TO MUSLIM WOMEN

Why in News?

Nearly two years after the Supreme Court declared instant triple talaq or talaq-e-biddat as unconstitutional, the President has given assent to the Muslim Women (Protection of Rights on Marriage) Bill, outlawing the practice. After President Kovind signed the bill, it became the law and will replace the 1986 Muslim Women (Protection of Rights on Divorce) Act. Unlike the current legislation, the 1986 Act overturned the Supreme Court's 1985 landmark ruling on the Shah Bano case that said that the religion of the spouse has no bearing on whether providing alimony and maintenance for the spouse and children after the divorce.

Background

Triple Talaq is a form of marriage dissolution in Muslim Law, whereby a husband can give the divorce to his wife by stating Talaq three times in one row. The presence of wife is not required, she can be given Talaq without assigning valid reason. The term "Talaq" refers to the repudiation of marriage by husband under Muslim law. The practice of triple Talaq has been prevailing since ancient times in India. In the past, the Hon'ble Supreme Court heard the Petition for

ban of practice of Triple Talaq through a Constitution bench comprising of 5 Judges from different religions. On August 22, 2017, this bench declared Triple Talaq or Talaq-e Biddat as unconstitutional by a 3:2 majority. It had asked the Centre to come up with a law to regulate marriage and divorce among Muslims.

The government first tabled the legislation in the Lok Sabha (lower house of Parliament) in December 2017, following a Supreme Court judgment in August of that year, which ruled that the practice was a violation of the fundamental rights of Muslim women and the basic tenets of Islam. But the ruling BJP party could not pass the bill because it did not have the requisite support in the upper house. The triple talaq bill of the previous government lapsed with the dissolution of the Lok Sabha upon completion of its tenure. The Rajya Sabha had not approved the bill back then.

Important Provisions of the Act

- ◆ The Act proposes to declare the practice of triple talaq as void and illegal.
- ◆ It also makes an offence punishable with imprisonment up to three years and fine.

- ◆ It also provides for payment of subsistence allowance to married Muslim women and dependent children.
- ◆ The Act also proposes to make the offence cognizable, if information relating to the commission of an offence is given to an officer in charge of a police station by the married Muslim woman upon whom talaq is pronounced or by any person related to her by blood or marriage. (A cognizable offence is one for which a police officer may arrest an accused person without warrant.)
- ◆ The offence is made compoundable with the permission of the Magistrate at the instance of the married Muslim woman upon whom talaq is pronounced.
- ◆ The Act further provides for hearing the married Muslim woman upon whom talaq is pronounced, before the accused is released on bail by the Magistrate.
- ◆ A Muslim woman against whom such talaq has been declared, is entitled to seek custody of her minor children. The manner of custody will be determined by the Magistrate.

Argument in favor of the Act

The "triple talaq," or instant divorce, practice has been denounced by rights groups and feminists — Muslims and non-Muslim feminists alike — as a violation of human rights. There have been complaints about Muslim men divorcing their wives over text messages, Skype, emails and phone calls.

The practice has rendered hundreds of Muslim women homeless, forced out of their matrimonial homes overnight, with many learning that they have been divorced from relatives, by phone or even by a text message. A recent study found that 79 percent of women divorced through "triple talaq" did not receive any maintenance from their former husbands. Despite the Supreme Court having declared the practice void, activists on the ground confirm that it continues unabated.

Many Muslim-majority countries, including India's neighbors Pakistan and Bangladesh, have already banned "triple talaq." But the practice was permitted in India as the country's constitution allows different religious groups to set their own laws governing matters like marriage, divorce, maintenance and inheritance. The legislation brings India at par with other Muslim majority states. This was long overdue for a country that has taken pride in its adherence to the principles of secularism, democracy, and equality.

The list of Muslim majority countries where Triple Talaq is forbidden by law:

- > Pakistan
- > Egypt
- > Tunisia
- > Sri Lanka
- > Bangladesh
- > Turkey
- > Indonesia
- > Iraq

The Constitution of India, inspired by the lofty ideals of the wise women and men who made it, clearly mentions

that there will be no discrimination on the basis of gender. The Fundamental Duties highlight the need to renounce practices that are derogatory to the dignity of women. Further, this presents an opportunity to put in place a civil code that steeped in equality—across faiths and gender.

Criticism against the Act

Instant triple talaq is viewed as sinful and improper by a large section of the community itself. Therefore, there can be no dispute about the need to protect Muslim women against the practice. But it is also well established that criminalising something does not have any deterrent effect on its practice.

The Union law minister justified it as an issue of gender justice and admitted that there have been just 473 cases of triple divorce in the last two years. This admission proves two things: One, the incidence of triple divorce is negligible and the issue was blown out of proportion for political reasons [Note: - As per evaluation information from 2011, the separation rate among Muslims was 0.56 percent not as much as the Hindu people group, which remained at 0.76 percent.] and two, the penal provision in the ordinance had no deterrent effect.

That Muslim countries too penalise triple divorce was the third justification for the law but this is factually incorrect — there is a distinction between an act being declared "invalid" and being made an "offence". The Supreme Court declared triple divorce as invalid and did not ask the government to make it a penal offence.

Further, by trying to segregate a particular mode of divorce in a particular community and to punish the men of that community alone, the Centre is trying to shatter two fundamental tenets of the Indian Constitution — equality in the eye of the law and secularism.

Every punishment which does not arise from absolute necessity, according to Montesquieu, is tyrannical. In fact, criminal law should be used only as a "last resort" (ultima ratio) and only for the "most reprehensible wrongs". The new act is an instance of the unnecessary invocation of criminal sanctions.

A punishment, to be just, should have only that degree of severity which is sufficient to deter others. Punishments invariably exceed the crime and this, in the ultimate analysis, harms the state. Three years' imprisonment in the new Act is excessive and is disproportionate. The Indian Penal Code provides far lesser sentences for graver crimes. The Triple Talaq Bill (TTB) obliterates the distinction between "minor" and "major" crimes.

In addition, the practice of triple talaq is certainly wrong and unjust and is not sanctioned by the 'Quran' or 'Sharia law'. But marriage is a civil contract, and there is no reason to make triple talaq a crime unless there are other offences like domestic violence, which can be dealt with under other existing laws.

Finally, Triple Talaq is part of right to religion guaranteed under Article 25 of constitution and doesn't violate Article 14, 15 and 21 of constitution.

Analysis of the Act

In the light of the Supreme Court ruling on its validity, there is really no need to declare instant triple talaq a criminal offence. The practice has no approval in Islamic tenets, and is indeed considered abhorrent. Secondly, once it has been declared illegal, pronouncing talaq obviously does not have the effect of "instantaneous and irrevocable divorce" as this Act claims in its definition of 'talaq'. The provisions that allow a woman to claim a subsistence allowance from the man and seek custody of her children can

be implemented in the event of the husband abandoning her, even without the man's arrest. If triple talaq, in any form, is void, how the questions of children's custody and subsistence allowance arise while the marriage subsists, is not clear. And then, there is the practical question of how a man can provide a subsistence allowance while he is imprisoned. However, it has been argued by the Bill's proponents that dowry harassment and cruelty towards wives are treated as criminal offences even while the marriage subsists. It is a patently wrong comparison, as those acts involve violence and cruelty and are rightly treated as criminal offences. The same cannot be said of a man invoking a prohibited form of divorce. The ruling party projects the passage of the Bill as a historic milestone in the quest for gender justice. Such a claim will be valid only if there is a non-sectarian law that addresses abandonment and desertion of spouses as a common problem instead of focusing on a practice, which is no more legally valid, among Muslims.

The government has deployed the argument of women's empowerment to counter every objection to the Bill.

The imperative of gender justice is, indeed, compelling. It is also true that the Supreme Court judgment had recognised the discriminatory nature of triple talaq. However, the 3:2 verdict also spoke of the complexity of the issue and its fraught political milieu. In laying out the intertwined aspects — gender equality, freedom of religion and personal laws — the five-judge bench had put forth a language of reform without being oblivious of or disrespectful to the apprehensions and insecurities of the minority community. Evidently, however, the government did not take its cue from this landmark verdict. It did not make any attempt to strike a conversation with the minority community or put to rest fears that the bill is another ruse for majoritarian assertion.

Way Forward

After the enactment of this law, Muslim women are upbeat and looking forward to criminalizing of bigamous marriages and outlawing the practice of Halala. Maybe this will pave the way for a Uniform Civil Code in the near future. India is a secular country, we have personal laws (religion based)

that govern us in matters of marriage, divorce, maintenance, inheritance, adoption, guardianship, succession etc. But, the Constitution is above all and no law, that is unconstitutional, that violates the basic human rights of our people, can be, or should be allowed to continue. Prior to 1955 polygamy was not prohibited among Hindus too. There was an uproar when Hindu Marriage Act, 1955 had declared Hindu marriages to be monogamous. Such a move should not be seen as being against any religion. This is about protecting the human rights of women, granting them a respectable and equal status within the institution of matrimony. Enactment of law is a positive and laudable step, but awareness and social acceptance are crucial for its successful implementation.

General Studies Paper- II

Topic: Government policies and interventions for development in various sectors and issues arising out of their design and implementation.



3. NATIONAL MEDICAL COMMISSION BILL, 2019 : AN INTRODUCTION

Why in News?

The Rajya Sabha has passed the National Medical Commission (NMC) Bill 2019, with two new amendments seeking increased representation from state medical councils and vice chancellors of medical universities on the NMC. This means the Bill will be referred to the Lok Sabha once again before going to the President of India for his assent.

Introduction

Currently, the Medical Council of India (MCI) is responsible for regulating

medical education and practice in India. It was established under the Indian Medical Council Act, 1956. But, over the years, there have been several issues with the functioning of the MCI with respect to its regulatory role, composition, allegations of corruption and lack of accountability and criticised for its slow and unwieldy functioning owing to the concentration and centralisation of all regulatory functions in one single body. This is because the Council regulates medical education as well as medical practice. For example, MCI is an elected body where its members are elected by

medical practitioners themselves, i.e., the regulator is elected by the regulated.

To review these allegations, the government of India has constituted a committee under the NITI Aayog with Arvind Panagaria as its chair in 2016. The committee had recommended changes to improve medical education and the quality of doctors in India. The Committee also proposed that the Act be replaced by a new law and also proposed a draft Bill in August 2016. Apart from this committee, several other experts have also examined the functioning of the MCI and suggested

a different structure and governance system for its regulatory powers.

To meet this objective, the government has introduced the National Medical Commission (NMC) Bill in December 2017. However, it was lapsed with the dissolution of the 16th Lok Sabha. Again, the government has introduced National Medical Commission (NMC) Bill in Lok Sabha in July 2019. This time it was passed by the both the houses of Parliament with certain amendments.

Medical Council of India

The Medical Council of India was established in 1934 under the Indian Medical Council Act, 1933, now repealed, with the main function of establishing uniform standards of higher qualifications in medicine and recognition of medical qualifications in India and abroad. The number of medical colleges had increased steadily during the years after Independence. It was felt that the provisions of Indian Medical Council Act were not adequate to meet with the challenges posed by the very fast development and the progress of medical education in the country. As a result, in 1956, the old Act was repealed and a new one was enacted. This was further modified in 1964, 1993 and 2001.

The objectives of the Council are as follows:

- Maintenance of uniform standards of medical education, both undergraduate and postgraduate.
- Recommendation for recognition/de-recognition of medical qualifications of medical institutions of India or foreign countries.
- Permanent registration/provisional registration of doctors with recognized medical qualifications.
- Reciprocity with foreign countries in the matter of mutual recognition of medical qualifications.

The National Medical Commission Bill, 2019

The Bill seeks to repeal the Indian Medical Council Act, 1956 and provide for a medical education system which ensures availability of adequate and high quality medical professionals, adoption of the latest medical research by medical professionals, periodic

assessment of medical institutions and an effective grievance redressal mechanism.

Key Features of the Bill

Constitution of the National Medical Commission

The Bill sets up the National Medical Commission (NMC). Within three years of the passage of the Bill, state governments will establish State Medical Councils at the state level. The NMC will consist of 25 members, appointed by the Central government. A Search Committee will recommend names to the Central government for the post of Chairperson and the part time members. The Search Committee will consist of seven members including the Cabinet Secretary and five experts nominated by the Central government (of which three will have experience in the medical field).

Members of the NMC will include the Chairperson (must be a medical practitioner), Presidents of the Under-Graduate and Post-Graduate Medical Education Boards, the Director General of Health Services, Directorate General of Health Services, the Director General, Indian Council of Medical Research and five members (part-time) to be elected by the registered medical practitioners from amongst themselves from states and union territories for a period of two years.

Functions of the National Medical Commission: It includes framing policies for regulating medical institutions and medical professionals, assessing the requirements of healthcare related human resources and infrastructure, ensuring compliance by the State Medical Councils of the regulations made under the Bill and framing guidelines for determination of fees for up to 50% of the seats in private medical institutions and deemed universities which are regulated under the Bill.

Medical Advisory Council

Under the Bill, the Central government will constitute a Medical Advisory Council. The Council will be the primary platform through which the states and union territories can put forth their views and concerns before the NMC. Further, the Council will advise the NMC on measures to determine and maintain minimum standards of medical education.

Autonomous Boards

The Bill sets up autonomous boards under the supervision of the NMC. Each autonomous board will consist of a President and four members, appointed by the Central government. These boards are:

1. **The Under-Graduate Medical Education Board (UGMEB) and the Post-Graduate Medical Education Board (PGMEB):** These Boards will be responsible for formulating standards, curriculum, guidelines and granting recognition to medical qualifications at the undergraduate and post graduate levels respectively.
2. **The Medical Assessment and Rating Board (MARB):** MARB will have the power to levy monetary penalties on medical institutions which fail to maintain the minimum standards as laid down by the UGMEB and PGMEB. The MARB will also grant permission for establishing a new medical college, starting any postgraduate course, or increasing the number of seats.
3. **The Ethics and Medical Registration Board:** This Board will maintain a National Register of all licensed medical practitioners and regulate professional conduct. Only those included in the Register will be allowed to practice medicine. The Board will also maintain a separate National Register for community health providers.

Community Health Providers

Under the Bill, the NMC may grant a limited license to certain mid-level practitioners connected with the modern medical profession to practice medicine. These mid-level practitioners may prescribe specified medicines in primary and preventive healthcare. In any other cases, these practitioners may only prescribe medicines under the supervision of a registered medical practitioner.

Entrance Examinations

There will be a uniform National Eligibility-cum-Entrance Test for admission to under-graduate and post-graduate super- specialty medical education in all medical institutions regulated under the Bill. The NMC will specify the manner of conducting common counseling for admission in all such medical institutions. Further, there will be a National Licentiate Examination for the students graduating from medical institutions to obtain the license for practice. This Examination will also serve as the basis for admission into post-graduate courses at medical institutions.

The Bill also proposed a common final-year MBBS exam, called the National Exit Test (NEXT), which has to be cleared for practicing medicine, seeking admission to post-graduate medical courses and for enrolment in the State Register or the National Register. It will serve as a screening test for foreign medical graduates.

Reasons behind Protest of Doctors

There are several provisions of the Bill that are raising concerns among medical students and doctors across the country.

- ◆ The Indian Medical Association (IMA) has raised concern over the provision of the Bill that provides for licensing of 3.5 lakhs non-medical persons or Community Health Providers to practice modern medicine. In earlier version of the

Bill, there was a proposal of a 'bridge course' clearing which alternative medicine doctors could practice modern medicine. The provision was majorly opposed by doctors when the Bill was proposed. The government made changes in the Bill for the provision but proposed similar idea of Community Health Providers to help tackle the disease burden in rural areas.

What is 'Bridge' Course?

In the National Medical Commission Bill, 2017, the government had said a two- year bridge course should be introduced to allow AYUSH doctors to prescribe modern medicines to address shortage of allopaths in rural areas — a suggestion that was vehemently opposed by many doctors' bodies.

A parliamentary standing committee that examined the Bill also asked the government to drop the provision following representations from several expert groups.

The latest version of the Bill, without mentioning the term "AYUSH", however, has retained the contentious clause. It said the proposed commission may allow persons connected with modern scientific medical professions to practice medicine at mid-level as community health providers but their total number cannot exceed one third of total registered doctors in the country.

The term Community Health Provider has been vaguely defined to allow anyone connected with modern medicine to get registered in NMC and be licensed to practice modern medicine. This means persons without medical background are becoming eligible to practice modern medicine and prescribe independently. Thus, law legalises quackery.

- ◆ Other concern is related to the NEXT. According to the Bill, this exam would be for three things — the final year exam of MBBS students, the licence to practice medicine and the entry into post graduate courses. But medical student fraternity and experts have

completely rejected NEXT in its present format. They argued that if a student failed to pass NEXT, she would be not able to practice as a doctor and it would further hit the number of doctors as the country was already acutely short of them.

- ◆ Next issue is related to regulation of fees. The NMC will frame guidelines for determination of fees and all other charges in respect of 50% of seats in private medical institutions and deemed to be universities which are governed under the provisions of this Act. This regulation would increase the cost of medical education and affect the career of generations of medical students.
- ◆ Another criticism is related to the member proposed for the NMC. As per the Bill, of 25 members proposed for the NMC, only five would be elected which means the non-elected members would be either government officials or those nominated by the government. But the system of allopathic health care by qualified MBBS graduates should be governed only by qualified MBBS graduates. And the representation should be more from democratically elected members than nominated.
- ◆ In case of complaints related to professional or ethical misconduct against a registered medical practitioner, if the medical practitioner is aggrieved of a decision of the State Medical Council, he may appeal to the Ethics and Medical Registration Board. If the medical practitioner is aggrieved of the decision of the Board, he can approach the NMC to appeal against the decision. It is unclear why the NMC is an appellate authority with regard to matters related to professional or ethical misconduct of medical practitioners.

Conclusion

Past attempts to reform the MCI, both through the setting up of the National Commission for Human Resources in Health and amending the MCI Act, over the past decade have failed. It's critical to reform and standardise medical education to provide quality healthcare with equity. Around 80% of India's registered doctors work in cities, which is home to 31% of the country's population. Private hospitals are heavily skewed in favour of Tier-1 and Tier-2 cities, which leaves the rural population heavily dependent on

under-staffed public health centres and government hospitals.

Trained and licenced community health providers will strengthen preventive and primary care at the health sub-centres at the village level and substantially reduce out-of-pocket spending on treatment. Doctors are the pillars of public health delivery. It will be a disaster if they do not embrace change and work with government to provide strong primary health care rooted in community participation to respond to emerging and existing diseases, evolving health needs and

environmental challenges to prevent disease and improve outcomes.

General Studies Paper- I

Topic: Modern Indian history from about the middle of the eighteenth century until the present- significant events, personalities, issues.

General Studies Paper- III

Topic: Indian Economy and issues relating to planning, mobilization of resources, growth, development and employment.



4. THE MOTOR VEHICLES (AMENDMENT) BILL : AN UNDERSTANDING

Why in News?

The Motor Vehicles (Amendment) Bill, 2019 has passed by the parliament. The Bill seeks to amend the Motor Vehicles Act, 1988. The Motor Vehicles Act, 1988 is the primary central legislation that regulates the licensing and registration of motor vehicles and drivers. The Bill seeks to address various issues such as road safety, third party insurance, regulation of taxi aggregators, recall of unsafe vehicles, and compensation for victims in case of road accidents.

Introduction

In the last few years, with growing urbanisation and rising incomes, the number of motor vehicles in India has been increasing steadily. The number of registered motor vehicles in India grew by 123% between 2005 and 2013. Between 2005 and 2015, the number of road accidents increased by 14%, and road accident fatalities increased by 54%. During the same period, the road network grew by 44%.

An increase in the number of vehicles on roads, along with the absence of a coordinated policy to control the problem has been

attributed to an increase in the number of road accidents. Last year, close to 1.5 lakh people lost their lives on Indian roads in accidents. Those deaths, and the even higher number of injured, also impact the economic productivity and expenditure of the nation. A study by the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) estimated that India loses 3% of its GDP every year due to road traffic injuries.

Countries that have done well in reducing road traffic deaths have always had strong legislation. Till now, The Motor Vehicles (MV) Act of 1988 governs road safety in India. Most of the provisions of the Act revolve around the movement of goods and passengers. Considerations of road safety were missed. When the MV Act came into force, India was losing around 36,000 lives annually due to road accidents. Today, with the huge growth in the number of cars, two-wheelers, buses and commercial vehicles, that number is more than four times what it was in 1988. This clearly shows that the MV Act 1988 could do little to improve safety on Indian roads.

With the number of road accidents increasing, the Ministry of Road Transport and Highways appointed the Committee on Road Safety in 2007 to examine the magnitude of road traffic injuries and fatalities.

The Committee recommended setting up road safety authorities (at both national and state levels). In April 2016, the central government constituted a group of state transport ministers to recommend reforms for the road transport sector. The group recommended that the Motor Vehicles Act, 1988 be amended to address urgent issues related to road safety.

Key Features of the Bill, 2019

Compensation for Road Accident

Victims: The central government will develop a scheme for cashless treatment of road accident victims during golden hour. The Bill defines golden hour as the time period of up to one hour following a traumatic injury, during which the likelihood of preventing death through prompt medical care is the highest. The central government may also make a scheme for providing interim relief to claimants seeking compensation under third party insurance. The Bill increases the

minimum compensation for hit and run cases as follows: (i) in case of death, from Rs 25,000 to two lakh rupees, and (ii) in case of grievous injury, from Rs 12,500 to Rs 50,000.

Compulsory Insurance: The Bill requires the central government to constitute a 'Motor Vehicle Accident Fund', to provide compulsory insurance cover to all road users in India. It will be utilised for:

- (i) Treatment of persons injured in road accidents as per the golden hour scheme;
- (ii) Compensation to representatives of a person who died in a hit and run accident;
- (iii) Compensation to a person grievously hurt in a hit and run accident; and
- (iv) Compensation to any other persons as prescribed by the central government.

Good Samaritans: The Bill defines a good samaritan as a person who renders emergency medical or non-medical assistance to a victim at the scene of an accident. The assistance must have been in good faith, voluntary and without the expectation of any reward. Such a person will not be liable for any civil or criminal action for any injury to or death of an accident victim, caused due to their negligence in providing assistance to the victim.

Recall of Vehicles: The Bill allows the central government to order for recall of motor vehicles if a defect in the vehicle may cause damage to the environment, or the driver, or other road users. The manufacturer of the recalled vehicle will be required to:

- (i) Reimburse the buyers for the full cost of the vehicle, or
- (ii) Replace the defective vehicle with another vehicle with similar or better specifications.

National Transportation Policy: The central government may develop

a 'National Transportation Policy', in consultation with state governments. The Policy will establish a planning framework for road transport, develop a framework for grant of permits and specify priorities for the transport system, among other things.

Road Safety Board: The Bill provides for a 'National Road Safety Board', to be created by the central government through a notification. The Board will advise the central and state governments on all aspects of road safety and traffic management including standards of motor vehicles, registration and licensing of vehicles, standards for road safety and promotion of new vehicle technology.

Offences and Penalties: The Bill increases penalties for several offences under the Act. For example, the maximum penalty for driving under the influence of alcohol or drugs has been increased from Rs 2,000 to Rs 10,000. If a vehicle manufacturer fails to comply with motor vehicle standards, the penalty will be a fine of up to Rs 100 crore, or imprisonment of up to one year, or both. If a contractor fails to comply with road design standards, the penalty will be a fine of up to one lakh rupees. The central government may increase fines mentioned under the Act every year by up to 10%.

Taxi Aggregators: The Bill defines aggregators as digital intermediaries or market places which can be used by passengers to connect with a driver for transportation purposes (taxi services). These aggregators will be issued licenses by state governments. Further, they must comply with the Information Technology Act, 2000.

How New Bill will address Road Safety?

The provisions of the Bill address the concern of road safety at three different levels - road users, motor vehicles and road infrastructure.

Road Users

One of the key provisions of the Bill is the enhanced penalties. This is because currently the penalties for many traffic offences are so low that violators find it easier to pay their way through than to observe traffic rules. The enhanced penalties are expected to act as a deterrent to rule violations and hence improve road safety.

The Bill also proposes cashless treatment for victims of traffic accidents, with an aim to ensure that such treatment is given within the 'golden hour'. It provides for interim relief to the kin of victims seeking compensation under insurance. For offences committed by juveniles, the Bill proposes that the guardian/owner of the vehicles would be deemed guilty, thus seeking to deter this particular type of violation of rules.

Motor Vehicles

The Bill allows the central government to ask the manufacturer to recall motor vehicles if they could potentially damage the health and safety of road users. It empowers the central government to levy penalties on vehicle manufacturers, including requiring improvements, if they fail to meet motor vehicle standards. It provides mechanisms for recognizing taxi aggregators like Uber, Ola, etc.

Road Infrastructure

The biggest differentiator of this Bill is the provision around infrastructure. For example, if the agencies, contractor or even consultant fails to provide, design or maintain safe roads, the government can penalize them with fines amounting to Rs 1 lakh. The Bill also proposes to create a national road safety board with representation from the state governments. The board will advise central and state governments on matters of road safety and traffic management. One of the key components includes the formulation

of standards for road safety, road infrastructure and traffic control. The Bill also allows the central government to come up with a national transport policy. The policy will help develop a framework for planning, granting permits and priorities for the road transport sector. These important provisions should lead to safer road infrastructure for users.

Issues to Consider

Electronic Monitoring of Road Safety: The Bill mandates state governments to ensure electronic monitoring and enforcement of road safety on National Highways, State Highways, and urban roads as per guidelines framed by the central government. It is unclear who will bear the cost of implementing such safety measures. Ensuring electronic monitoring across roads in a state could incur a significant amount of infrastructure investment on part of the states (such as CCTV cameras, speed detectors, training programmes, etc.). The Bill does not specify whether such costs will be borne through a central scheme or through additional grants to the states from the centre. The Standing Committee examining the 2016 Bill had recommended that the central government should help states with the technical expertise and logistics to make roads safer.

Agency Responsible for Road Safety: The Bill provides for a National Road Safety Board, to be created by the central government through a notification. As per the amendments, the Board will provide advice to the central and state governments on the setting of road standards. In past, the Sundar Committee had recommended that the National Road Safety Board should have the freedom to set safety standards with regard to the design, construction and maintenance of roads and motor vehicles. It should also have the power to monitor compliance, issue directions regarding compliance and levy penalties, where necessary.

Currently, the National Road Safety Council, headed by the Minister of Road Transport and Highways, is the apex advisory body on road safety. The Sundar Committee had observed that the existing institutions in India do not have the required capacity to look into road safety. The responsibility for road safety is diffused across various bodies, and there is no effective coordination mechanism between these bodies. The existing National Road Safety Council does not have the adequate statutory backing, resources, or the mandate to affect road safety. In comparison, other countries such as the US, Australia, and Sweden have national government agencies responsible for traffic safety and management.

Road Design and Engineering: The Bill provides that any contractor or consultant responsible for the design, construction, or maintenance of the safety standards of roads must follow design, construction and maintenance standards specified by the central government. Failure to comply with such standards will be punishable with a fine of up to one lakh rupees, and such amount will be credited to the Motor Vehicle Accident Fund.

◆ **Setting of Design Standards:** The Bill provides that the central government will set the design, construction and maintenance standards. The Sundar Committee on Road Safety had recommended that the powers to set standards and follow up on their compliance cannot be vested in the same department or Ministry which is also responsible for the construction and maintenance of roads. In this case, the central government is primarily responsible for the development and maintenance of National Highways, and it carries out these functions through the National Highway Authority of India (NHAI).

◆ **Penalty for Non-compliance with Safety Standards:** The penalty for non-compliance with the safety standards will be a fine of up to one lakh rupees. It may be noted that in 2017-18, the NHAI awarded 24 highway construction projects of worth Rs 20,000 crore covering the length of 1,280 km (Rs 15.6 crore per km on average). The question is whether a fine of one lakh rupees would be a sufficient deterrent for contractors when the cost of such projects is above Rs 15 crore per km on average.

Way Forward

In future, the amended Act will help reduce dependence on personal vehicles. The government should present its 'National Transport Policy' without delay. States must be incentivised to provide clean, comfortable and affordable services for all users, including people with disabilities. State Transport Corporations must adopt modern management practices. New regulation can certainly shake up the status quo, facilitating transparent investment by any intending operator and removing vested interests, particularly in inter-State and multi-State coach services. But some of the other amendments are less promising. A sharp increase in fines has little chance of improving safety. Studies show that sustained, zero tolerance enforcement of even small fines reduces violations, while stringent penalties are either not enforced or lead to more bribery.

General Studies Paper- II

Topic: Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

General Studies Paper- III

Topic: Infrastructure: Energy, Ports, Roads, Airports, Railways etc.



5. WORLD BREASTFEEDING WEEK 2019 : EMPOWER PARENTS, ENABLE BREASTFEEDING

Why in News?

World Breastfeeding Week is celebrated every year from 1 to 7 August to encourage breastfeeding and improve the health of babies around the world. This year's World Breastfeeding Week slogan is "Empower Parents, Enable Breastfeeding".

Introduction

Breastfeeding contributes to emotional and psychological development of infants. Breastfeeding is key to healthy life and one of the most critical interventions which can help bring down infant mortality. The constitutional mandate for breast feeding is provided under Article 42 of the constitution of India which says that the State shall make provision for securing just and humane conditions of work and for maternity relief. Dalai Lama also said that our very first act after birth is to suck our mother's milk. This is an act of affection, of compassion. Without that act, we cannot survive. "

Breastfeeding gives all children the healthiest start in life. Breastmilk promotes cognitive development and acts as a baby's first vaccine, providing critical protection from disease and death. Breastfeeding also reduces the burden of childhood and maternal illness, lowering health care costs, creating healthier families and strengthening the development of nations.

When mothers breastfeed, everyone benefits. Yet today, only 41 per cent of the world's children younger than six months are exclusively breastfed. By age two, only 45 per cent receive any breastmilk at all. Increasing breastfeeding worldwide would prevent more than 800,000 child deaths each year, particularly

those associated with diarrhoea and pneumonia. Optimal breastfeeding also has the potential to prevent nearly 100,000 maternal deaths from cancer and type II diabetes each year.

World Breastfeeding Week

The first week of August is globally marked as World Breast feeding week to promote, protect and support breastfeeding. It commemorates the 'Innocenti Declaration' signed in August 1990 by government policymakers, World Health Organisation (WHO), United Nations Children's Fund (UNICEF) and other organizations to protect, promote and support breastfeeding. At that time, it was realised that breastfeeding can contribute to each of the MDGs in a substantial way. Breastfeeding is key to the MDGs which focus on eradicating extreme poverty and hunger.

In 2016, World Alliance for Breastfeeding Action (WABA) initiated the journey towards Sustainable Development Goals (SDGs) by linking each goal with breastfeeding and multi-level partnerships including health-care advocates/activists, decision-makers along with political support and media. All governments have endorsed to prioritise the World Health Assembly's global target for increasing the exclusive breastfeeding rates up to at least 50% by 2025.

Key Facts

- ◆ The International Labour Organization (ILO) recommends that employers provide a minimum of 18 weeks of maternity leave.
- ◆ Only 42 countries (23 per cent) meet or exceed the ILO recommendation of 18 weeks leave. The ILO estimates that 830 million women workers globally

are not adequately covered by maternity protection (including maternity leave), constraining their ability to breastfeed, nurture and care for their infants in the earliest months of life.

- ◆ Maternity leave is critical to enabling early, exclusive and continued breastfeeding. Once a mother returns to work, the provision of hygienic lactation spaces, breastfeeding breaks, and access to childcare can help her continue breastfeeding for as long as she chooses.
- ◆ Longer maternity leave is associated with lower infant mortality in low- and middle-income countries. For each month of additional maternity protection, there is a reduction of nearly eight infant deaths per 1,000 live births.
- ◆ Family-friendly workplace policies attract more women to the workforce and reduce constraints on women's time, increasing per capita income and benefiting national economies.
- ◆ The provision of workplace breastfeeding rooms and nursing breaks are low-cost interventions that can improve breastfeeding, job performance and employee retention.
- ◆ The cost of not breastfeeding is significant, for both children and nations. Globally, the total annual economic loss of not breastfeeding according to recommendations is estimated to be between US\$257 billion and US\$341 billion. Investments in scaling up breastfeeding programmes are therefore critical to boosting human capital and strengthening economies around the world.

Importance of Breastfeeding

Breastfeeding has many health benefits for the mother too. It reduces anemia. Obesity is less common among nursing mothers as it helps the mother to regain her normal figure. It is protective against breast and ovarian cancers. It also helps in spacing pregnancies as breastfeeding is the effective contraceptive.

Breastfeeding is one of the most effective interventions for child survival particularly to address morbidity and mortality related to three major conditions i.e. neonatal infections, diarrhoea and pneumonia. Breastfeeding has a protective effect against childhood obesity and lowers the risk of several chronic conditions including asthma, diabetes and heart disease, in adult life and thus contributes to long-term benefits. It has been found to have direct positive impact on brain development.

During the first few days after delivery, the mother produces colostrums, a thin yellowish fluid, and rich in protein and antibodies that provide immunity to the baby at the time of birth. Colostrum also helps the newborn's digestive system to grow and function properly.

In 2016, India's infant mortality rate was at 34 deaths per 1000 live births with 8.4 lakh infant deaths. Despite breastfeeding being a widely accepted and traditionally propagated child rearing practice in India, studies reveal that a staggering amount of children are not breastfed for the first six months, a practice that can help save almost 45 per cent of the infants in risk of premature death. In India, 99,499 deaths of children are reported every year due to diarrhoea and pneumonia. These deaths can possibly be prevented through exclusive breastfeeding in the early months.

Issues and Challenges

India was traditionally seen to be more breastfeeding friendly than

Western countries such as the US and Europe with a higher dependence on formula food in the latter nations. Still staggering amount of children are not breastfed for the first six months in India. The key challenges are classified into medical issues, behavioral transitions, workplace challenges, nursing while traveling or in public, and support at home.

According to the survey findings, over 70% of Indian moms feel breastfeeding is a challenging experience. The primary reasons for this are: lack of proper information to mothers, lack of counseling on feeding of infants, unawareness about health care support, inability of the health care providers to help mothers experiencing breastfeeding difficulty and lack of proper support structures at the community and work place for working women.

Even though breastfeeding is the most natural of human processes, most urban, as well as rural men, do not prefer women to breastfeed in the open. Despite several international campaigns and efforts by health agencies, breastfeeding in public continues to be taboo in India. The stigma around breastfeeding, unsympathetic environments that may prove hostile for breastfeeding, inflexible workspaces, public areas and transport-- all affect the number of women who breastfeed.

Government Initiatives

Government of India has initiated many programmes/schemes and interventions for promoting breastfeeding directly/indirectly which include:

‘MAA’ (Mothers’ Absolute Affection): A nationwide flagship programme - ‘MAA’ has been implemented across the States/UTs since November 2016. It envisages improving the breastfeeding rates and child feeding practices among the

masses. Under this, Accredited Social Health Activists (ASHAs) are being incentivized for reaching all pregnant women and nursing mothers of young children (aged <2 years) for advocating optimal Infant and Young Child Feeding (IYCF) practices. Positioning of trained Auxiliary Nursing Midwiferies (ANMs) (at all sub-centres) and the health-care personnel (at all delivery points) is also being ensured for providing skilled support to nursing mothers, where necessary. The programme involves a comprehensive set of activities along with strong monitoring component for protecting, promoting and supporting breastfeeding/child feeding - both at the community and the facility level.

India Newborn Action Plan (INAP):

INAP aims at attaining single digit neonatal mortality rate by 2030 (five years ahead of the global target) and addresses prime interventions like pre-conception and antenatal care; care during labour/child birth; immediate new-born care; care of healthy and the small/sick new-borns as well as care beyond new-born survival. It is targeting at raising the rate of breastfeeding initiation (within 1st hour of birth) to 90% by 2025.

Maternity Benefit Programme: The government is providing cash incentive of Rs. 6,000 to pregnant women/nursing mothers as a compensation for the wage loss as well as to facilitate breastfeeding during the first six months of life. Facility based new-born care, special new-born care units, new-born care corners, home based new-born care are some of the schemes dedicated to the mother-&-newborn dyads which can profoundly promote timely initiation of breastfeeding.

Pradhan Mantri Surakshit Matritva Abhiyan : Since November 2016, the Pradhan Mantri Surakshit Matritva Abhiyan is providing assured, comprehensive cost-free quality antenatal care to all pregnant women on the 9th of every month. This Abhiyan

provides an excellent window of opportunity to highlight the benefits of breastfeeding as well as appropriate IYCF practices, among mothers.

Mother and Child Tracking System:

It employs information technology for ensuring the delivery of full-spectrum healthcare/immunization services to pregnant women and children (aged <5 years). It is an innovative, web-based application to facilitate/monitor service delivery and establish a two-way communication between the service providers and the beneficiaries. In this context, it may be mentioned here that IYCF practices should also be tracked, monitored and facilitated so as to improve the timely initiation, exclusive breastfeeding, appropriate complementary feeding and continued breastfeeding practices.

Way Forward

Time, resources and protective policies are critical to support breastfeeding mothers. Family-friendly policies—such as paid maternity leave, access to

quality childcare, breastfeeding breaks and dedicated nursing spaces provide mothers and babies with the time to recover from birth, bond with their babies and breastfeed in the critical early weeks and months of life. These policies are particularly important for working mothers, for whom returning to paid or unpaid work is one of the greatest barriers to breastfeeding.

To improve the breastfeeding practice, counselling strategies need to be strengthened through adequate resource allocation, capacity building and effective communication at all levels. For a collective action and lasting impact, midwives, nurses, physicians, nutritionists, public health advocates and community workers need to be trained effectively to promote, advocate and facilitate the adoption of this practices. Pregnant women and adolescent girls need to be educated about the lactation process; and the girl child should be given an equal opportunity to adequate breastfeeding. For promoting

breastfeeding, apart from having baby friendly hospitals, mothers should be entitled to flexible-extended leave benefits and necessary breaks as well as adequate breastfeeding rooms at the workplace.

Further, each child deserves the best possible start in life, thus there is a need to educate not only pregnant women and mothers of infants but also each member of her family about the benefits of breastfeeding. This is not only responsibility of the state but also duty of the society to facilitate breastfeeding.

General Studies Paper- II

Topic: Issues relating to development and management of Social Sector/ Services relating to Health, Education, Human Resources.

Topic: Issues relating to poverty and hunger.



6. INDIA-AFRICA : CHANGING GEARS IN RELATIONSHIP

Why in News?

Indian President Ramnath Kovind completed tour of three West African countries - Benin, Gambia and Guinea - from July 28 to August 3. The visit came in the backdrop of an overall push to develop closer strategic ties with Africa, an approach that has been reinforced by greater development assistance, as well as the opening of 18 new missions on the continent from 2018 to 2021.

Introduction

India is strengthening its presence in Africa by stepping up its engagement with hitherto overlooked countries in the Western part of the continent. Africa is a continent on the move, characterised by rapid economic growth, rising educational and health

standards, increasing gender parity, and expanding infrastructure and connectivity. The region has witnessed growing trade, investments, and a surge in innovation. African governments and leaders are playing an active role in shaping the continent's future and they are no longer remain passive bystanders. Various non-western powers like China, Japan, Singapore, and Malaysia are also expanding their presence in the continent.

India has an intrinsic interest in helping Africa to achieve progress. The spirit of "developing together as equals" defines this bilateral partnership. A resurging Africa and a rising India can give a strong impetus to South-South Cooperation, especially when it comes to addressing challenges

in areas like clean technology, climate-resilient agriculture, maritime security, connectivity, and Blue economy. However, the India-Africa partnership is yet to achieve its full potential. What is needed is an infusion of energy, of something new and concrete, and with a specific focus and direction.

Framing India-Africa Relations: Ten Guiding Principles

Prime Minister Modi, in July 2018 outlined his Africa vision through his ten guiding principles which include: Africa is among top priorities for India and momentum of cooperation will be sustained through regular exchanges; development partnership as per African priorities; preferential access to Indian

markets for African products; assist in harnessing digital revolution in Africa; improve Africa's agriculture potential; fight climate change together; work together to keep oceans and maritime lanes free for all; Africa instead of becoming a theatre of competition should become nursery for its youth; and aspire and work together for a just, representative, democratic global order.

These are ideal, achievable and collaborative policies that dictate a paradigm shift compared to other big powers who are trying to get into the 'Gold Rush' for exploitation by way of neo-colonialist approaches. India, meanwhile, has invested in the continent following a sharing and caring "model of cooperation free of conditions," prioritizing the needs of the African stakeholders.

According 'top' Priority: Africa's importance to India as a development partner first became visible with the decision to enter into a structured engagement with African countries under the framework of India Africa Forum Summit (IAFS). Three editions have been held so far—in 2008, 2011, 2015—and with the next edition (IAFS-IV) slated to be held in 2020. In recent years, the African continent has been accorded top priority in Indian foreign and economic policy; there has been an unprecedented intensification of political engagement. The government of India in March 2018 approved the opening of 18 new Indian Missions in Africa to implement the commitments under IAFS-III over a period of four years from 2018-2021. This will increase the number of Resident Indian Missions in Africa from 29 to 47. While opening the promised 18 new Indian Missions in Africa is indeed achievable, sticking to the timeline (2018-2021) may be a difficult task.

Guided by African Priorities: Four main pillars embody India's development partnership approach with Africa: capacity building and

training under Indian Technical and Economic Cooperation (ITEC); Lines of Credit (LOC) or concessional loans and grant assistance; trade; and investments. From being the fourth-largest investor in the continent, to being the largest employer, to capacity-building initiatives for local youth, India is continuously working on developing its multi-dimensional relationship with Africa. Based on their own needs and priorities, African governments select projects that will receive the LOCs. Overall, India has provided 181 LOCs to 41 African countries for a total of US\$11 billion, which represents 42 percent of the total amount of LOCs offered by India through Export-Import Bank of India (EXIM) Bank.

Open Markets And Supporting Industries to Invest: India's trade with Africa in 2017-2018 was pegged at US\$62.66 billion, reflecting an increase of nearly 22 percent over the previous year, and cumulative investments in Africa amount to US\$54 billion, thus making India the fourth-largest investor in Africa. Indian initiatives like Focus Africa (2002), Duty-Free Tariff Preference Scheme (DFTP) for Least Developing Countries (2008), and the institution IAFS and private-led conclaves like Confederation of Indian Industries-EXIM Bank Conclave on India Africa Project Partnership have succeeded in lifting bilateral trade and investments to new heights. Various African countries have also benefitted from India's DFTP scheme. Only 26 out of 33 African Least Developed Countries (LDCs) are eligible to participate in this scheme.

Improving Africa's Agriculture: There is great potential for stepping up India-Africa collaboration in the agriculture sector, given the complementary sectoral priorities and similarity of roles in evolving global food markets. Although they are at different stages of development, maturity, and transformation levels, there are ample opportunities for mutual learning.

Promoting agribusiness by launching incubation centres has been a critical component of India's agricultural partnership with Africa. In all the three editions of IAFS, agricultural development and food security have been recurring themes. Four main types of institutions/components have been proposed includes Vocational Training Institutes/Incubation Centres, the Agri-Business Incubation (ABI) programme, Food-testing laboratories and Soil testing and Soil Health Card.

Peacekeeping, Defence and Security Cooperation: Peace and security entails not just traditional or hard notions of security connected to military strength and protection from external threats, but also non-traditional threats such as food security, energy security, and immigration. For India and African countries, peace and security are intrinsically linked to development. Historically, India has participated in nearly all peacekeeping operations in Africa. Today, "over 6,000 Indians currently serve in five peacekeeping operations in Africa wearing blue helmets working to ensure a future of peace for Africans."

In practical terms, the inaugural Africa-India Field Training Exercise-2019, called AFINDEX-19, a ten-day exercise conducted from 18 March onwards at Aundh military station in Pune has been a significant development. There has also been an increased presence of African delegations at Indian defence exhibitions such as Defence Expo and Aero India in recent years, which indicates African countries' growing desire to diversify and find alternative partners for their arms imports. Countries with sufficient capacity to manufacture arms and ammunitions, like South Africa, Algeria, Egypt, Nigeria, and Morocco, can be important partners under the 'Make in India' initiative. Following the recent lifting of the ban on 'Denel' — a South African local manufacturer of defence products and solutions —

opportunities for various joint ventures can now be explored.

Open and Free Oceans: India aims to enhance cooperation with African countries in order to keep the oceans open and free for the benefit of all nations. Indeed, the world needs cooperation, rather than competition in the eastern shores of Africa and the eastern Indian Ocean. To this end, complementarities can be drawn between Indian Navy's 2015 Maritime Strategy document and the African Union's 2050 Africa Integrated Maritime Strategy (AIMS 2050). Complemented by Security and Growth for All in the Region (SAGAR) and SAGARMALA (port development) initiatives, the Asia Africa Growth Corridor (AAGC), with Africa being an equal partner, can potentially be a game-changer in the Indian Ocean Region.

Naval cooperation continues to grow strong with regular port visits, transfer of hardware and logistical support, naval intelligence, and patrolling of Exclusive Economic Zones (EEZs) being undertaken. In December 2018, an Information Fusion Center, based in Gurugram in India's National Capital Region, was launched. It will help to track and monitor shipping traffic in the Indian Ocean, coordinate incident responses, and share submarine safety information. The decision to 'jointly develop' naval facilities in Assumption and Agalega Island, off the coast of Seychelles and Mauritius respectively, has helped to increase the Indian Navy's presence in the Indian Ocean, particularly in the Western Indian Ocean region.

Terrorism: India and Africa both recognise that terrorism poses the single biggest threat to humanity and development. Both have been victims of and are susceptible to radical terrorism and religious extremism from outfits such as Boko Haram, Al Shabaab, Jaamat al Dawa, and al-Qaeda, among others. To tackle the

scourge of terrorism and maintain peace and harmony, India has, in the past, and continues to deploy troops and equipment in various African countries. Over the years, India has provided training of African military personnel at various Indian institutes such as the Indian Military Academy, Defence Staff College and the National Defence College. India has also conducted training courses at the Centre for UN Peacekeeping (CUNPK) in New Delhi, and at other Peacekeeping Training Centres in Africa dedicated for the training of trainers from upcoming Troop Contributing Countries (TCC) in Africa.

Cyber Security and Digital Revolution: India, Africa, and the rest of the world is facing new challenges due to development of new technologies. Cyber security is thus a vital component of digital infrastructure. So far, no universal principles have evolved. Instead of waiting for the developed West to present solutions, India and Africa should take the initiative to come forward with practical solutions which are contextual to the two geographies. As a beginning, India has already signed MoUs/joint statements with six African countries on the subject — i.e., Morocco, Egypt, Seychelles, South Africa, Kenya, and Mauritius.

The best example of India's digital cooperation with Africa is the Pan African e-Network (PAeN) project on tele-education and tele-medicine, launched in 2004. Under this initiative, Indian universities and specialist hospitals are connected to educational and hospital centres in African countries through seamless and integrated satellite, fibre optics and wireless networks. The network is operational in 48 African countries with its hub located in Dakar, Senegal. In September 2018, India's Ministry of External Affairs launched a new network project — e-VidyaBharati and e-ArogyaBharati (e-VBAB). The e-VBAB project is different from the earlier

PAeN project. While the PAeN project operated on satellite-based technology, the e-VBAB will establish two separate web-based portals — one each for tele-education and tele-medicine.

The Challenge of Climate Change: The adverse effects of climate change threaten to derail the gains made by decades of economic growth in India and Africa. Both have large numbers of people without access to electricity, LPG, and modern cooking energy. According to a recent report, around 600 million people lack access to electricity in Africa. Under the United Nations Framework Convention on Climate Change, the principle of Common but Differentiated Responsibilities and Respective Capabilities acknowledges the differing responsibilities and different capabilities of individual countries in addressing climate change. While the common responsibilities are reflected in the Nationally Determined Contributions of all parties, both India and African countries believe that differentiation in responsibilities should also be reflected.

One core dimension of India and Africa's climate change agenda is promoting green technology. Both commitments to climate action are reflected in India's Sustainable Development Goals (SDGs) commitments and Africa's Agenda 2063. The most prominent example of the India-Africa sustainable development partnership is reflected through the India and France-led International Solar Alliance (ISA) under which India has pledged a concessional credit line of \$2 billion to Africa over five years for the implementation of off-grid solar energy projects.

However, there are various barriers to technology transfer such as inadequate knowledge regarding technological alternatives, inability to identify the best-suited technology, and limited access to finance. Both India and Africa needs to address these

barriers and develop a specific strategy to utilise this opportunity to effectively collaborate on technology transfer to address the problems of climate change.

Just, Representative, Democratic Global Order: India and Africa have a long history of working together by coordinating their views and efforts in institutions of global governance and multilateral forums, in order to achieve greater autonomy and ensure that the agenda of the 'global South' is prioritised. While the institutions of global governance that were created after the Second World War, like the UN, International Monetary Fund, and World Trade Organisation, have served well, they have failed to adapt to the changing global scenario and adequately represent the voice of the developing world. India —the world's largest democracy representing one-sixth of humanity, and Africa — with more than a quarter of UN members, cannot be kept out of the decision-making table. Democratic reforms in global institutions are essential. This is why India and Africa have voiced their support for expanding both permanent and non-permanent membership of the UN Security Council. African countries insist on having two permanent seats in the reformed Security Council. India believes that while a rules-based multilateral international order is essential, it must be reformed at the same time.

Global Players in Africa

Although India in the past, due to lack of a concerted strategic approach, lost out on key economic opportunities while ceding space to other countries including China. The fact that large number of African leaders and ordinary Africans were trained or educated in India created this positive critical mass that provides an exceptional edge to us. But goodwill for India, its benevolent outlook and non-intrusive

benign outreach as well as like Japan, US, France, South Korea, Germany, UAE and Saudi Arabia wanting to find a collaborative trilateral partnership for and in Africa. There is a greater realisation that Africa for the Africans first rather than a mere resource target for the world would be the key for the re-entry into to the African orbit.

In November 2016, Japan's Prime Minister Shinzo Abe and Indian Prime Minister Narendra Modi in their Summit Joint Statement reiterated the resolve of the two countries to "develop industrial corridors and industrial network for the growth of Asia and Africa." India-Japan economic engagement with Africa, under the aegis of Asia Africa Growth Corridor (AAGC), is based on the premise that the direction of global economic activities is indeed shifting towards the Indo-Pacific region.

As for the US while making for a case for greater engagement by US in Africa and referring to recent Atlantic Dialogues in Morocco, Brookings in a commentary mentioned "China, the European Union, and other new players such as India are rapidly expanding economic and trade ties in Africa. On December 13, 2018, US decided on a new Africa policy to counter Chinese influence and "predatory" practices of China and Russia which is part of its global strategy. Speaking at the Heritage Foundation John Bolton, National security Adviser, accused it of wielding "bribes, opaque agreements, and the strategic use of debt to hold states in Africa captive to Beijing's wishes and demands."

China has been in the lead for their Africa outreach for decades through their "Chequebook Diplomacy" with consequent debt traps for their local clients. But they still secured the early bird advantage which despite the realisation by Africans and prevailing good will for India will be difficult to dislodge. However, they learn in the

process that the Chinese engagement being treated as "neo-colonialism" has its downside and some examples of high indebtedness and discomfort of the host countries attested to the fact leading to some correction in their "Cheque book diplomacy" approach which also has its limitations. No wonder many African leaders confronted the criticism of China accusing the west of their own misdeeds in the Continent for centuries. Whichever way one looks at it China is there to stay.

Way Forward

India and Africa share a rich history of cultural, economic, and political interactions, rooted in the spirit of developing together as equals. Indeed, India-Africa ties may yet redefine the contours of the international order along more egalitarian lines. India and Africa share the same development challenges and are both driven by similar imperatives. Africa's economic projection and India's growth can complement each other.

India and Africa are entering a fourth phase in their relationship but one that has potential to much more comprehensive and long-lasting than their previous attempts at engagement. This is because both India and Africa are different today, economically more mature and more strategically minded than in the past. Yet, this will not happen on its own. Many bridges have been built between the two sides, but the volume and quality of movement between them will be determined by policy decisions being made in the present and in the near future.

General Studies Paper- II

Topic: Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests.



7. 50 YEARS OF BANKS' NATIONALISATION : AN ANALYSIS

Why in News?

The year 2019 marks 50 years of India's Bank Nationalisation. On July 19, 1969, Indira Gandhi who was both Prime Minister and Finance Minister at that time decided to nationalise 14 largest private banks of the country.

Background

Origins of banking could be traced to the origin of human civilisation. It was prevalent in some form and has reference in various points in history in different forms. But modern banking in India is a little over a century old. Unlike in the case of many other industries, banking in India was largely indigenous. Most banks were incorporated as joint stock entities that came up in the late nineteenth century, either promoted by large businessmen or the royal families across the country. By Independence, 90 per cent of the banks were privately owned.

Even as banks did well after Independence, access to banking services was available to only a handful of rich and middle-class urban households. But the government felt that banking had to spread, giving access to both the rich and the poor. Banking was necessary for development and to extend the reach of government programmes. Bank nationalisation was hence seen as the only option.

Although bank nationalisation was not publicly debated, then Prime Minister Indira Gandhi made her intentions clear at a meeting of the All India Congress Committee, presenting a paper on the subject. After some deliberations, the government issued the Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1969, which empowered it to nationalise banks. The order would apply from the midnight of July

19, 1969, on 14 largest commercial banks that accounted for 85 per cent of bank deposits in the country then. Later in 1980, it nationalised six more banks.

Reason for Nationalisation of Banks

The reason for nationalising banks was to sync the banking sector with the goals of socialism adopted by the Indian government after independence. The Reserve Bank of India's (RBI's) history points that the idea to nationalise banks and insurance companies germinated as early as 1948, in an All India Congress Committee report. The insurance sector was nationalised in 1956 with the formation of Life Insurance Corporation of India but banks had to wait till 1969, barring the case of State Bank of India (SBI) which was nationalised in 1955.

Given below are the various reasons that led to nationalization of banks in India.

Political Reason

India's political drama in the 1960s, before bank nationalisation, deserves special mention. We had war with China in 1962, followed by Prime Minister Jawaharlal Nehru's death in 1964. This led to the appointment of Lal Bahadur Shastri as Prime Minister who soon saw war with Pakistan in 1965. Then Shastri died suddenly in 1966, leading to the appointment of Indira Gandhi as Prime Minister. The ruling Indian National Congress was in turmoil, which showed in subsequent election results. In the Lok Sabha elections of 1967, the Congress won 283 seats of the total 520, sharply lower than the 361 of 494 it won in 1962. Further, the party lost power in seven states.

Economic Reason

The 1960s also had two droughts, leading to negative Gross Domestic Product (GDP) growth rates and double-digit inflation. Foreign exchange too declined in 1964-65. These economic conditions led the government to devalue the Rupee from 4.76 per U.S. dollar to Rs 7.50/\$ in 1966. Apart from devaluation, export duties were levied on a dozen commodities. The decision was criticised across corners as the centre had denied the possibility of devaluation before making the move. No less than the Congress president at the time, K Kamraj, dubbed it as "sell-out to Americans".

Banking Reason

Even though the banks lent credit, the disbursal to the rural areas and small scale borrowers was far less as compared to the industry despite the Banking Regulation Act, 1949. The loans by commercial banks to industry nearly doubled between 1951-1968 from 34 to 68 per cent, even as the agriculture received less than 2 per cent. The government of the time believed that the banks failed to support its socio-economic objectives and hence, it should increase its control over them.

There was a long-standing criticism that Indian banks were not willing to provide credit to agriculture. Also, since the private banks were run by big industrialists, they gave loans to themselves. The directors of the top banks also held directorships in several other industries leading to conflict of interest.

Further, banks had increased branches from around 4,000 in the 1950s to around 7,000 by 1967 but the share of rural and semi-urban branches remained similar at 61 percent. The share of urban branches increased from 36 percent in 1952 to 39 percent in 1967.

Impact of Nationalisation

The second volume of the official history of the RBI describes bank nationalization as the single-most important economic policy decision taken by any government after 1947. Central bank historians say that in terms of the impact, even the economic reforms of 1991 pale in comparison.

The impact of bank nationalization can be thought about in terms of three core areas: deposits, lending and interest rates. The one positive impact of bank nationalization was that financial savings rose as lenders opened new branches in areas that were unbanked. Gross domestic savings almost doubled as a percentage of national income in the 1970s. A growing part of this was sucked up by the government itself through increases in the statutory liquidity ratio.

Banks were asked to push funds towards sectors that the government wanted to target for growth. Indira Gandhi told the Lok Sabha on 29 July 1969 that the "purpose of nationalization is to promote rapid growth in agriculture, small industries and export, to encourage new entrepreneurs and to develop all backward areas".

Credit planning also meant that the interest rate structure became incredibly complex. There were different rates of interest for different types of loans. The Indian central bank eventually ended up managing hundreds of interest rates. This mind-boggling structure was brought down only after the 1991 reforms, with the central bank managing the pivotal repo rate, while commercial lending rates were to be decided by banks themselves.

Bank nationalization was the pivot of a broader political economy strategy followed in the 1970s—a decade when economic growth barely outpaced population growth. Average incomes stagnated. It was a lost decade for India. There is no doubt that exogenous

shocks, such as rising energy prices or failed monsoons, played a part in the stagnation, but economic policy also hurt. Bank nationalization succeeded in specific areas such as financial deepening because of the rapid spread of branches, but it eventually did more harm than good.

Financial Inclusion and Nationalization of Banks

Further, nationalised banks aided by banking sector reforms have greatly contributed to the robust growth of banking outreach. The strong network of Public Sector Banks (PSB) branches in the hinterland benefited millions of people at the bottom of the pyramid. The steady focus on financial inclusion adopting 3-year outreach policy since 2010 got accelerated with the Pradhan Mantri Jan Dhan Yojana (PMJDY). As a result, the World Bank Findex – 2017, a global measure of financial inclusion, reached 80 from 35 in 2011. PSBs opened 96.6 per cent of 360 million savings accounts under PMJDY mobilising close to Rs. 1 trillion deposits reinstating the spirit of nationalisation.

PSBs underwent major structural reforms to extend banking facilities in unbanked areas. The Lead Bank Scheme provided a blue print for planned branch expansion. Priority sector lending (PSL) prescribed mandatory lending in 1974 initially up to 33.3 per cent that was increased to 40 per cent in 1985. Regional Rural banks (RRBs), formed in 1975, collaborated with PSBs in speeding up rural development. The period 1969-1990 was thus characterised by rapid branch expansion that helped to draw the channels of monetary transmission far and wide across the country. Due to the active expansion of PSBs, the share of unorganised credit fell sharply and the economy seemed to come out of the low level of equilibrium trap. But PSBs, working under the dual regulation of the RBI and government, suffered from poor governance. In the

process, PSBs had to bear the brunt of holding 90 per cent of stock of bad loans hurting their profitability.

Challenges before Public Sector Banks

Fifty years later, government-owned banks are still instrumental in providing access to banking services. They account for 66 percent of outstanding credit and 65.7 percent of deposits. Their network continues to be used to push government schemes, which comes with its costs. Their performance continues to be compared with private peers who function purely on commercial terms. Yet, there are many factors which pose challenge to the PSBs.

Human Resources

Banks have little freedom in the entire human resource (HR) lifecycle right from recruitment numbers, methods and sources, talent acquisition/management, compensation structure, specialisation, promotion and even deployment. The government's ban on recruitment for a number of years created huge shortages and they were filled in bunches, leaving little or no time for knowledge transfer.

Unless HR shackles are removed, boards are fully empowered and they are comparable with well-run private sector banks, no amount of palliatives will help. Many bright officers of PSU banks have left in frustration and joined private sector banks (in fact, they helped private sector in the initial years) and even to date are doing extremely well.

Leadership Development

When in doubt, senior officers are packed off to Indian Institute of Managements (IIMs) for fast tracking leadership development, forgetting that leadership development takes place in the crucible of lifetime experiences and not in the classroom.

Capital Management

Governments have a habit of providing only compliance capital and not growth capital periodically and front ended. When PSU banks have strong balance sheets and enjoy reasonably good valuations, they are not allowed to tap capital from the markets, which would have reduced the burden on the government.

Privatisation Hesitancy

Many a time PSU banks are asked to rescue troubled private sector banks through costly absorption. This maybe because government finds good use of PSU banks, especially in areas that the private sector is reluctant to, implements government schemes. Jan Dhan is a classic example. One needs as much political will to privatise as to nationalise.

Bad Loans

Even as the government's control have come down significantly since the period of liberalisation, the problem of bad loans has put pressure on the banks. Both government and the banking regulator RBI has come out with a host of measures to tackle the problem of non-performing assets (NPAs). In budget 2019, Finance Minister Nirmala Sitharaman has announced proposal of infusion of Rs 70,000 crore into the public sector lenders to solve their problem of liquidity.

Thus, on the whole, the major problems with the public sector banks (PSBs) are governance, political interference and to an extent expertise which may not have kept pace in the area of credit evaluation and these can and need to be addressed.

How Nationalisation is Helping Governance?

Besides performing banking function, PSBs has also helped the government in performing governance function. The government has reached out to people

through banks. Assistance for constructing toilets under 'Swachh Bharat programme' was given through banks. Crop insurance schemes were implemented through banks. Direct transfer benefit scheme has been taken up by the government in full vigour. This meant people got subsidy benefits directly in their bank accounts.

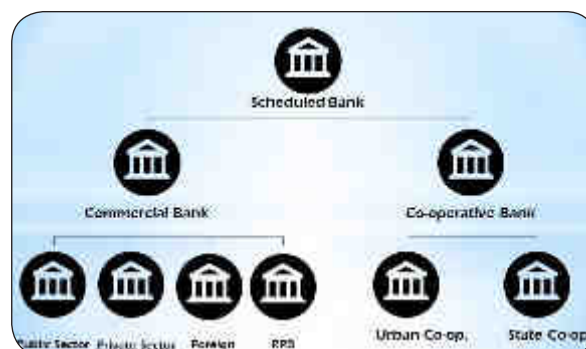
The government claims to have given Mudra loans to about 20 crore individuals. The collateral-free loan for entrepreneurship is provided through public sector banks. It is another matter if the same banks are now facing a problem of over Rs 17,000 crore of NPAs against Mudra loans.

Just on the eve Lok Sabha election, the Modi government announced PM Kisan scheme providing cash assistance to close to 15 crore farmers annually. Two instalments were given to the farmers before the Lok Sabha elections were held. Public sector banks disbursed the money. These schemes helped Modi reach out to the largest number of electorates thanks to public sector banks.

Thus, banks became the government's dispenser of goodies due to the decision Indira Gandhi took 50 years ago.

Way Forward

Fifty years after nationalisation, it is time to relook at whether we need so many public sector banks. Yes, bank nationalisation helped in meeting developmental objectives, deepen financial inclusion and so on. But it has come at the cost of bloated, inefficient public sector banks. Bowing to political pressures, they have often lent to the undeserving and are saddled with non-performing loans and huge losses. We, as a taxpayer, are making good their losses (as of Air India, BSNL and so on).



Although the government succeeded partially in meeting its goal of implementing its development agenda through the banking system, many in India still lack access to formal finance. Several state-run banks have trailed rivals in technology. They have to compete with new private banks that came up 25 years later with state-of-the-art technology. Although government control has reduced since liberalisation, the lenders are saddled with majority of bad loans and starved of capital.

The major problems with the public sector banks (PSBs) are governance, political interference and to an extent expertise which may not have kept pace in the area of credit evaluation and these can and need to be addressed. Several experts including former RBI governors M Narasimham (as early as the 1990s) and more recently Raghuram Rajan and Urjit Patel have called for governance reforms and asked that the government let go control of some banks, if not all. A couple of state-owned banks to meet social objectives while the rest slowly getting out of government control could be the way forward. But that is not easy. The political class has got used to banks being at their beck and call. Will it let go of that power easily?

General Studies Paper- III

Topic: Indian Economy and issues relating to planning, mobilization of resources, growth, development and employment.



SEVEN SUBJECTIVE QUESTIONS WITH MODEL ANSWERS

Scrapping of Article 370 : Is a Solution of Kashmir Issue?

Q 1. What is Article 370 and Article 35A? Critically discuss the implications of scrapping Article 370 in J&K.

Hints:

- ◆ Article 370 was included in the Indian Constitution as a temporary provision for J&K. Articles 370(1)(c) and 370(1)(d) (which are relevant) deal with the applicability of the Indian Constitution to J&K. Article 370(1)(c) states that Article 1 and Article 370 of the Constitution shall apply to J&K. Article 370(1)(d) states that other provisions of the Constitution can be made applicable to J&K with such "modifications as the President may by order specify".
- ◆ Article 35A stems from Article 370, having been introduced through a Presidential Order in 1954. Article 35A is unique in the sense that it does not appear in the main body of the Constitution — Article 35 is immediately followed by Article 36 — but comes up in Appendix I. Article 35A empowers the J&K legislature to define the state's permanent residents and their special rights and privileges.
- ◆ As the new union territory of Jammu and Kashmir will be subject to the Indian Constitution, its citizens will now have the Fundamental Rights enshrined in that document—until now, this was not the case. Article 360, which can be used to declare a Financial Emergency, will now also be applicable.
- ◆ All laws passed by Parliament will be applicable in Jammu and Kashmir, including the Right to Information Act and the Right to Education Act.
- ◆ The Indian Penal Code will replace the Ranbir Penal Code of Jammu and Kashmir.
- ◆ Article 35 (A), which originates from the provisions of Article 370 stands null and void. Any Indian citizen from any part of the country can now buy property in

Jammu and Kashmir, take a state government job and enjoy scholarships and other government benefits. Children of a woman marrying outside Jammu and Kashmir will not lose property rights.

Law against Triple Talaq : Securing Justice to Muslim Women

Q 2. "Triple Talaq Bill passage is a transformative point in India's socio-political context." Do you agree? Discuss.

Hints:

- ◆ Triple Talaq is a form of marriage dissolution in Muslim Law, whereby a husband can give the divorce to his wife by stating Talaq three times in one row.
- ◆ The "triple talaq," or instant divorce, practice has been denounced by rights groups and feminists — Muslims and non-Muslim feminists alike — as a violation of human rights. There have been complaints about Muslim men divorcing their wives over text messages, Skype, emails and phone calls.
- ◆ Instant triple talaq is viewed as sinful and improper by a large section of the community itself. Therefore, there can be no dispute about the need to protect Muslim women against the practice. But it is also well established that criminalising something does not have any deterrent effect on its practice.
- ◆ In the light of the Supreme Court ruling on its validity, there is really no need to declare instant triple talaq a criminal offence. The practice has no approval in Islamic tenets, and is indeed considered abhorrent.
- ◆ Such a move should not be seen as being against any religion. This is about protecting the human rights of women, granting them a respectable and equal status within the institution of matrimony. Enactment of law is a positive and laudable step, but awareness and social acceptance are crucial for its successful implementation.

National Medical Commission Bill, 2019 : An Introduction

Q 3. Recently, the Rajya Sabha has passed the National Medical Commission (NMC) Bill, 2019 to provide effective medical education system in India. In this context, discuss the reasons behind protest of this Bill.

Hints:

- ◆ The Bill sets up the National Medical Commission (NMC). Within three years of the passage of the Bill, state governments will establish State Medical Councils at the state level. The NMC will consist of 25 members, appointed by the Central government.
- ◆ Under the Bill, the Central government will constitute a Medical Advisory Council. The Council will be the primary platform through which the states and union territories can put forth their views and concerns before the NMC.
- ◆ Under the Bill, the NMC may grant a limited license to certain mid-level practitioners connected with the modern medical profession to practice medicine.
- ◆ The Indian Medical Association (IMA) has raised concern over the provision of the Bill that provides for licensing of 3.5 lakhs non-medical persons or Community Health Providers to practice modern medicine.
- ◆ Another criticism is related to the member proposed for the NMC. As per the Bill, of 25 members proposed for the NMC, only five would be elected which means the non-elected members would be either government officials or those nominated by the government.

The Motor Vehicles (Amendment) Bill : An Understanding

Q 4. The provisions of the Motor Vehicles (Amendment) Bill, 2019 address the concern of road safety at three different levels - road users, motor vehicles and road infrastructure. Critically discuss.

Hints:

- ◆ The provisions of the Bill address the concern of road safety at three different levels - road users, motor vehicles and road infrastructure.
- ◆ One of the key provisions of the Bill is the enhanced penalties. This is because currently the penalties for many traffic offences are so low that violators find it easier to pay their way through than to observe traffic

rules. The enhanced penalties are expected to act as a deterrent to rule violations and hence improve road safety.

- ◆ The Bill allows the central government to ask the manufacturer to recall motor vehicles if they could potentially damage the health and safety of road users. It empowers the central government to levy penalties on vehicle manufacturers, including requiring improvements, if they fail to meet motor vehicle standards. It provides mechanisms for recognizing taxi aggregators like Uber, Ola, etc.
- ◆ The penalty for non-compliance with the safety standards will be a fine of up to one lakh rupees. It may be noted that in 2017-18, the NHAI awarded 24 highway construction projects of worth Rs 20,000 crore covering the length of 1,280 km (Rs 15.6 crore per km on average). The question is whether a fine of one lakh rupees would be a sufficient deterrent for contractors when the cost of such projects is above Rs 15 crore per km on average.
- ◆ A sharp increase in fines has little chance of improving safety. Studies show that sustained, zero tolerance enforcement of even small fines reduces violations, while stringent penalties are either not enforced or lead to more bribery.

World Breastfeeding Week 2019 : Empower Parents, Enable Breastfeeding

Q 5. Discuss the importance and challenges related to breastfeeding in India.

Hints:

- ◆ Breastfeeding contributes to emotional and psychological development of infants. Breastfeeding is key to healthy life and one of the most critical interventions which can help bring down infant mortality.
- ◆ Breastfeeding has many health benefits for the mother too. It reduces anemia. Obesity is less common among nursing mothers as it helps the mother to regain her normal figure. It is protective against breast and ovarian cancers. It also helps in spacing pregnancies as breastfeeding is the effective contraceptive.
- ◆ India was traditionally seen to be more breastfeeding friendly than Western countries such as the US and Europe with a higher dependence on formula food in the latter nations. Still staggering amount of children are not breastfed for the first six months in India.

The key challenges are classified into medical issues, behavioral transitions, workplace challenges, nursing while traveling or in public, and support at home.

- ◆ Further, each child deserves the best possible start in life, thus there is a need to educate not only pregnant women and mothers of infants but also each member of her family about the benefits of breastfeeding. This is not only responsibility of the state but also duty of the society to facilitate breastfeeding.

India-Africa : Changing Gears in Relationship

Q 6. A resurging Africa and a rising India can give a strong impetus to South-South Cooperation, especially when it comes to addressing challenges in areas like clean technology, climate-resilient agriculture, maritime security, connectivity, and Blue economy. Discuss it in the context of India's policy towards Africa continent.

Hints:

- ◆ India is strengthening its presence in Africa by stepping up its engagement with hitherto overlooked countries in the Western part of the continent. Africa is a continent on the move, characterised by rapid economic growth, rising educational and health standards, increasing gender parity, and expanding infrastructure and connectivity.
- ◆ Prime Minister Modi, in July 2018 outlined his Africa vision through his ten guiding principles which include: Africa is among top priorities for India and momentum of cooperation will be sustained through regular exchanges; development partnership as per African priorities; preferential access to Indian markets for African products; assist in harnessing digital revolution in Africa; improve Africa's agriculture potential; fight climate change together; work together to keep oceans and maritime lanes free for all; Africa instead of becoming a theatre of competition should become nursery for its youth; and aspire and work together for a just , representative, democratic global order.
- ◆ India and Africa are entering a fourth phase in their relationship but one that has potential to much more comprehensive and long-lasting than their previous attempts at engagement. This is because both India and Africa are different today, economically more mature and more strategically minded than in the past.
- ◆ Yet, this will not happen on its own. Many bridges have been built between the two sides, but the volume and quality of movement between them will be determined by policy decisions being made in the present and in the near future.

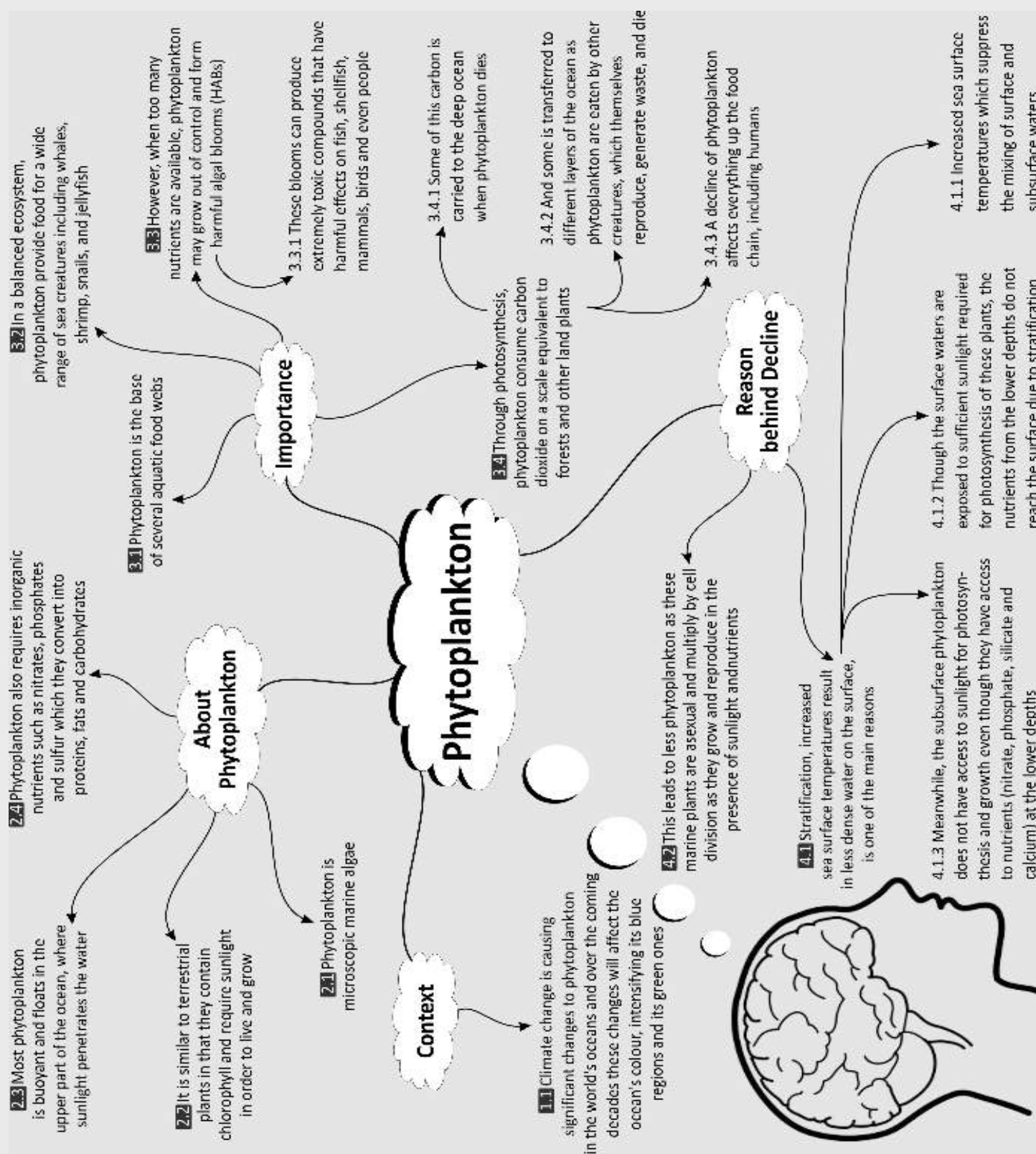
50 Years of Banks' Nationalisation : An Analysis

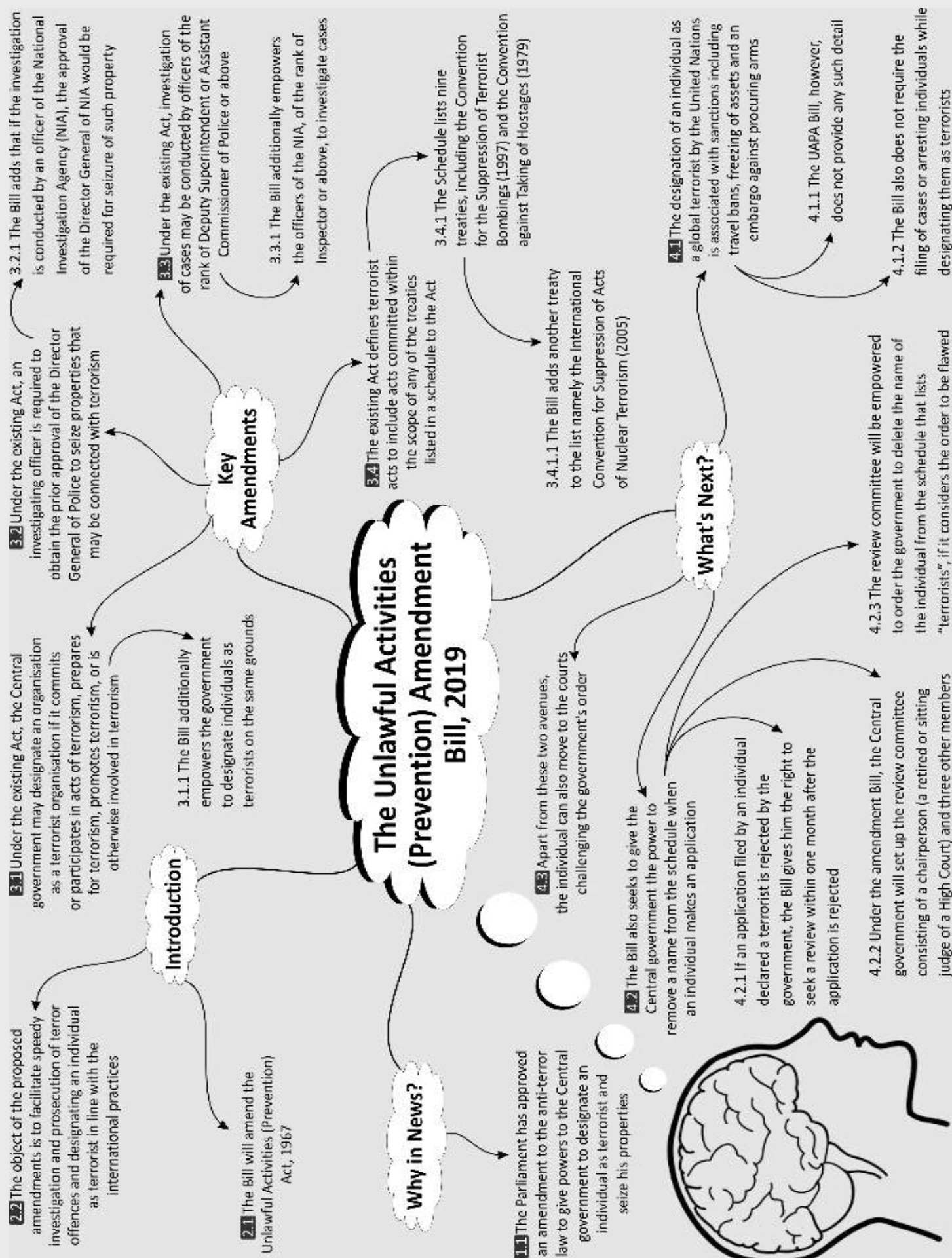
Q 7. Fifty years after nationalisation, it is time to relook at whether we need so many public sector banks. Critically discuss it in the context of fifty years of nationalisation of India Banks.

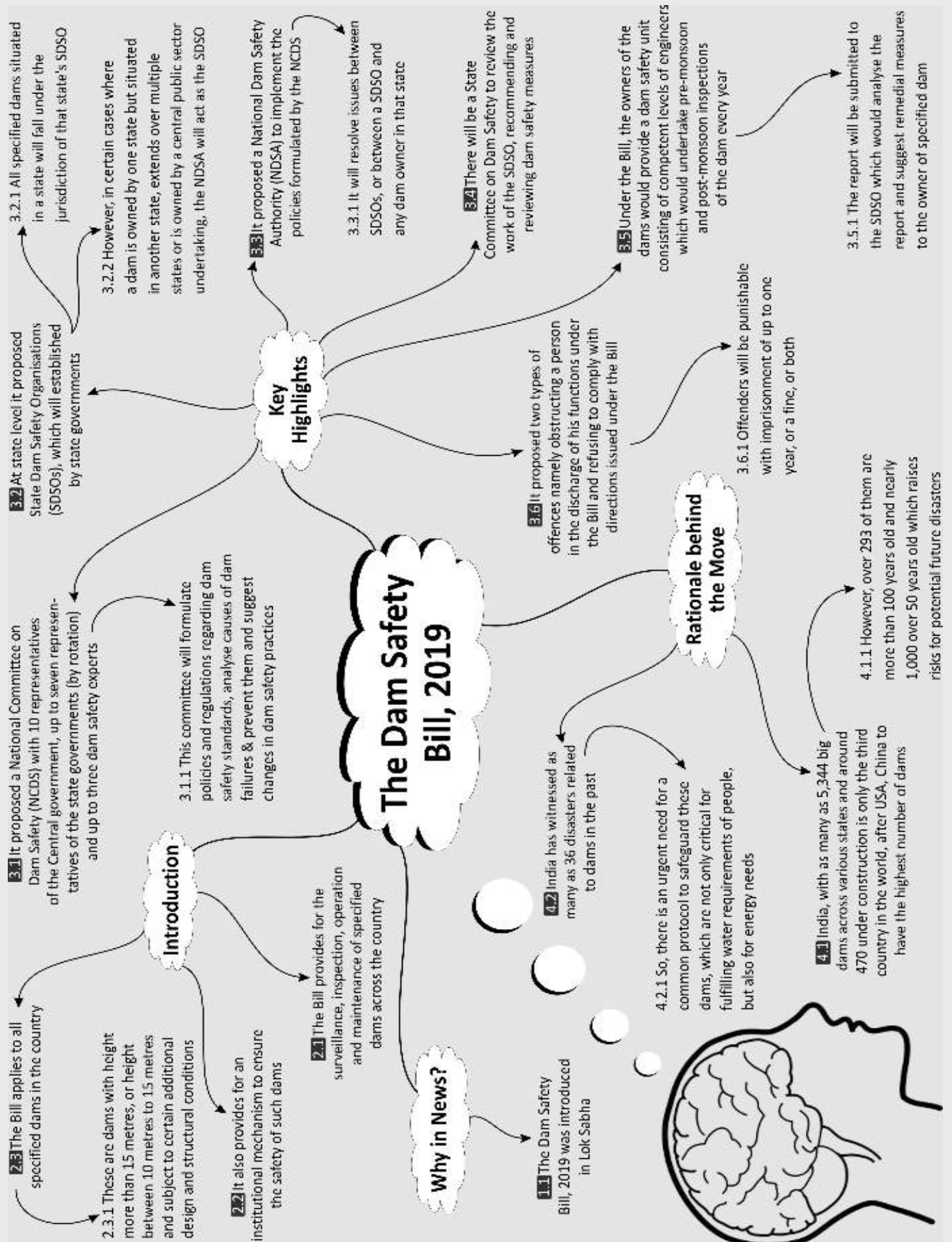
Hints:

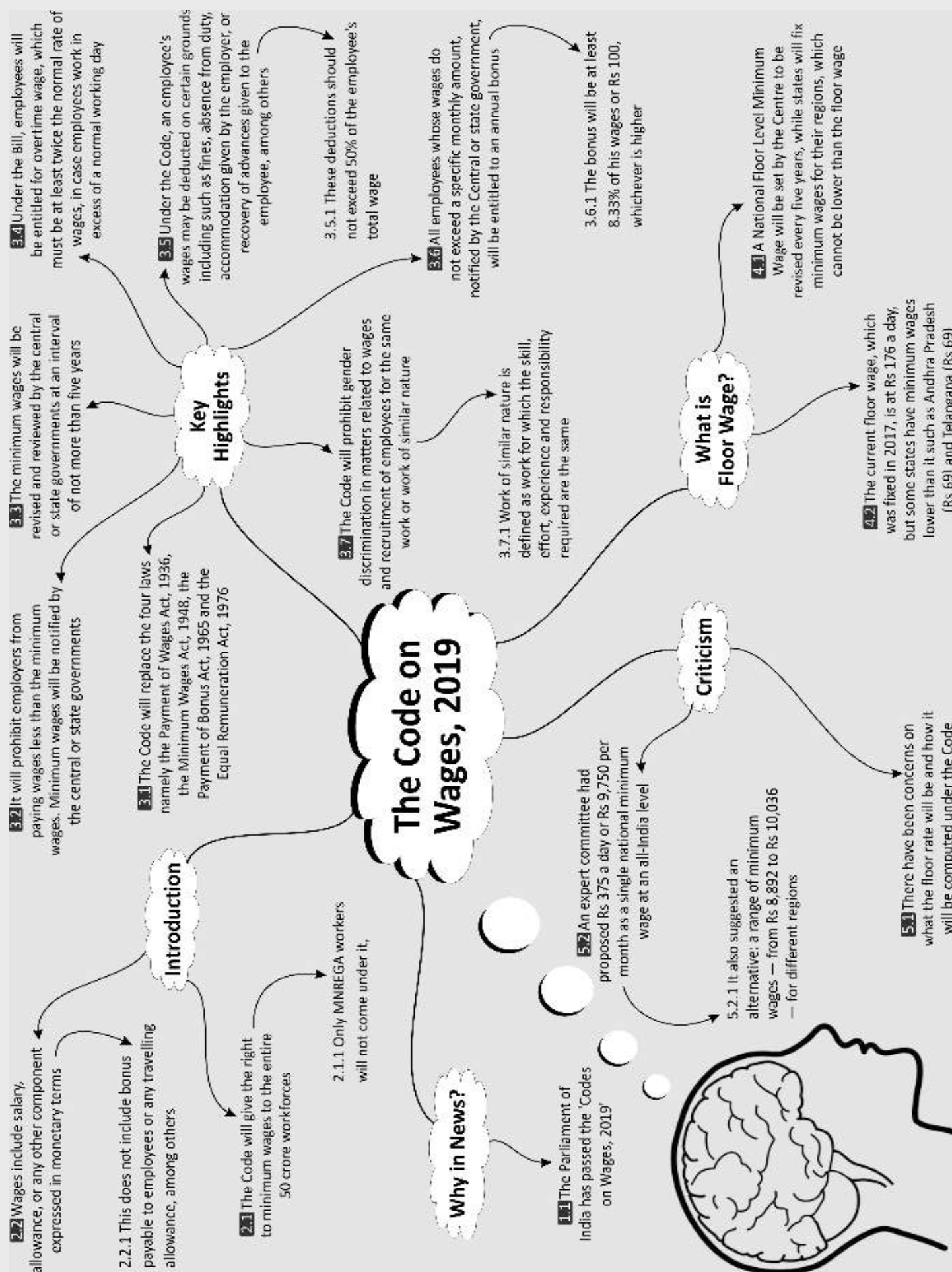
- ◆ The reason for nationalising banks was to sync the banking sector with the goals of socialism adopted by the Indian government.
- ◆ The impact of bank nationalization can be thought about in terms of three core areas: deposits, lending and interest rates. The one positive impact of bank nationalization was that financial savings rose as lenders opened new branches in areas that were unbanked. Gross domestic savings almost doubled as a percentage of national income in the 1970s. A growing part of this was sucked up by the government itself through increases in the statutory liquidity ratio.
- ◆ Further, nationalised banks aided by banking sector reforms have greatly contributed to the robust growth of banking outreach. The strong network of Public Sector Banks (PSB) branches in the hinterland benefited millions of people at the bottom of the pyramid.
- ◆ The major problems with the public sector banks (PSBs) are governance, political interference and to an extent expertise which may not have kept pace in the area of credit evaluation and these can and need to be addressed. Several experts including former RBI governors M Narasimham (as early as the 1990s) and more recently Raghuram Rajan and Urjit Patel have called for governance reforms and asked that the government let go control of some banks, if not all.
- ◆ A couple of state-owned banks to meet social objectives while the rest slowly getting out of government control could be the way forward. But that is not easy. The political class has got used to banks being at their beck and call. Will it let go of that power easily?

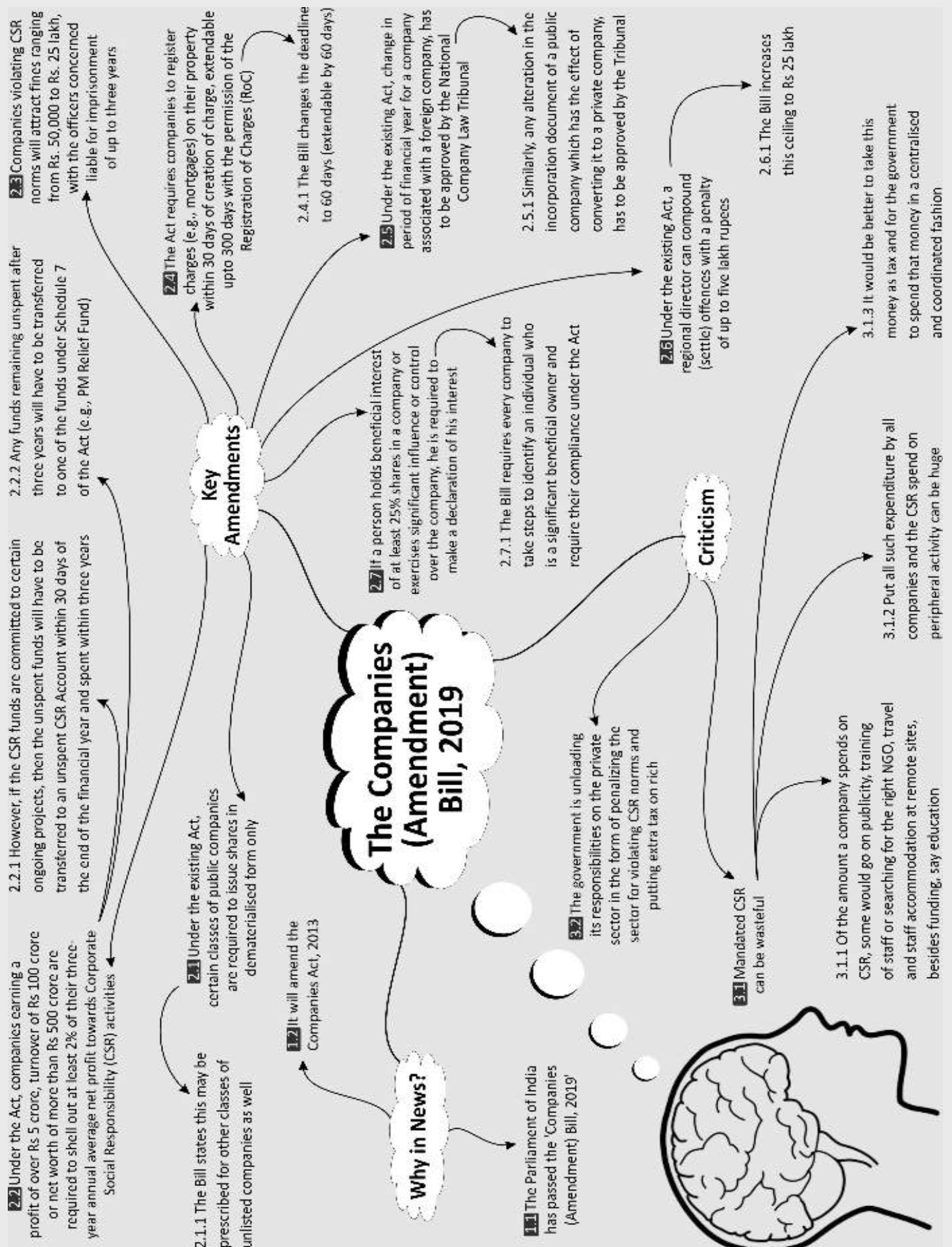
SEVEN BRAIN BOOSTERS

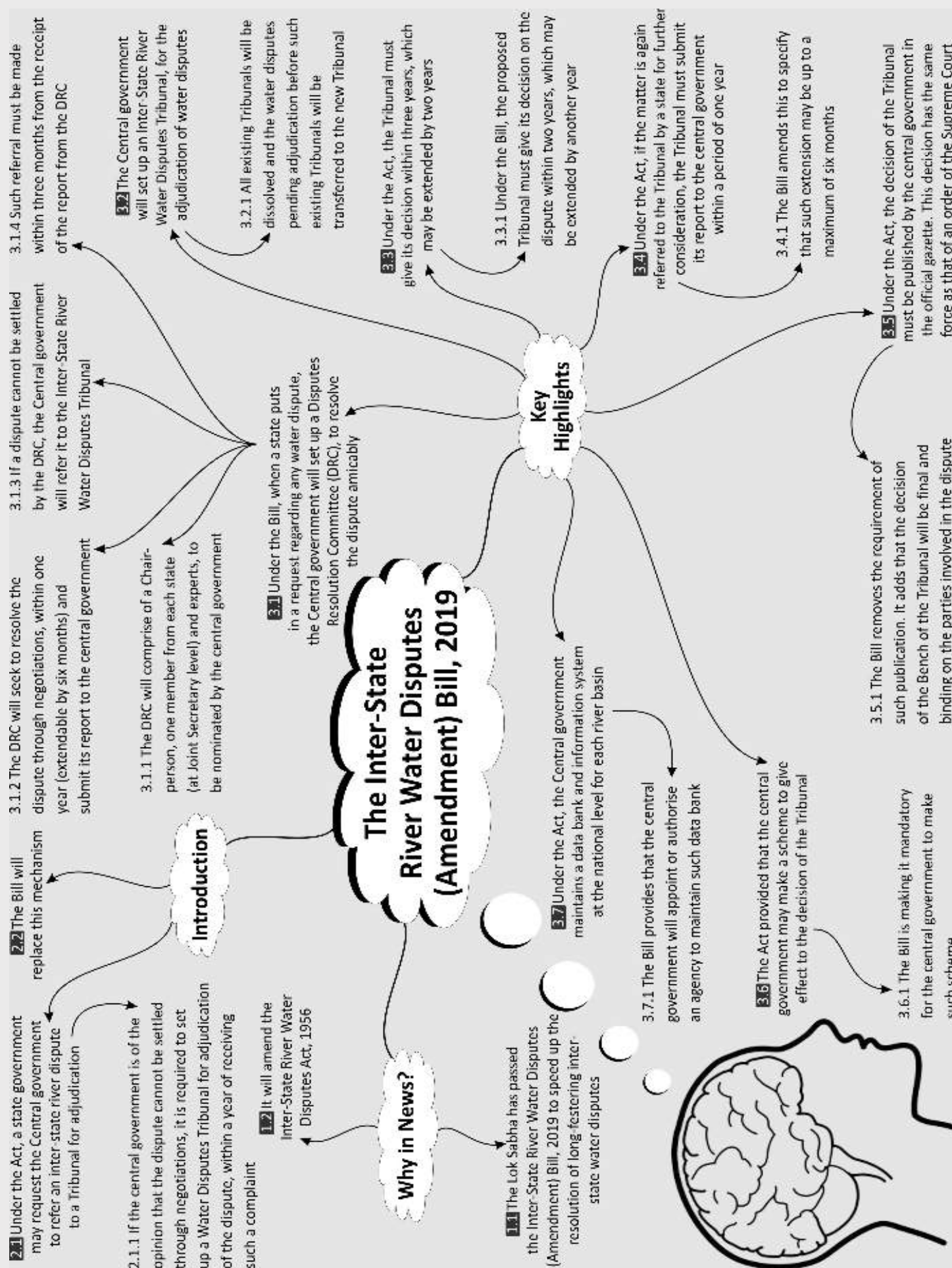


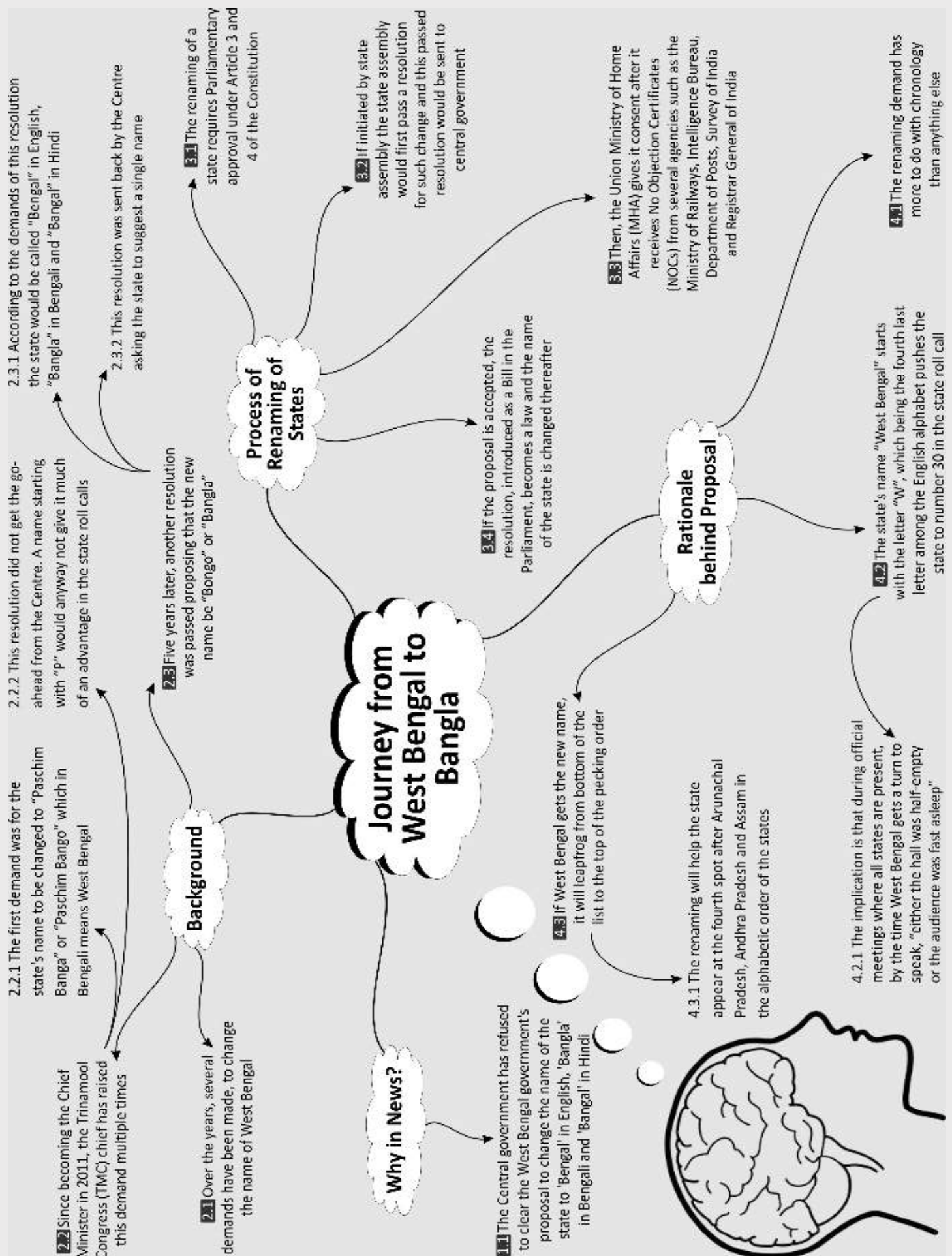












SEVEN MCQ's WITH EXPLANATORY ANSWERS

(Based on Brain Boosters)

Phytoplankton

Q1. Consider the following statements in respect of 'Phytoplankton':

1. It is similar to terrestrial plants in that they contain chlorophyll and require sunlight in order to live and grow.
2. Through photosynthesis, phytoplankton consumes carbon dioxide on a scale equivalent to forests and other land plants.

Which of the statements given above is/are correct?

- a) 1 only b) 2 only
c) Both 1 and 2 d) Neither 1 nor 2

Answer: (c)

Explanation: Both statements are correct. Phytoplankton is microscopic marine algae. It is similar to terrestrial plants in that they contain chlorophyll and require sunlight in order to live and grow.

Through photosynthesis, phytoplankton consumes carbon dioxide on a scale equivalent to forests and other land plants. Some of this carbon is carried to the deep ocean when phytoplankton dies and some is transferred to different layers of the ocean as phytoplankton are eaten by other creatures, which themselves reproduce, generate waste and die.

The Unlawful Activities (Prevention) Amendment Bill, 2019

Q2. With reference to the 'Unlawful Activities (Prevention) Amendment Bill, 2019', consider the following statements:

1. It empowers the government to designate individuals as terrorists, if it involved in terrorism.
2. The individual, who designate individuals as terrorists, cannot move the courts challenging the government's order.

Which of the statements given above is/are correct?

- a) 1 only b) 2 only
c) Both 1 and 2 d) Neither 1 nor 2

Answer: (a)

Explanation: Statement 1 is correct. The Bill empowers the government to designate individuals, if it commits or participates in acts of terrorism, prepares for terrorism, promotes terrorism, or is otherwise involved in terrorism.

Statement 2 is not correct. The Bill seeks to give the Central government the power to remove a name from the schedule when an individual makes an application. Apart from this, the individual can also move the courts challenging the government's order.

The Dam Safety Bill, 2019

Q3. Consider the following statements in respect of 'the Dam Safety Bill, 2019':

1. It proposed a National Committee on Dam Safety (NCDS) to formulate policies and regulations regarding dam safety standards.
2. NCDS will comprise the representatives of the Central government and state governments (by rotation) and up to three dam safety experts.

Which of the statements given above is/are correct?

- a) 1 only b) 2 only
c) Both 1 and 2 d) Neither 1 nor 2

Answer: (c)

Explanation: Both statements are correct. It proposed a National Committee on Dam Safety (NCDS) with 10 representatives of the Central government, up to seven representatives of the state governments (by rotation) and up to three dam safety experts. This committee will formulate policies and regulations regarding dam safety standards, analysing causes of dam failures & prevent them and suggesting changes in dam safety practices

The Code on Wages, 2019

Q4. Consider the following statements in respect of 'the Code on Wages, 2019':

1. The Code will give the right to minimum wages to the entire 50 crore workforces including MNREGA workers.

2. The minimum wages will be revised and reviewed by the central or state governments at an interval of not more than three years.

Which of the statements given above is/are correct?

- a) 1 only b) 2 only
- c) Both 1 and 2 d) Neither 1 nor 2

Answer: (d)

Explanation: Both statements are incorrect. The Code will give the right to minimum wages to the entire 50 crore workforces. Only MNREGA workers will not come under it.

The minimum wages will be revised and reviewed by the central or state governments at an interval of not more than five years.

The Companies (Amendment) Bill, 2019

Q5. With reference to 'the Companies (Amendment) Bill, 2019', consider the following statements:

1. It tightened the Corporate Social Responsibility (CSR) norms and ensured stricter action for non-compliance of the company law regulations.
2. If any CSR funds remaining unspent after three years, it will have to be transferred to one of the funds under Schedule 7 of the Act (e.g., PM Relief Fund).

Which of the statements given above is/are correct?

- a) 1 only b) 2 only
- c) Both 1 and 2 d) Neither 1 nor 2

Answer: (c)

Explanation: Both statements are correct. Companies violating CSR norms will attract fines ranging from Rs. 50,000 to Rs. 25 lakh, with the officers concerned liable for imprisonment of up to three years.

Under the Act, companies earning a profit of over Rs 5 crore, turnover of Rs 100 crore or net worth of more than Rs 500 crore are required to shell out at least 2% of their three-year annual average net profit towards CSR activities and any funds remaining unspent after three years will have to be transferred to one of the funds under Schedule 7 of the Act (e.g., PM Relief Fund).

The Inter-State River Water Disputes (Amendment) Bill, 2019

Q6. Consider the following statements in respect of 'the Inter-State River Water Disputes (Amendment) Bill, 2019':

1. The Central government will set up an Inter-State River Water Disputes Tribunal, for the adjudication of water disputes.
2. The proposed Tribunal must give its decision on the dispute within two years, which may be extended by another year.
3. The decision of the Bench of the Tribunal will be final and binding on the parties involved in the dispute.

Which of the statements given above is/are correct?

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

Answer: (c)

Explanation: All statements are correct. The Central government will set up an Inter-State River Water Disputes Tribunal, for the adjudication of water disputes. All existing Tribunals will be dissolved and the water disputes pending adjudication before such existing Tribunals will be transferred to the new Tribunal.

The proposed Tribunal must give its decision on the dispute within two years, which may be extended by another year and the decision of the Bench of the Tribunal will be final and binding on the parties involved in the dispute.

Journey from West Bengal to Bangla

Q7. Consider the following statements:

1. The renaming of a state requires Parliamentary approval under Article 3 and 4 of the Constitution.
2. Recently, the Central government has cleared the West Bengal government's proposal to change the name of the state to 'Bengal' in English, 'Bangla' in Bengali and 'Bangal' in Hindi.

Which of the statements given above is/are correct?

- a) 1 only b) 2 only
- c) Both 1 and 2 d) Neither 1 nor 2

Answer: (a)

Explanation: Statement 1 is correct. The renaming of a state requires Parliamentary approval under Article 3 and 4 of the Constitution.

Statement 2 is not correct. Recently, the Central government has refused to clear the West Bengal government's proposal to change the name of the state to 'Bengal' in English, 'Bangla' in Bengali and 'Bangal' in Hindi.

SEVEN IMPORTANT FACTS FOR PRELIMS

1. Which country has labeled China as a 'Currency Manipulator'?

–United States of America

2. Which joint venture company has been set up by government of India to ensure supply of critical minerals?

–Khanij Bidesh India Ltd. (KABIL)

3. Which state government has launched an awareness campaign on environment, titled "Save Green Stay Clean"?

–West Bengal

4. Which department/ Ministry has conducted India's first national Time Release Study (TRS) to measure the efficiency and effectiveness of international trade flows?

–The Department of Revenue, Ministry of Finance

5. Which natural resource from India has been inducted in Global Heritage Stone Resource (GHSR) list?

–Marble from Makrana (Asia's first)

6. Which state has the highest number of tigers as per 4th cycle of All India Tiger Estimation – 2018?

–Madhya Pradesh (526)

7. Which state has recently passed anti-mob lynching bill providing for life imprisonment to convicts?

–Rajasthan

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SEVEN PRACTICE QUESTIONS FOR MAINS EXAM

- Q1. "Ending commercial surrogacy will not be possible without regulating assisted reproductive techniques (ART) clinics." Critically discuss it in the context of surrogacy in India.
- Q2. Discuss how helping farmers in producing solar energy could be one of the crucial factors to realise the government's target of doubling farmers' incomes.
- Q3. "Modi, Trump and Bolsonaro are great election winners, but their stance on civil liberties is seen as questionable." Do you agree? Critically discuss.
- Q4. "Masculinity of gods reinforces gender inequality. Goddesses could subvert it." Discuss.
- Q5. What do you understand by 'cryptocurrency'? Should cryptocurrency completely banned in India. Give your view point.
- Q6. Discuss why the mob lynching has become a recurring phenomenon in India. Also suggest ways to address it.
- Q7. What do you understand by 'corporate social responsibility'? Discuss the effectiveness of the CSR in Indian context.



SEVEN IMPORTANT NEWS

1. India slipped to 7th Position in Global GDP Ranking

India has slipped one rank in the World Bank's Gross Domestic Product (GDP) rankings in 2018 and is now the seventh-largest economy with the United Kingdom and France ahead of India.

It means that India's economy (\$2.72 trillion) grew a mere 3.01 per cent in dollar terms in 2018 against 15.72 per cent in 2017. On the other hand, the UK's economy (\$2.82 trillion) grew 6.81 per cent against a contraction of 0.75 per cent in this period. The French economy (\$2.77 trillion) expanded by 7.33 per cent against 4.85 per cent.

Key Highlights

The data comes at a time when India has set the target of becoming a \$5 trillion economy in GDP terms by 2024, and a \$3 trillion economy in the current financial year.

Experts have cited the movement of the Indian rupee against the dollar and a slowdown in GDP growth were the key reason for India slipping behind the two European countries. Earlier this year, India lost the fastest growing economy tag, falling behind China.

Background

In 2017, India had overtaken France as the sixth largest economy. According to news reports, India had also overtaken the United Kingdom for a short while. In 2017, India's GDP was \$2.65 trillion, the UK's was \$2.64 trillion and France was at \$2.59 trillion.

The world's top four economies in the World Bank list in 2018 were the United States, with a GDP of \$20.5 trillion, followed by China (\$13.6 trillion), Japan (\$4.9 trillion) and Germany (\$3.9 trillion). ■

2. The Supreme Court (Number of Judges) Amendment Bill, 2019

The Lok Sabha has passed a Bill to increase the number of judges in the country's apex court from the present 30 to 33. The move also comes against the backdrop of rising cases in the top court which stand at nearly 60,000.

Key Highlights

The Union Cabinet's decision to raise the strength of the Supreme Court from 31 to 34, including the Chief Justice of

India, will help in dealing with the large pendency — 59,331 cases on July 11.

The law that fixes the number of judges in the highest court was last amended in 2009 to raise the figure from 26 to 31.

Why?

The Indian judicial system has over 3.53 crore pending cases. The District and Subordinate courts (D&S courts),

High Courts and Supreme Court account for 87.54%, 12.30% and 0.16% of pending cases respectively. So there is a dire need for the additional judges and efficiency gains across the various levels of courts to achieve 100 per cent clearance rate as well as to eliminate the tuck of pendency in the next five years. ■

3. Ravish Kumar has won 2019 Ramon Magsaysay Award

NDTV journalist Ravish Kumar has been honoured with the 2019 Ramon Magsaysay Award for "harnessing journalism to give voice to the voiceless" and his "unflinching

commitment to a professional, ethical journalism of the highest standards". The award is highest honour given to Asian individuals and organisations and often referred to as the Asian version

of the Nobel Prize. Besides Ravish Kumar, Myanmar-based journalist Ko Swe Win, Angkhana Neelapajit from Thailand, Raymundo Pujante Cayabyab from Philippines and Kim Jong Ki from

South Korea were also honoured with the prestigious prize.

The citation describes Ravish Kumar as a sober, incisive and well-informed anchor who has been most vocal on insisting that the professional values of balanced, fact-based reporting be upheld in practice. "If you have become the voice of the people, you are a journalist". Referring to Ravish Kumar's news programme

"Prime Time", the foundation said it deals with real-life, under-reported problems of ordinary people.

About Award

Established in 1957, the Ramon Magsaysay Award is Asia's highest honour. It celebrates the memory and leadership example of the third Philippine President after whom the award is named, and is given every

year to individuals or organisations in Asia who manifest the same selfless service and transformative influence that ruled the life of the late and beloved Filipino leader.

The Magsaysay Award winners will each receive a certificate, a medallion bearing the image of the late Filipino leader Ramon Magsaysay, and a cash prize. ■

4. India's First Large-scale Trial for two New TB vaccines

The Indian Council of Medical Research (ICMR) has launched India's first large-scale trial for two new TB vaccines. This is the first time a large preventive TB vaccine trial involving more than 12,000 healthy household contacts of newly diagnosed TB patients from across six states of India are set to be enrolled. For these trials, the six states including Delhi, Maharashtra, Odisha, Telangana and Karnataka, with two thousand participants from each state are to be enrolled over the next seven to eight months. Further, seven main centres will have six sub-sites, where these trials will be conducted.

Key Highlights

ICMR is undertaking this trial after the Bacillus Calmette-Guérin (BCG)

vaccine trial, which also treats TB, was conducted decades ago. India aims to eliminate TB by 2025. While a whole range of drugs and diagnostics are being worked upon to achieve this aim, these vaccine shall play a pivotal role in that direction.

The World Health Organisation (WHO) End TB Strategy aims at a 95 per cent reduction in TB mortality and a 90 per cent reduction in TB incidence worldwide by 2035.

The ultimate goal is to develop a vaccine that can prevent active TB and be a part of large campaigns aimed at eliminating the disease. This clinical study in India could help achieve this goal and significantly advance the global fight against TB.



Concern

According to the Global TB Report 2017 issued by the WHO, India has the highest number of TB cases in the world. In 2016, there were an estimated 10.4 million new TB cases worldwide. India was also one of the major contributors to under-reporting and under-diagnosis of TB cases globally. In India, an estimated 2.79 million patients were suffering from the disease in 2016, while 423,000 patients were estimated to have died during the year. ■

5. Japan approved Growing Human Organs in Animals for First Time

Japan has become the first country to allow the birthing of human-animal embryos to create human organs after receiving government permission. Experts at the Science Ministry approved a proposal by University of Tokyo researcher Hiromitsu Nakauchi to grow human stem cells in mouse, rat and pig embryos and then transplant those cells into another animal. He hopes to eventually create animals

with complete human organs that could be transferred into a human body.

Key Highlights

Japan had previously required researchers to terminate animal embryos implanted with human cells after 14 days and prevented the embryos from being placed into animal wombs to develop.



In March, Japan lifted a ban on developing human-animal embryos

beyond 14 days or bringing them to term. The ban also forbade scientists from transplanting organs developed in animal embryos to other animals. Human cells have been grown in animal embryos in other countries. However, none of those embryos were brought to term.

The research involves generating animal embryos — mice, rats or pigs

— that lack a particular organ such as a pancreas.

The modified embryos are then implanted with human iPS cells that can grow into the missing pancreas. The embryos would be transplanted into wombs where they could theoretically be carried to term with a functioning human pancreas.

Concern

Bioethicists said the research could have unintended consequences if some of the human cells were transferred to the animal's brain. Researchers however, said that the interventions are designed to only affect the organ that they plan to grow.

6. Earth Overshoot Day 2019

Earth Overshoot Day, the day that humanity uses up its allowance of natural resources such as water, soil and clean air for the entire year, fell on 29 July. This means that humanity is currently using nature 1.75 times faster than the Earth's ecosystems can regenerate. Earth Overshoot Day marks the date when humanity's annual demand on nature exceeds what Earth's ecosystems can regenerate in that year. Over the past 20 years, it has moved up two months to July 29, the earliest ever. This means that humanity is currently using nature 1.75 times faster than our planet's ecosystems can regenerate, equivalent to 1.75

Earths. Humanity first saw ecological deficit in the early 1970s. Overshoot is possible because we are depleting our natural capital, compromising the planet's future regenerative capacity.

The concept of Earth Overshoot Day was first conceived by Andrew Simms of the UK think tank New Economics Foundation, which partnered with Global Footprint Network in 2006 to launch the first global Earth Overshoot Day campaign. Each year, the Global Footprint Network calculates Earth Overshoot Day using Ecological Footprint accounting, which adds up society's demand on nature, including for food, timber,

fibers, fossil fuels, buildings, roads and other infrastructure. Currently, carbon emissions from burning fossil fuel comprise 60% of humanity's Ecological Footprint. It is computed by Global Footprint Network by dividing the planet's biocapacity (the amount of ecological resources Earth is able to generate that year), by humanity's Ecological Footprint (humanity's demand for that year), and multiplying by 365, the number of days in a year: $\text{Earth Overshoot Day} = (\text{Planet's Biocapacity} / \text{Humanity's Ecological Footprint}) \times 365$.

7. Quick Reaction Surface-to-Air Missile (QRSAM)

India has test-fired a sophisticated all-weather and all-terrain Quick Reaction Surface-to-Air Missile (QRSAM) from a test range in Odisha. The state-of-the-art missile has been developed by the Defence Research and Development Organisation (DRDO) for the Indian army. The missile successfully engaged its target during the flight test and met all the desired parameters.

As the missile is considered a better system in terms of performance and lethality, India is more keen on developing high manoeuvrable and

multi-role missiles, which will have 100 per cent kill probability in the short and medium ranges.

About QRSAM

QRSAM is India's first missile which has been developed in a short span of time as per the requirement of the army. While the project was sanctioned in July 2014 with a budget of Rs 476.43 crore, the missile was delivered within three years.

QRSAM is being developed for Indian Army with search and track

on move capability in a very short reaction time. The entire mission was captured by various electro-optical tracking systems, radars and telemetry systems.

The missile can attain high frequency with maneuverability which will provide considerable advantage to the armed forces. It can destroy multiple targets 30 km away in less than one minute. Considered to be a unique system in its class, the missile is expected to supplement medium range surface-to-air missile Akash.

SEVEN IMPORTANT HIGHLIGHTS FROM PIB

1. ISRO Technical Liaison Unit at Moscow

The Union Cabinet has approved the setting up of Indian Space Research Organisation (ISRO) Technical Liaison Unit (ITLU) at Moscow, Russia.

Key Highlights

The ISRO Technical Liaison Unit (ITLU) at Moscow will enable effective technical coordination for timely interventions on diversified matters with Russia and neighbouring countries for realization of the programmatic targets of ISRO.

The Liaison Officer, deputed at ITLU from ISRO provides technical information about the developments in research and technology and inputs arising from their meetings with researchers, government agencies and industries in the respective countries. They also support the ongoing bilateral programmes of cooperation in space technology and act on behalf of ISRO on the matters referred.

Key Benefits

ISRO will be able to collaborate with Space agencies/ industries in Russia and neighbouring countries for mutually synergetic outcomes.

ISRO's Gaganyaan programme requires development of some of the key technologies and establishment of specialized facilities, which are essential to support life in space.

Keeping in view the 15th August, 2022 timeline for realization of the Gaganyaan human space programme, it is prudent to avail technical cooperation from International space agencies, who have already demonstrated their technical capabilities in specific areas. Russia, being one of the space faring nations, it is envisaged to collaborate with Russia extensively in various fields of relevance.

2. UN Convention on International Settlement Agreements

The Union Cabinet has approved the signing of the United Nations Convention on International Settlement Agreements (UNISA) resulting from mediation by India. Signing of the Convention will boost the confidence of the investors and shall provide a positive signal to foreign investors about India's commitment to adhere to international practice on Alternative Dispute Resolution (ADR).

Initiatives to Promote ADR Mechanisms

In order to encourage international commercial arbitration in India, to evolve a comprehensive ecosystem of arbitration the government of India is establishing the New Delhi International Arbitration Centre (NDIAC) as a statutory body.

The Commercial Courts Act, 2015, has been further amended and legislative exercise to further amend the Arbitration and Conciliation Act, 1996, is currently underway.

Background

The UN General Assembly adopted the UN Convention on International Settlement Agreements Resulting from

Mediation ("the Convention") on 20th December 2018. The General Assembly authorized that the Convention opened for signature at a signing ceremony was held on 7th August 2019 in Singapore and will be known as the "Singapore Convention on Mediation" (the Convention).

The Convention provides a uniform and efficient framework for the enforcement of international settlement agreements resulting from mediation and for allowing parties to invoke such agreements, akin to the framework that the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) (the "New York Convention") provides for arbitral awards.

The Convention defines two additional grounds upon which a court may, on its own motion, refuse to grant relief. Those grounds relate to the fact that a dispute would not be capable of settlement by mediation or would be contrary to public policy.

3. India's Growing Energy Sector

Minister of Petroleum and Natural Gas & Steel Dharmendra Pradhan has said that India's growing energy sector is attractive for foreign investors.

Key Highlights

India's upstream sector is an important focus area of the government.

Several transformative policy reforms have been undertaken to revitalize the exploration & production (E&P) eco-system and establish a conducive business environment, which would facilitate more investment and boost domestic oil & gas production. The key policy reforms undertaken to augment the domestic oil and gas production include the policy of uniform licensing, marketing and pricing freedom to the operators, availability of comprehensive data to the investors to take informed decisions and fiscal incentives with the thrust on production enhancement.

In a drive to provide energy access to all in a sustainable manner, government has taken a big responsibility by making global commitment to reduce emissions intensity of its gross domestic product (GDP) by 33 – 35% from 2005

levels. One of the main strategies India is planning to adopt towards achieving this goal is by having 40% electricity generation capacity from non-fossil fuel-based energy resources by 2030.

The government is committed towards clean energy, which extends beyond just electricity. The Pradhan Mantri Ujjwala Yojana has transformed the lives of millions of poor households by ensuring access to clean cooking fuel. More than 75 million LPG connections have been provided under the Ujjwala Yojana so far, which has resulted in enhancing the LPG penetration in India to around 95% as against 56% in May 2014.

With the success of the 10th City Gas Distribution (CGD) Bid Round, city gas network will expand to nearly 70% of our population as compared to 20% in 2014.

India will become 3 trillion dollar economy this year and aims to achieve a 5 trillion dollar target in the near future. To achieve this target, India needs secure, affordable and sustainable energy to sustain the high growth and provide energy access to 1.3 billion people. Therefore, it is important for us to tap every source of energy.

4. Pashmina Products has received BIS Certification

Bureau of Indian Standards (BIS) has published an Indian Standard for identification, marking and labelling of Pashmina products to certify its purity. The certification will help curb the adulteration of Pashmina and also protect the interests of local artisans and nomads who are the producers of Pashmina raw material. It will also assure the purity of Pashmina for customers.

Key Highlights

This initiative of hallmarking Pashmina will protect the interests of these families, motivate the younger generation to continue in this profession as well as encourage more families to take up this occupation.



The nomadic Pashmina herders live in the hostile and tough terrain of Changthang and are solely dependent on Pashmina for their livelihood.

At present, there are 2400 families rearing 2.5 lakh goats. Ladakh produces 50 MT of the finest grade of Pashmina in the world (12-15 microns) and this initiative will provide further impetus towards value addition of Pashmina in Ladakh.

The Changthangi or Pashmina goat, is a special breed of goat indigenous to the high altitude regions of Ladakh in Jammu and Kashmir. These goats are generally domesticated and reared by nomadic communities called the Changpa in the Changthang region of Greater Ladakh. They are raised for ultra-fine cashmere wool, known as Pashmina once woven. The Changthangi goat grows a thick, warm undercoat which is the source of Kashmir Pashmina wool.

About BIS

BIS is the national standard body of India established under the BIS Act, 2016 for the harmonious development of the activities of standardization, marking and quality certification of goods and for matters connected therewith or incidental thereto.

5. Need for a Value-based Education System: VP

The Vice President of India has stressed the need for an integrated, value-based education system that will focus on all-round and holistic development of an individual to effectively face the challenges of the 21st century.

Key Highlights

The National Education Policy 2019 envisions an India-centric education system that contributes directly to transforming nation's sustainably into an equitable and vibrant knowledge society by providing high quality education to all.

The students should keep abreast of the latest areas in Information Technology like Artificial Intelligence and

Internet of Things and upgrade their knowledge and skills.

The education is not only for employment and must make a person a responsible citizen who understands sufferings of others and becomes empathetic to their needs.

Advising the students to dream high and aim high, he asked them to inculcate the qualities of discipline, hard work, righteousness, honesty and develop social awareness to achieve success and reach higher career positions in life.

6. India and Tunisia on Cooperation in the Exploration and Use of Outer space

The Union Cabinet has given ex post-facto approval to the Memorandum of Understanding (MoU) between India and Tunisia on Cooperation in the Exploration and Use of Outer space for Peaceful Purposes.

Impact

This agreement shall enable the following cooperation in space science, technology and applications including areas, such as remote sensing of the Earth; satellite communication and satellite-based navigation; Space science and planetary exploration. Use of spacecraft and space systems and ground system; and application of space technology.

The Agreement would lead to setting up of a Joint

Working Group, drawing members from Department of Space/Indian Space Research Organisation (ISRO), India and the National Centre for Cartography and Remote Sensing, Tunisia which will further work out the plan of action including the time-frame and the means of implementing this MoU.

Background

Tunisian Minister for Communication Technologies and Digital Economy, during his visit to India in July 2015 expressed interest to pursue space cooperation with India. Tunisia is in the process of evolving space programme and desired to learn from ISRO's experience for the same.

7. Skill India's SANKALP Scheme

The Minister of Skill Development & Entrepreneurship has reviewed the Ministry's World Bank loan assisted "Skills Acquisition and Knowledge Awareness for Livelihood Promotion (SANKALP)" programme.

All 36 States/ UTs across country have submitted their consent for participation in SANKALP and a total of first year grants released by Ministry to 8 States and 2 UTs (namely Andhra Pradesh, Assam, Bihar, Gujarat, Jammu & Kashmir, Leh, Maharashtra, Manipur, Punjab and Uttar Pradesh). In addition to these state grants of Rs 10 lakh each also released to 117 aspirational districts under Aspirational Skilling Abhiyaan. A robust IT system namely "Skill India Portal" has also been developed under SANKALP to capture and converge skill data.

About SANKALP

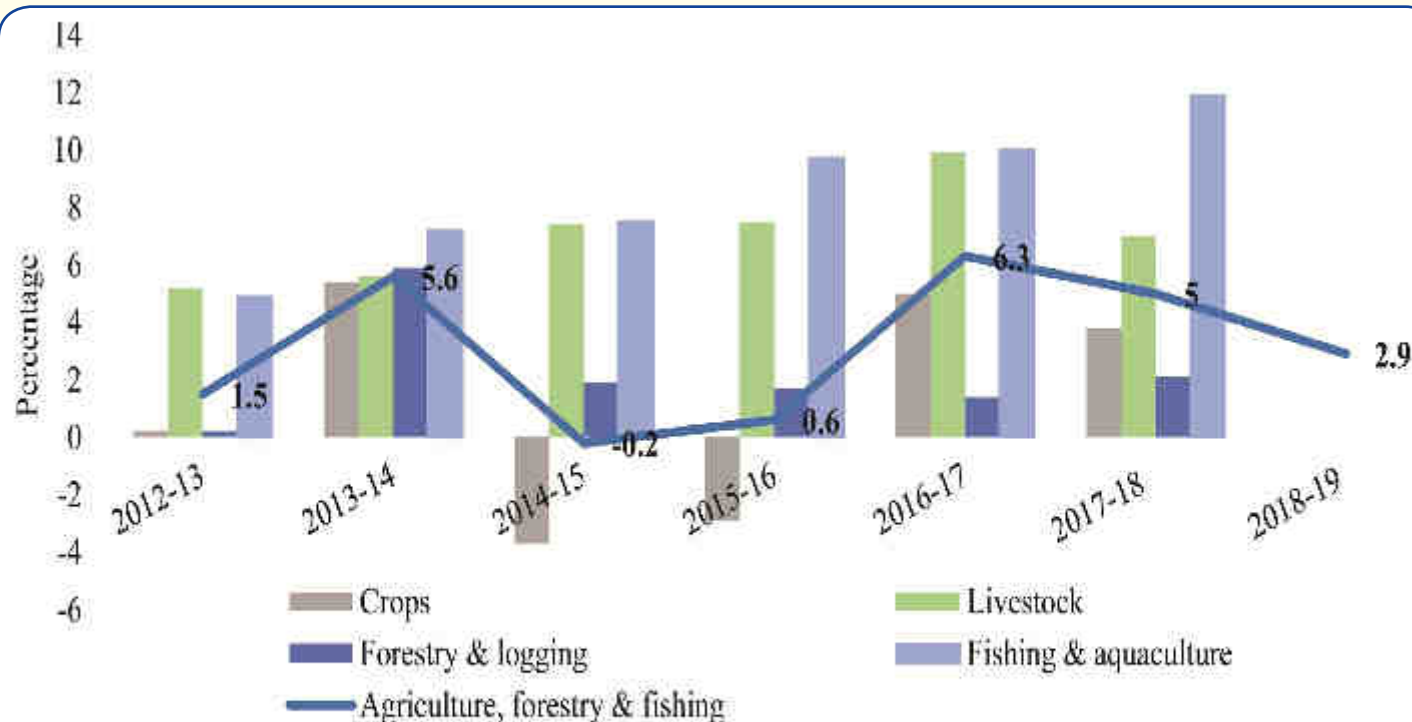
SANKALP is an outcome-oriented centrally sponsored programme with a special focus on decentralised planning and quality improvement. It focuses on the overall skilling ecosystem covering both Central & State agencies. SANKALP aims to implement the mandate of the National Skill Development Mission (NSDM).

Under SANKALP four key result areas have been identified viz institutional strengthening (at national, state & district level); quality assurance of skill development programs; inclusion of marginalised population in skill development; and expanding skills through Public Private Partnerships (PPPs).



SEVEN IMPORTANT CONCEPTS THROUGH GRAPHICS

1. Growth Rate of GVA in Agriculture & Allied Sectors (2011-12 prices)



Source: Central Statistics Office, Ministry of Statistics & Programme Implementation (MoSPI)

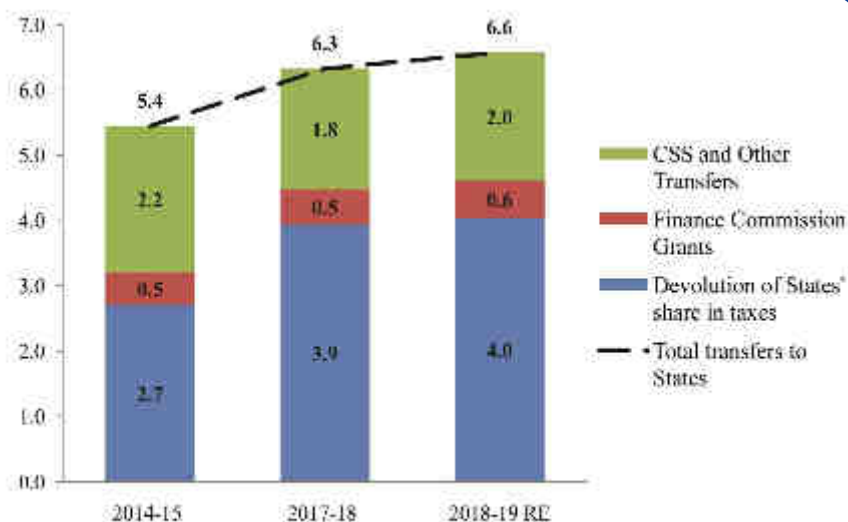
Key Facts

- Gross Value Added (GVA) is a measure of total output and income in the economy.
- It provides the rupee value for the amount 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.
- It also gives sector-specific picture like what is the growth in an area, industry or sector of an economy.
- GVA agriculture improved from a negative 0.2% in 2014-15 to 6.3% in 2016-17 only to decelerate to 2.9% in 2018-19.
- While the crops, livestock and forestry sector showed fluctuating growth rates over the period from 2014-15 to 2017-18, the fisheries sector has shown a rapid growth from 4.9% in 2012-13 to 11.9% in 2017-18.
- Average annual growth rate in real terms in agricultural & allied sectors has remained at around 2.88% during 2014-15 to 2018-19.
- Gross fixed capital formation in agriculture has decreased from 17.7% in 2013-14 to 15.2% in 2017-18.
- However, the share of agriculture, forestry & fishing sector in GVA has seen a steady decrease over the years from 15.4% in 2015-16 to 14.4% in 2018-19. The decline was mainly due to decrease in share of GVA of crops from 9.2% in 2015-16 to 8.7% in 2017-18.
- The share of the fisheries in GVA has increased by 0.1% points during the three years from 0.8% in 2014-15 to 0.9% in 2017-18.
- The share of the livestock in GVA has remained around 4% from 2012-13 to 2017-18. The share of forestry & logging was 1.2% in 2017-18.

2. Transfers to States (as per cent of GDP)

Key Facts

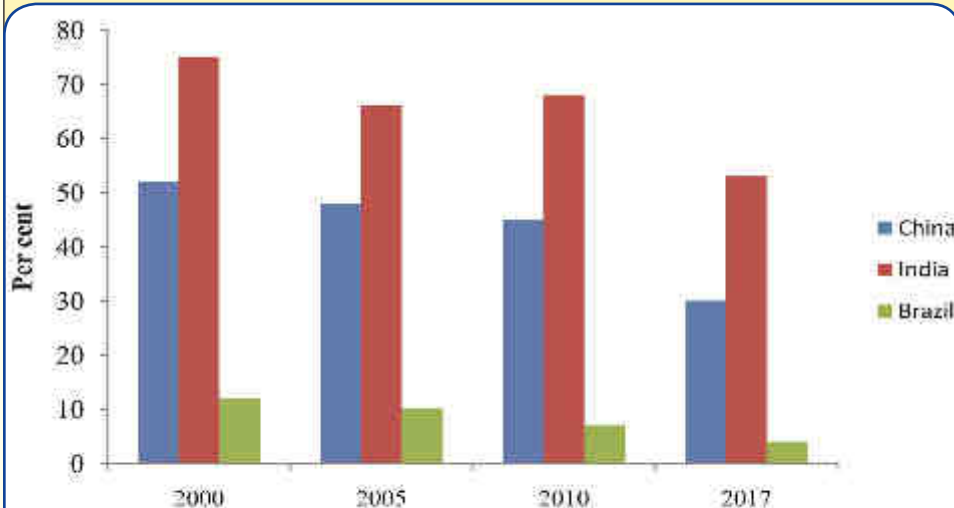
- Transfer of funds to states comprises essentially of three components: share of states in Central taxes devolved to the states, Finance Commission grants and Centrally Sponsored Schemes (CSS) and other transfers.
- Both in absolute terms, and as a percentage of Gross Domestic Product (GDP), total transfers to states have risen between 2014-15 and 2018-19. Total transfers to states have risen by 1.2 percentage points of GDP over this period.
- Till 2013-14, funds for CSS were routed through two channels, the Consolidated Funds of the States and directly to the state implementing agencies. In 2014-15, direct transfers to state implementing agencies were discontinued and all transfers to states including for the CSS were routed through the Consolidated Funds of the States.
- Another significant development has been award of the Fourteenth Finance Commission to devolve 42% of the divisible pool of taxes to the states, up from 32% earlier.



Source: Department of Expenditure RE: Revised Estimates (as per Interim Budget)

3. Percentage of Population without Access to Clean Cooking

Key Facts



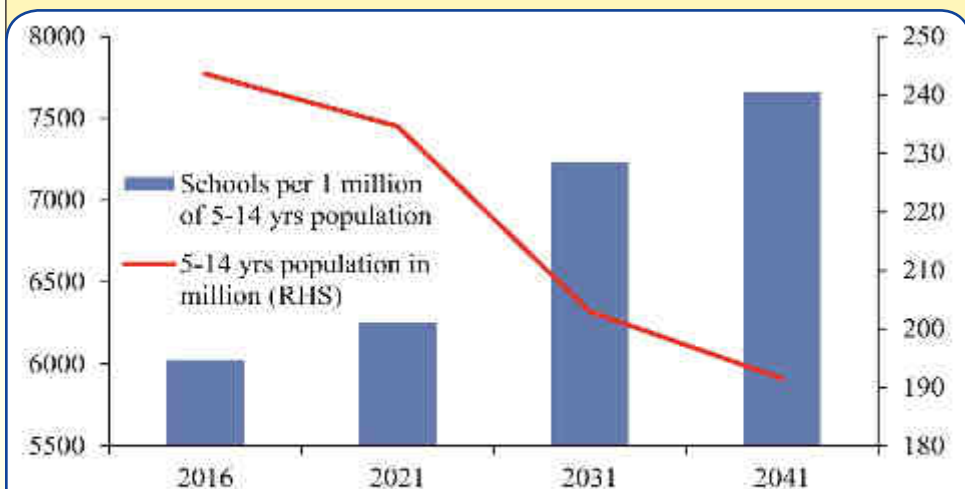
Source: Data from IEA World Energy Outlook 2018

- Around 81% of rural households and 59% of urban households in lowest five percentile classes of expenditure reported firewood and chips as their primary source of energy.
- As we move up the expenditure classes, we find that the reliance on firewood and dung cakes keeps falling and the use of LPG gains importance.
- However, even at the top five percentile classes in the rural areas, around 34% of households in 2011-12, which is the latest year for which this data is available, reported firewood and chips to be the primary source of energy for cooking while only around 50% of these households reported LPG as their primary energy source for cooking.
- This indicated that the problem of energy poverty has been more pervasive than income poverty.

- In 2017, 53% of the population in India did not have access to clean cooking when compared with 68% in 2010. However, this remains low when compared with other upper-middle-income countries such as 30% for China, 4% for Brazil and less than 1% for Malaysia.
- Government has been taking conscious efforts to make clean cooking fuel available to households through various schemes like Pradhan Mantri Ujjwala Yojna, PAHAL, among others.

4. Number of Elementary Schools in India per 1 million of 5-14 Years Population

Key Facts



Source: Unified District Information on School Education, Sample Registration System, IIPS.

Note: Calculations are based on projected 5-14 years population for 2021-41 from IIPS and number of elementary schools at 2016 levels.

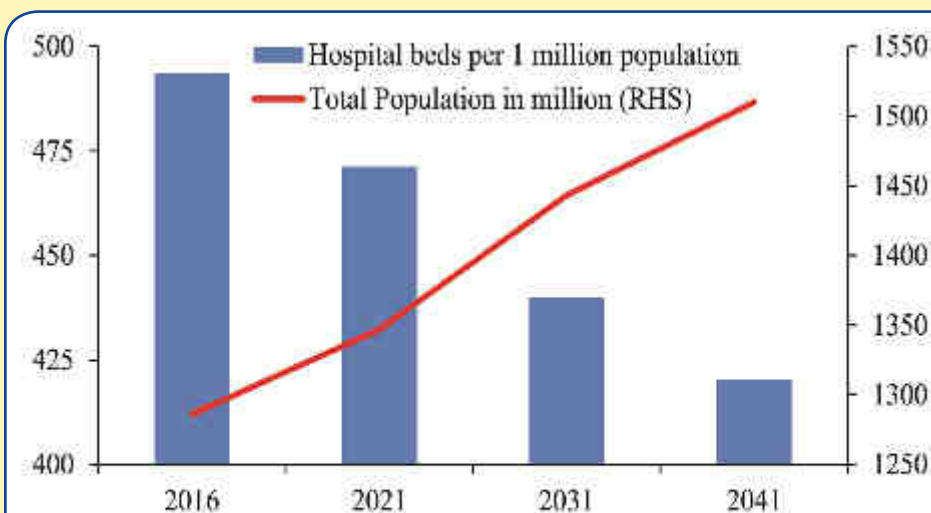
- As of 2016, population in the 5-14 age-group, which roughly corresponds to the number of elementary school-going children, has already begun declining in India and across all major states except Jammu & Kashmir. Population projections suggest that this trend will continue through 2041.
- Overall, the number of school-going children in India will decline by 18.4% between 2021 and 2041. This will have very important social and economic consequences.
- In light of the projected decline in elementary school-going children, the number of schools per capita will rise significantly in India across all major states even if no more schools are added.

- In fact, the number of elementary schools with less than 50 students has increased over the past decade across all major states except Delhi. The time may soon come in many states to consolidate/merge elementary schools in order to keep them viable. Hence, this is not about reducing investment in elementary education, but an argument for shifting policy emphasis from quantity towards quality and efficiency of education.

5. Number of Government Hospital Beds in India per 1 million Population

Key Facts

- Access to health care is still a major challenge in India. If India's hospital facilities remain at current levels, rising population over the next two decades will sharply reduce the per capita availability of hospital beds in India across all major states.
- India already fares poorly relative to other emerging and developed economies in terms of per capita availability of hospital beds.
- States with high population growth are also the ones with the lowest per capita availability of hospital beds. Hence, there is a straightforward case for expanding medical facilities in these states.
- For states in the advanced stage of demographic transition, however, the rapidly changing age structure will mean that the type of health care services will have to adapt towards greater provision of geriatric care.
- A major problem with planning for the provision of medical facilities is the paucity of specific data, especially on private hospitals.



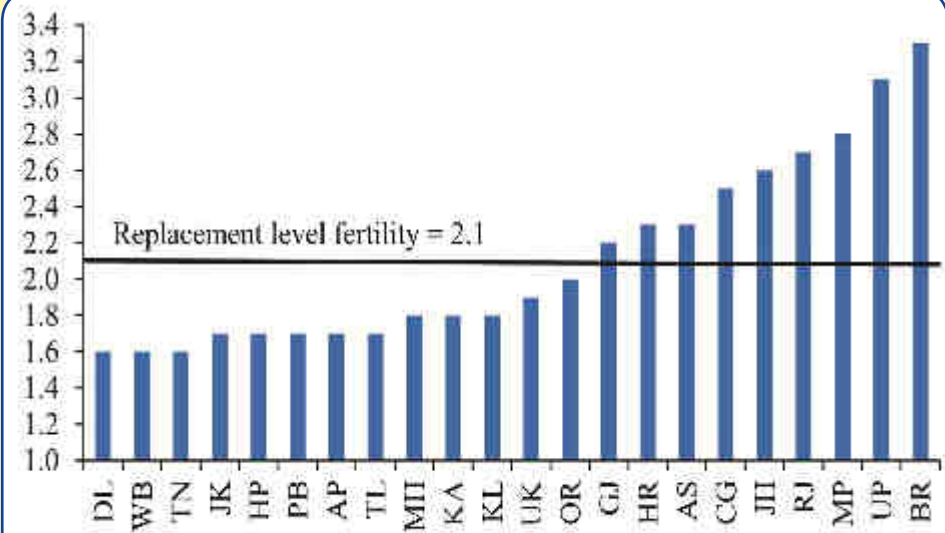
Source: Central Bureau of Health Intelligence, Sample Registration System, IIPS.

Note: Calculations are based on projected population for 2021-41 from IIPS and number of government hospital beds at 2016 levels.

6. Total Fertility Rate (TFR) by State in 2016

Key Facts

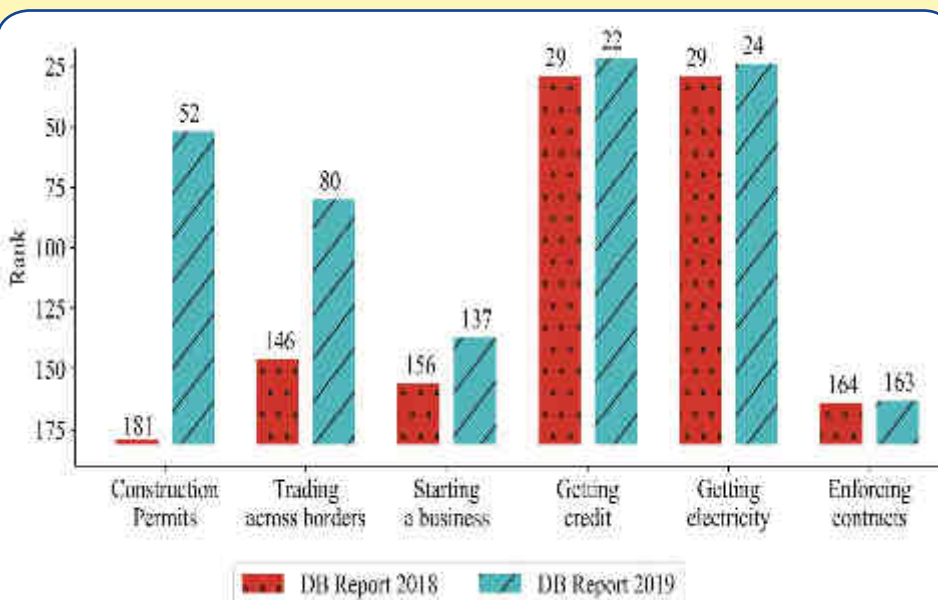
- The decline in India's TFR has been more gradual when compared to the experience of other emerging economies, it has nonetheless halved from 4.5 in 1984 to 2.3 as of 2016.
- The replacement level fertility is usually marked at 2.1.
- India has reached the current TFR of 2.3 at a relatively low per capita income when compared to the experience of major developed economies but similar to that of other Asian countries.
- There is a wide variation in the experience of different Indian states. TFR is now below replacement level fertility in 13 out of the 22 major states.
- In fact, TFR has reached as low as 1.6-1.7 in states such as Delhi, West Bengal, Tamil Nadu, Andhra Pradesh, Telangana, Punjab and Himachal Pradesh.
- Even high fertility states such as Bihar, Jharkhand, Rajasthan, Madhya Pradesh, Chhattisgarh, Uttar Pradesh and Uttarakhand have seen a sharp decline in TFR over the years.



Source: Sample Registration System.

7. India's Progress in Ease of Doing Business Report Rankings

Key Facts



- The government of India has taken several industry specific reform initiatives since 2014 that has significantly improved the overall business environment.
- To improve ease of doing business, the emphasis has been given to simplification and rationalization of the existing rules and introduction of information technology to make governance more efficient and effective.
- As a result of continued efforts by the government, India has improved its rank by 53 positions in last two years and 65 positions in last four years.
- India has recorded a jump of 23 positions against its rank of 100 in 2017 to be placed now at 77th rank among 190 countries assessed by the World Bank Doing Business Report 2019.

- The Report covers 10 indicators which span the life-cycle of a business. India has improved its rank in 6 out of 10 indicators and has moved closer to international best practices (Distance to Frontier score, a score that shows the gap of an economy to the global best practice).
- The most dramatic improvements have been registered in the indicators related to 'Construction Permits' and 'Trading across Borders'.

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Dhyeya IAS, a decade old institution, was founded by Mr. Vinay Singh and Mr. Q.H. Khan. Ever since its emergence it has unparalleled track record of success. Today, it stands tall among the reputed institutes providing coaching for Civil Services Examination (CSE). The institute has been very successful in making potential realize their dreams which is evidents from success stories of the previous years.

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