



2022



# YOJNA IAS

## WEEKLY CURRENT AFFAIRS

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**8/08/2022 TO 14/08/2022**

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# CURRENT AFFAIRS

## AUGUST 2022



### Mother has right to decide child's surname: Supreme Court



- Recently the Supreme Court ruled that the mother, being the sole natural guardian of the child after the death of the biological father (husband), has the right to decide the surname of the child.
- The court was considering a petition challenging a judgment passed by the High Court of Andhra Pradesh in January 2014, seeking to replace the child's surname with the surname of her late first husband and to record the surname of the second husband.

#### New rules of Supreme Court:

- Surname is not only indicative of ancestry and should not only be under-

stood in the context of history, culture and lineage, but more importantly, it is related to social reality as well as to the feeling of children in their particular environment.

- Uniformity of surname emerges as a mode of creating, maintaining and displaying 'family'.
- The Supreme Court also said that being the sole natural guardian, the mother can also give her second husband the right to adopt the child.

### **Laws relating to Guardianship in India:**

#### **Hindu Minority and Guardianship Act:**

- Indian laws give preference to the father in case of guardianship of a minor (below 18 years of age).
- The natural guardian of a Hindu minor in relation to the minor or property under the Hindu religious law or the Hindu Minorities and Guardianship Act, (HMGA) 1956 is the father and then the mother.
- Provided that the custody of a minor who has not completed the age of five years shall ordinarily be with the mother.

#### **Guardians and Wards Act, 1890 (GWA):**

- It deals with the appointment of a person as the 'guardian' of the child in respect of both the child and the property.
- Issues of child custody, guardianship and visitation between parents are determined under the GWA if the natural guardian wishes to be declared as a special guardian for their child.
- In a petition under the GWA read in conjunction with the HMGA when there is a dispute between the parents, guardianship and custody may be vested in one parent with the rights of visitation or visitation of the other parent.
- The welfare of the minor or "best interest of the child" shall be paramount in doing so.

### **Meaning of “best interest of the child”:**

- India is a signatory to the United Nations Convention on the Rights of the Child (UNCRC).
- The Juvenile Justice (Care and Protection of Children) Act, 2015 incorporates the definition of ‘best interests of the child’ present in the UNNCR.
- “Best interest of the child” means “the basis of any decision made regarding the child to ensure the fulfillment of his/her basic rights and needs, identity, social welfare and physical, emotional and intellectual development” and any custody the battle of Custody is paramount in the battle.

### **Muslim Personal Law (Shariat) Application Act, 1937:**

- As per the Muslim Personal Law (Shariat) Application Act [The Muslim Personal Law (Shariat) Application Act, 1937], in the case of guardianship, the Shariat or religious law shall apply, according to which the son does not attain the age of seven years. And the father is the natural guardian until the daughter attains the adult stage, although the father enjoys the right of general supervision and control.
- The concept of custody or ‘Hijanat’ in Muslim law states that the welfare of the child is paramount.
- This is the reason why Muslim law gives preference to the mother over the father in the matter of custody of children during the tender years.

### **Supreme Court’s decision:**

- The landmark Supreme Court judgment in 1999 in Geeta Hariharan v. Reserve Bank of India provided partial relief.
- In this case HMGA was challenged for violating the guarantee of gender equality under Article 14 of the Constitution of India.
- Article 14 states that no person shall be denied equality before the law or the equal protection of the laws in the territory of India.
- The Court held that the word “after” should not mean “after the life of the father”, but “in the absence of the father”.



- The decision, however, failed to recognize both the parents as equal guardians, making the role of the mother subordinate to that of the father.
- Although the judgment sets precedent for the courts, it has not led to any amendments to the HMGA.

**Swadeep Kumar**

## **Model Tenancy Act**



- According to the Ministry of Housing and Urban Affairs (MoHUA), the Model Tenancy Act has been amended so far by only four states, Andhra Pradesh, Tamil Nadu, Uttar Pradesh and Assam.

### **Requirement of Model Tenancy Act:**

- The existing rent control law is hindering the development of rental housing and it discourages landlords from renting out their vacant houses for fear of them being re-occupied.
- Possible measures to rent out vacant houses include bringing transparency and accountability to the existing tenancy system and judiciously

balancing the interests of both the property owner and the tenant.

- According to the 2011 census, more than 1 crore houses are lying vacant in urban areas.
- Earlier, about one-third of all Indians were living in urban areas, the proportion of which increased from 27.82 percent in 2001 to 31.16 percent in 2011. By the year 2050, more than half of India's people will be living in cities or towns, mainly due to migration.

### **Model Tenancy Act:**

- The Model Tenancy Act, 2021 aims to establish a Rent Authority to regulate the rent of premises and to protect the interests of landlords and tenants and to provide a speedy adjudication mechanism for settlement of disputes and matters connected therewith or connected therewith.
- It aims to create a vibrant, sustainable and inclusive rental housing market in the country.
- It will enable construction of adequate rental housing for all income groups, thereby solving the problem of homelessness.
- It will enable institutionalization of rental housing by gradually shifting towards the formal market.

### **Major Provisions:**

#### **Written Agreement Mandatory:**

- For this it is necessary to have a written agreement between the owner and the tenant of the property.

#### **Establishment of Independent Authority and Rent Court:**

- The Act establishes an independent authority in each state and union territory for the registration of tenancy agreements and even sets up a separate court to settle tenancy disputes.

### **Maximum limit for security deposit:**

- In this Act, the Advance Security Deposit of the tenant has been limited to a maximum of two months of rent for residential purposes and a maximum of six months for non-residential purposes.

### **Describes the rights and obligations of the landlord and tenant:**

- The landlord will be responsible for structural repairs (not damage caused by the tenant) such as whitewashing the walls, painting the doors and windows, etc.
- Tenant will be responsible for drain cleaning, repair of switches and sockets, replacement of glass panels in windows, doors and maintenance of gardens and open spaces etc.

### **24 hours prior notice by landlord:**

- Landlord must give 24 hours prior notice before entering rental premises to make repairs or replacements.

### **Mechanism to vacate the premises:**

- If a landlord has fulfilled all the conditions mentioned in the rent agreement such as giving notice etc. and the tenant fails to vacate the premises on the period or expiry of the rental, the landlord is entitled to double the monthly rent.

### **Importance:**

- The authority established under this Act shall provide an expeditious mechanism for resolving disputes and other related matters.
- The Act will help in overhauling the legal framework regarding rental housing across the country.
- It is expected to encourage private participation in rental housing as a business model to address the acute housing shortage.

## Challenges:

- This Act is not binding on the states as land and urban development are state subjects.

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## Tejas



- Government of India has offered to sell 18 Light Combat Aircraft (LCA) “Tejas” to Malaysia.
- Argentina, Australia, Egypt, the US, Indonesia and the Philippines are the six countries that have shown interest in buying the single-engine Tejas fighter jet.
- The Government of India had awarded a US\$ 6 billion contract to state-owned Hindustan Aeronautics Limited in 2021 for the delivery of Tejas jets by 2023.

## Tejas aircraft :

- The Light Combat Aircraft (LCA) program was started by the Government of India in the year 1984, after which the Aeronautical Development Agency (ADA) was established by the government to manage the



LCA program.

- It will replace the old MiG-21 fighter jets.
- The LCA has been designed by the 'Aeronautical Development Agency' operating under the 'Department of Defense Research and Development'.
- By Hindustan Aeronautics Limited (HAL), a public sector company.

### Features

- It is the lightest, smallest and tailless multi-role supersonic fighter aircraft in its class.
- It is designed to carry a range of air-to-air, air-to-surface, precision-guided, weapons.
- It is capable of refueling in the sky during the journey.
- Its maximum payload capacity is 4000 kg.
- It can achieve maximum speed of Mach 1.8.
- The range of this aircraft is 3,000 km.

### Types of Tejas:

- Tejas Trainer: It is a 2-seater operational trainer aircraft for the training of Air Force pilots.
- LCA Navy: Aircraft capable of carrying two more single-seat carriers for the Indian Navy.
- LCA Tejas Navy MK2: This is the second variant of the LCA Navy variant.
- LCA Tejas Mk-1A: It is an updated version of LCA Tejas Mk1 with a higher thrust engine.

**Swadeep Kumar**

# Two new bills introduced in Lok Sabha



- Two new Bills- the Competition (Amendment) Bill, 2022 and the New Delhi International Arbitration Center (Amendment) Bill, were introduced in the Lok Sabha.

## **Competition (Amendment) Bill 2022:**

- It seeks to change the composition of the Competition Commission of India (CCI).
- It provides for allowing CCI to meet the needs of the current markets.
- It also has provisions to have 'transaction value' as a criterion for notifying combinations of CCIs.

## **Other proposed amendments:**

- Limitation period of three years fixed for seeking information before CCI on anti-competitive agreements and abuse of dominant position.
- Changes in certain definitions like 'enterprise', 'relevant product market', 'group' and 'control' to provide clarity.

## **Features:**

- Broadening anti-competitive agreements.
- Quick approval of Mergers and Acquisitions (M&A).
- Reducing the penalty for parties willing to share information during the investigation.

- Reduction in litigation.

### **Competition Commission of India:**

- The Competition Commission of India is a statutory body responsible for implementing the objectives of the Competition Act, 2002. It was duly constituted in March 2009.
- On the recommendations of the Raghavan Committee, the Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act) was repealed and replaced by the Competition Act, 2002.

### **Purpose:**

- The Competition Commission of India (CCI) is a competition regulator and watchdog for small organizations, with the objective of eliminating practices that adversely affect competition, promote and maintain competition, protect the interests of consumers and protect the interests of consumers in the Indian markets.

### **Build:**

- As per the Competition Act, the commission consists of a chairman and six members who are appointed by the central government.
- The Commission is a quasi-judicial body which deals with other matters besides advising the statutory authorities. Its chairman and other members are full time.

### **New Delhi International Arbitration Center (Amendment) Bill:**

- New Delhi International Arbitration Center (NDIAC) is an autonomous institution located in New Delhi for conducting arbitration and conciliation proceedings.
- It was established in the year 2019 and declared as an Institute of National Importance by an Act of Parliament.
- The New Delhi International Arbitration Center (Amendment) Bill was introduced by the Law Minister to rename it as India International Arbitration Center.

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# Israel and Palestine



- Israel and Palestine recently ended a ceasefire after three days of violence that killed dozens of people in both countries.
- Earlier this year, tensions escalated between Palestinians and Israeli police at the Al-Aqsa Mosque in Jerusalem.
- These recurring conflicts are part of the ongoing Israel-Palestine conflict.

## Current Conflict:

### Reason for conflict:

- Israeli planes hit targets (leaders of Islamic Jihad) in Gaza.
- In response, the Iranian-backed Palestinian Jihad terrorist group fired hundreds of rockets at Israel.
- Islamic Jihad has fewer fighters and supporters than Hamas.

### Israeli Action:

- Israel began its campaign with an attack on an Islamic Jihad leader and another prominent leader with the intent to attack followed.

### Gaza Action:

- According to the Israeli army, terrorists fired about 580 rockets towards Israel in Gaza.



- Israel intercepted many of them and killed two who were fired towards Jerusalem.

### **UNSC meeting:**

- The UN Security Council scheduled an emergency meeting over the violence.
- China, which will preside over the council for August 2022, scheduled the session in response to a request from the United Arab Emirates, which represents Arab countries in the council, as well as China, France, Ireland and Norway.

### **Disputes between Israel and Palestine:**

#### **The dispute over Jerusalem:**

- Jerusalem has been at the center of the Israel-Palestine conflict.
- According to the United Nations (UN) original partition plan of 1947, Jerusalem was proposed as an international city.
- However, in the First Arab-Israeli War of 1948, the Israelis occupied the western half of the city, and the eastern part, including the ancient city, where Haram al-Sharif is located, was occupied by Jordan.
- After the Six-Day War in 1967, there was an armed conflict between Israel and a coalition of Arab states that mainly included Jordan, Syria and Egypt, the Jordanian Ministry of Waqf, which until then controlled the Al-Aqsa Mosque, stopped taking care of this mosque.
- Israel annexed Jordan-controlled East Jerusalem in the 1967 Six-Day War.
- Israel expanded settlements in East Jerusalem after the annexation.
- Israel views the entire city as its “unified, eternal capital”, while the Palestinian leadership has maintained that it will not accept any settlement for a future Palestinian state unless East Jerusalem is recognized as its It is not recognized as the capital.

## **Recent Activity:**

### **Al-Aqsa Mosque and Sheikh Jarrah:**

- In May 2021 the Israeli armed forces attacked the Al-Aqsa Mosque in Jerusalem's Haram al-Sharif, before a march to commemorate Israel's occupation of the eastern part of the city in 1967 by Zionist nationalists.
- Sheikh Jarrah's threat to evict dozens of Palestinian families in East Jerusalem added to the crisis.

### **West Bank Settlement:**

- Israel's Supreme Court has dismissed a petition against the eviction of more than 1,000 Palestinian residents from rural parts of the occupied West Bank in an area Israel has selected for military exercises.
- The decision paved the way for the demolition of eight small villages in a rocky, dry area near Hebron known as Masafar Yatta by the Palestinians and the South Hebron Hills to the Israelis.

### **India's stand on the crisis:**

- India has been following a de-hyphenation policy in recent years to maintain relations between Israel and Palestine.
- India's policy towards the longest-running conflict in the world was clearly pro-Palestinian for the first four decades but relations with Palestine have been strained due to over three decades of friendly relations with Israel.
- In an unprecedented move in 2017, the Prime Minister of India visited only Israel and not Palestine.
- The recent visit of the Prime Minister to Palestine (2018), Oman and the United Arab Emirates is again a continuation of a similar policy.

**Swadeep Kumar**

## India's renewable energy



- The Government of India has set a target to expand India's renewable energy installed capacity to 500 GW by 2030.
- India has set a target of reducing the country's total estimated carbon emissions by 1 billion tonnes by 2030, reducing the carbon intensity of the country's economy by 45% by the end of the decade, achieving net-zero carbon emissions by 2070.
- India has achieved significant photovoltaic capacity over the past decade, from less than 10 MW in 2010 to over 50 GW in 2022.
- The total installed renewable energy capacity in India is 151.4 GW.

**The following are the details of the total installed capacity for renewable energy:**

- **Wind Power:** 08 GW
- **Solar Power:** 34 GW
- **Biopower:** 61 GW
- **Small Hydro Power:** 83 GW
- **Large Hydro:** 51 GW

**Current Solar Power Capacity:**

- 45 solar parks with a total capacity of 37 GW have been approved in In-

dia.

- Solar parks at Pavagadh (2 GW), Kurnool (1 GW) and Bhadla-II (648 MW) are among the top 5 operational solar parks in the country with a capacity of 7 GW.
- The world's largest renewable energy park of 30 GW solar-wind hybrid project is being set up in Gujarat.

## **Challenges:**

### **Excessive dependence on imports:**

- India does not have sufficient module and PV cell manufacturing capacity.
- Current solar module manufacturing capacity is limited to 15 GW per annum, while domestic production is only around 3.5 GW.
- Further, out of 15 GW of module manufacturing capacity, only 3-4 GW of modules are technically competitive and eligible for deployment in grid-based projects.

### **Size and technology:**

- Most of the Indian industry is based on the M2 type of wafer size, approximately  $156 \times 156 \text{ mm}^2$ , while the global industry is already moving to the M10 and M12 sizes, which are  $182 \times 182 \text{ mm}^2$  and  $210 \times 210 \text{ mm}^2$ .
- Large size wafer is advantageous as it is cost effective and has low power loss.

### **Raw Material Supply:**

- The most expensive raw material silicon wafer is not manufactured in India.
- It currently imports 100% silicon wafers and about 80% cells.
- Apart from this, almost 100% of the other major raw materials like silver



and aluminum metal pastes are also imported for establishing electrical connectivity.

## **Government Initiatives:**

### **PLI Scheme to Support Manufacturing:**

- The scheme has provisions to support setting up of integrated manufacturing units of high efficiency solar PV modules by providing Production Linked Incentives (PLIs) on the sale of such solar PV modules.

### **Household Material Requirement (DCR):**

- Some of the existing schemes of the Ministry of New and Renewable Energy (MNRE) include Central Public Sector Undertakings (CPSU) Scheme Phase-II, PM-KUSUM, and Grid Connected Rooftop Solar Program Phase-II, with government subsidies. It has been made mandatory to source solar PV cells and modules from domestic sources.
- In addition, the government has made it mandatory for grid connected state/central government projects to procure modules only from the approved list of manufacturers (ALMM).

### **Imposition of Basic Customs Duty on Import of Solar PV Cells and Modules:**

- The government has announced imposition of Basic Custom Duty (BCD) on the import of solar PV cells and modules.
- In addition, it has imposed a duty of 40% on import of modules and 25% on import of SAIL.
- Basic customs duty is a duty levied on the value of the commodity at a specified rate.

### **Revised Special Incentive Package Scheme (M-SIPS):**

- It is a scheme of the Ministry of Electronics and Information Technology.

- The scheme mainly provides subsidy for capital expenditure on PV cells and modules – 20% for investment in Special Economic Zones (SEZs) and 25% in non-SEZs.

**Swadeep Kumar**

## **Quit India Movement**



- On August 8, 2022, India completed 80 years of Quit India Movement, also known as August Kranti.

### **Introduction:**

- On August 8, 1942, Mahatma Gandhi called for the end of British rule and started the Quit India Movement at the All India Congress Committee session in Mumbai.
- Gandhiji called for “do or die” in his speech at Gwalia Tank Maidan, now known as August Kranti Maidan.
- Aruna Asaf Ali, popularly known as the ‘Grand Old Lady’ of the freedom movement, is known for hoisting the Indian flag at the Gwalia Tank Maidan in Mumbai during the Quit India Movement.
- The slogan ‘Quit India’ was coined by Yusuf Mehrli, a socialist and trade unionist who also served as the Mayor of Mumbai.
- Meherali also coined the slogan “Simon go back”.

## **Cause:**

### **Cripps Mission Failure:**

- The immediate reason for the agitation was the termination of the Cripps mission/no final decision on the mission.

## **Reference:**

- This mission was sent under the leadership of Stafford Cripps to solve the question related to the creation of a new constitution and self-government in India.
- Reasons behind the Cripps Mission: Japan's growing aggression in South-East Asia, the British government's eagerness to ensure India's full participation in the war, Britain's ruling Labor Party due to increasing pressure from China and the United States on Britain the Cripps Mission was sent to India in March 1942 by the Prime Minister of India, Winston Churchill.

## **Cause of fall:**

- This mission failed as it offered Dominion status to India with Partition, not complete independence.

## **India's participation in World War II without prior consultation with leaders:**

- India's intention to unconditionally support the British government in World War II was misunderstood by the Indian National Congress.

### **Spread of Anti-British Sentiment:**

- Anti-British sentiment and demand for complete independence had gained popularity among the Indian people.

## **Centralization of several small movements:**

- People's movements going on for two decades under the leadership of various bodies affiliated to the Congress like All India Kisan Sabha, For-

ward Bloc etc. had created the background for this movement.

- Militant explosions were taking place at many places in the country which got associated with Quit India Movement.

### **Shortage of essential commodities:**

- The economy was also shattered as a result of World War II.

### **Demands:**

- To get the support of Indians in the Second World War against fascism, there was a demand to end the British rule in India with immediate effect.
- Demand to form an interim government after the British left India.

### **Phase: The movement had three phases:**

- **Phase I** – marked by urban uprisings, strikes, boycotts and dharnas, which were quickly suppressed.
- There were strikes and demonstrations all over the country and workers provided support by not working in factories.
- Gandhiji was imprisoned in the Aga Khan Palace in Pune and almost all the leaders were arrested.
- In the **second phase** of the movement, the focus shifted to rural areas which saw a major peasant revolt, with the main objective being to disrupt communication systems, such as railway tracks and stations, telegraph wires and poles, attacks on government buildings or colonial power.
- In the final phase, national governments or parallel governments were formed in different areas (Ballia, Tamluk, Satara etc.).



## **The success of the movement**

### **The Rise of Future Leaders:**

- Leaders like Ram Manohar Lohia, JP Narayan, Aruna Asaf Ali, Biju Patnaik, Sucheta Kriplani etc. carried out underground activities who later emerged as prominent leaders.

### **Women's Participation:**

- Women actively participated in the movement. Women leaders like Usha Mehta helped set up an underground radio station that created awareness about the movement.

### **Rise of Nationalism:**

- Quit India movement created a distinct sense of unity and brotherhood in the country. Many students left schools and colleges and people left their jobs.

### **The way to freedom**

- Although the Quit India Movement was crushed in the year 1944 and the British refused to give independence immediately, saying that independence would be given only after the end of the war, but due to the burden of this movement and the Second World War, the British administration realized that it was not possible to control India for a long time.
- Due to this movement, the very nature of India's political dialogue with the British changed and eventually paved the way for India's independence.

## **Movement Failure:**

### **Brutal Repression:**

- Violence was witnessed at some places during the agitation, which was not pre-planned.

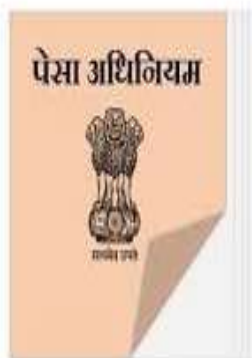
- The movement was violently suppressed by the British, people were fired upon, lathi-charged, villages were burnt and heavy fines were imposed.
- In this way the government resorted to violence to crush the movement and more than 1, 00,000 people were arrested.

### **Lack of support:**

- Muslim League, Communist Party of India and Hindu Mahasabha did not support the movement. The Indian bureaucracy also did not support this movement.
- The Muslim League was not in favor of the British leaving India before partition.
- The Communist Party supported the British, as they were allied with the Soviet Union.
- The Hindu Mahasabha openly opposed the Quit India Movement and officially boycotted it fearing that the movement would create internal disorder and endanger internal security during the war.
- Meanwhile, Subhas Chandra Bose formed 'Indian National Army' and 'Azad Hind Sarkar' outside the country.
- Many Congress members like C. Rajagopalachari resigned from the provincial legislature because they did not support the idea of Mahatma Gandhi.

**Swadeep Kumar**

## PESA Act



- Various electoral parties in Gujarat are trying to woo the tribals by promising strict implementation of the Panchayat Upabandhan (Extension to Scheduled Areas) Act (PESA), 1996.
- State PESA rules were notified in Gujarat in January 2017 and they were implemented in 4,503 gram sabhas under 2,584 gram panchayats of 50 tribal taluks in eight districts of the state.
- However the Act is still not implemented in letter and spirit.
- Six states (Himachal Pradesh, Andhra Pradesh, Telangana, Rajasthan, Gujarat, and Maharashtra) have enacted PESA laws and if these rules are implemented, Chhattisgarh will become the seventh state to implement them.

### **PESA Act:**

- The PESA Act was enacted in 1996 “to extend the provisions of Part IX of the Constitution relating to Panchayats to the Scheduled Areas”.
- Part IX of Article 243-243ZT of the Constitution contains provisions relating to Municipalities and Co-operative Societies.

### **Provision:**

- The Scheduled Areas under this Act are those referred to in Article 244(1) according to which the provisions of the Fifth Schedule shall apply to the

Scheduled Tribes in the Scheduled Areas in the States other than Assam, Meghalaya, Tripura and Mizoram.

- The Fifth Schedule provides a series of special provisions for these areas.
- **Ten states**—Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana—have notified Fifth Schedule Areas that cover several districts (partially or fully) in each of these states. ) covers.

### **Purpose:**

- Ensuring self-government through Gram Sabhas for the people living in the scheduled areas.
- It legally recognizes the right of tribal communities, residents of scheduled areas to govern themselves through their own systems of self-government. It acknowledges their traditional rights over natural resources.
- Empowers Gram Sabhas to play an important role in approving development plans and controlling all social sectors.

### **Importance of Gram Sabha in PESA Act:**

- Democratic Decentralisation: PESA empowers Gram Sabhas to play an important role in approving development plans and controlling all social sectors. **This management includes the following:**
- Water, forest, resources on land.
- Minor Forest Produce.
- Human Resources: The processes and personnel who implement policies.
- Management of local markets.
- Preventing land segregation.
- Controlling narcotics.



### **Identity Protection:**

- Powers of village councils include maintenance of cultural identity and tradition, control over schemes affecting tribals and control of natural resources within the area of a village.

### **Resolving conflicts:**

- Thus the PESA Act enables the Gram Sabhas to maintain their rights and the safeguards of the environment against external or internal conflicts.

### **Public Watchdog:**

- The Gram Sabha will have powers to monitor and prohibit the manufacture, transport, sale and consumption of narcotic substances within the limits of their village.

### **Issues related to PESA:**

#### **Partial implementation:**

- State governments should enact state laws for their scheduled areas in accordance with this national law.
- As a result PESA has been partially implemented.
- Partial implementation has distorted self-government in tribal areas such as Jharkhand.

#### **Administrative Constraints:**

- Many experts have claimed that PESA did not succeed due to lack of clarity, legal weakness, bureaucratic apathy, lack of political will, resistance to changes in the hierarchy of power, etc.

#### **Paper follows instead of reality:**

- Social audits conducted across the state also pointed out that in fact, various development plans were being approved by the Gram Sabha only on

paper, in fact no meeting was held to discuss and decide.

### **Tribal Policy of India:**

- Most of the tribes in India are collectively recognized as 'Scheduled Tribes' under Article 342.
- **Part X of the Indian Constitution:** The right to self-determination has been guaranteed by Article 244 (Administration of Scheduled Areas and Tribal Areas) contained in the Scheduled and Tribal Areas.
- Provisions have been made in the Fifth Schedule of the Constitution for the administration and control of Scheduled and Tribal Areas and in the Sixth Schedule for the administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram.
- Panchayat (Extension to Scheduled Areas) Act 1996 or PESA Act.
- Tribal Panchsheel Policy.
- The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 deals with the rights of forest dwelling communities to land and other resources.

YOJNA IAS Swadeep Kumar

## **A changing Global Vision for G 20: An analysis of the role of India in this perspective**

**Context:** The summit of G20 is an upcoming summit that is going to be held in Bali (15-16 November 2022) and the next G20 summit will be held in 2023 in Kashmir. In the summit of 2022, India would lead the foundations of the agenda for the summit of 2023

### **Introduction**

G20 is a group of 19 countries and the European Union. It is an intergovernmental organization. It was founded in 1999. Its president is the president

of Indonesia. The G20 plays an important role in shaping and strengthening global architecture and governance on all major international economic issues. Global prosperity is interlinked with the programs of the G20. G20 also tackles the global issues of poverty and unemployment as well as other economic challenges

India has played an important role in the G20 summit and being benefited for a long time also. India will emphasize the important issue of energy, agriculture, trade, digital economy, health, and environment to employment, tourism, anti-corruption, and women empowerment, including in focus areas that impact the most vulnerable and disadvantaged. These issues are concerning issues for the developing countries

The inclusive economic development of the world is only possible with global cooperation. The institutions like UNO and WTO can play an important role in this regard. These international institutes should help those countries which are economically deprived. These institutions can play the role in securing cooperation between donor and recipient country groups is losing the centrality

There are now three important socio-economic systems: G7, China-Russia, India, and others. All they will jointly set the global agenda. Because of the Russia-Ukraine conflict for a long time, and the expanding influence of the trade and value chains dominated by the U.S. and China, developing countries are having few alternatives for getting international economic support.

G20 countries are the group of those countries that hold 95% of the world's patents, 85% of global GDP, 75% of international trade, and 65% of the world population. Hence it is obvious that their agenda would influence the world's economy

### **Role of India in G20**

India should have some collaboration on limited focus areas around science and technology, building on resolutions of the United Nations General Assembly (UNGA) and other multilateral bodies. The following path should be adopted by India ‘

1. India should make collaboration with those countries traveling in the same

boat as per the economic perspective

2. emerging economies are no longer to be considered the source of problems needing external solutions but the source of solutions to shared problems.
3. the BRICS provides an appropriate model for governance institutions suitable for the 21st century where a narrow group of states dominated by one power will not shape the agenda.

In the upcoming summit of G20, the common concern of all the countries would be Human rights. There is a growing recognition of economic and social rights. the right to adequate food, housing, education, health, water and sanitation, and work for all would be discussed in this summit.

Besides, another important agenda for pacing up the world's economy should be investment. How investment should be increased in those countries whose economy has collapsed during the corona pandemic

The issue related to environment conservation should also be discussed

space is the next frontier for finding solutions to problems of natural resource management ranging from climate change-related natural disasters and supporting agricultural innovation to urban and infrastructure planning. this should also be discussed in the upcoming G20

India should raise the issue of the digital-information-technology. The term universal services should be redefined. The internet services should be excessively for all.

Public health is another important issue of Global concern. We could fight the Global health issue jointly. After the COVID -19, it has been proven. A major global challenge is the rapidly growing antimicrobial resistance which needs new antibiotics and collaboration between existing biotechnology facilities.

## **Conclusion**

As per the above discussion, it can be said that the upcoming G20 summit held in Bali would be a more significant Global summit for the world. India is the world's leading country in population. therefore India's role in this summit will be more influence able. India is a developing country that is facing



various economic and social issues which can be tackled only through the world's cooperation.

**ANSHUL**

## **On the failure of ISRO's maiden small satellite launch vehicle mission**



- The Indian Space Research Organization (ISRO) launched the first flight of its new satellite launcher 'Small Satellite Launch Vehicle (SSLV)' from the Satish Dhawan Space Center in Sriharikota, Andhra Pradesh, carrying two satellites – Prithvi. The observation satellite went into space carrying EOS-02 and AzadiSat.
- However, these satellites sent with the launch vehicle failed to be placed in the desired orbit due to an error in their final stage.

### **What was the objective of the mission?**

- The objective of this mission was to launch two satellites with the first launch of SSLV at a distance of about 350 km from the equator. It was to be placed in circular Low-Earth Orbit (LEO) at an altitude.

### **EOS-2:**

- It is an optical remote sensing satellite designed and developed by ISRO.

### **AzadiSat:**

- It was designed by the student team of 'Space Kids India' to measure the ionizing radiation which consisted of 75 small payloads.
- It was prepared as part of ISRO's effort to popularize Science-Technology-Engineering-Mathematics (STEM) among girl students at school level where it inspires exploration of the universe.

## Satellite launch failure

- The Small Satellite Launch Vehicle (SSLV) is a three-stage launch vehicle configured as a terminal stage with three solid propulsion stages and a liquid propulsion-based Velocity Trimming Module (VTM).
- The initial three stages of the launch were successful but the terminal stage of the Velocity Trimming Module (VTM) appeared to have a problem.
- According to the launch profile, the VTM should have been lit for 20 seconds.
- But it only burned for 0.1 seconds and failed to raise the rocket to the required height.
- According to ISRO, the satellites were placed in an elliptical orbit instead of a circular orbit and lost contact due to sensor failure.

## Difference between circular and ellipsoidal orbits

### Class:

- Orbit is the regular, repetitive path on which an object in space travels around another body.

### Big circle:

- When a body moves around another body in an elliptical or elliptical path.
- Most of the planets in our solar system orbit in elliptical orbits instead of circular orbits due to the gravitational interaction of other planets and stars.

### Circular:

- A circular orbit is an orbit of a fixed distance around the barycenter which is circular.
- Artificial satellites orbiting the Earth are usually placed in circular orbits.
- The circular path is favorable for artificial satellites because it is easier to take an image of the earth if the satellite is at a certain distance.
- Keeping the camera focused can become complicated if the distance varies (as in elliptical orbits).

## **Difference between SSLV and PSLV**

### **Cost effective and payload capacity:**

- SSLV is designed to launch 500-kg payload into 500-km planetary orbit and is less expensive than PSLV.
- Since the Polar Satellite Launch Vehicle (PSLV) can carry heavy loads, it does not have a high cost-benefit ratio in small projects.

### **Solid propellant:**

- SSLV uses solid propellant and is more economical and easier to manage than PSLV's liquid propellant stages.

### **Fast 'Launch on Demand' service:**

- The long turnaround period (more than 60 days) of PSLV complicates 'Launch on Demand' launches.
- SSLV has the facility to launch multiple satellites. It has a low turnaround period (72 hours) and can be assembled within a fortnight, giving the space agency an opportunity to provide a 'launch on demand' service in the rapidly emerging low-Earth orbit launch area.

## **Upcoming Projects of ISRO**

- **Gaganyaan** – Indian manned space flight programme.
- **Aditya-L1**: To study the atmosphere of the Sun.
- **NASA-ISRO Synthetic Aperture Radar Mission**: To study various threats and global environmental change.
- **Shukrayaan-1**: Orbiter for the planet Venus.

## **Future prospects**

### **'Doorway Commercial Satellite Launch Market':**

- SSLV is India's official gateway to the worldwide commercial small satellite launch market.
- The rocket is believed to be operated by New Space India Limited (NSIL), India's commercial space mission body.
- Attractive for commercial earth observation and communication.

### **Launching SSLV from Pole to Pole:**

- ISRO intends to launch SSLV from Kulasekarapattinam (India's new spaceport under construction) in Tamil Nadu in future.

- This will enable SSLV to enter pole-to-pole or polar orbit around Earth.
- This will allow SSLV to fly over Lakshadweep Sea without circling Sri Lanka, thereby saving fuel and payload capacity.

### **Steps towards Nano-satellite launch vehicle:**

- With the advancement of technology there has been a significant reduction in the size of satellites where CubeSats and nano-satellites are becoming common.
- In this scenario, ISRO has the opportunity to lead the development of cost-effective nano-satellite launch vehicles.

**Swadeep Kumar**

## **India hosts pre-summit meeting of Tiger Range countries**



- Recently India has hosted the Pre-Summit of Tiger Range Countries (TRCs).
- The Tiger Range Countries Summit is scheduled to be held on September 5, 2022 in Vladivostok, Russia.
- The 4th Asia Ministerial Conference on Tiger Conservation was held in January 2022.
- The National Tiger Conservation Authority of India has also decided to issue guidelines for restoration of tigers which can be used by other tiger



range countries.

### **Key points**

- Twelve countries of the Tiger/Tiger range participated in the meeting except China and Indonesia.
- The 13 Tiger Range Countries (TRCs) are: India, Bangladesh, Bhutan, Cambodia, Lao PDR (People's Democratic Republic), Malaysia, Myanmar, Nepal, Russia, Thailand, Vietnam, China and Indonesia.
- India is committed to bring all possible tiger habitats in the country under the Tiger Reserve Network.
- The aim of the meeting is to finalize the Declaration on Tiger Conservation to be adopted at the summit.

### **Importance of Tiger Conservation:**

#### **Important in regulating ecological processes:**

- The tiger is a unique animal that plays an important role in a health ecosystem and its diversity.
- Forests are known to provide ecological services like clean air, water, pollination, temperature regulation etc.

### **Maintaining a Diet Chain:**

- It is an apex predator that is at the top of the food chain and controls wild (mainly large mammal) populations.
- The tiger, therefore, helps maintain a balance between the herbivores and the vegetation on which they feed by hunting herbivores.

### **Conservation Status of Tiger:**

- **Wildlife (Protection) Amendment Bill 2021:** Schedule 1
- **Red List of the International Union for Conservation of Nature**

**(IUCN):** On the verge of extinction.

- **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES):** Appendix 1

### **Indian Scenario in Tiger Conservation:**

- India has 52 tiger reserves spread over an area of about 75,000 square kilometers in 18 states.
- Globally, India has about 75% of wild tigers.
- India had achieved the target of doubling the number of tigers in the year 2018 itself, four years before the target year 2022.
- Conservation assured to 17 tiger reserves in the country. Tiger Standards (CA|TS) has received international recognition and two tiger reserves (Satyamangalam and Pilibhit) have received the International Tx2 award.
- India has bilateral agreements and MoUs with several tiger range countries and is working closely with Cambodia for technical assistance towards bringing back wild tigers.

**Swadeep Kumar**

### **The credibility of the sample data of NFHS : An analysis**

**Context:** As per the data of the National Family Health Survey (NFHS) the Poverty Ratio (Head Count Ratio) of Tamilnadu declined from 4.89% in 2015-16 to 1.57% in 2020-21. Many economists and scholars, many time raised questions about the credibility of the data of NFHS. However, the NITI Ayog makes the policy for the poor on the bases of the data provided by NFHS. These data should be carefully evaluated and verified from other sources and then the policies should be made on the bases of these data.

#### **Introduction**

NFHS is the collaborative project of the IIPS (International Institute for

Population Science) Mumabali with some institutions of the foreign. It surveys for the collection of the data based on the family's income. NFHS was funded by the United States Agency for International Development (USAID) with supplementary support from United Nations Children's Fund (UNICEF).

The first family health survey was done in 1992-93. This is the fourth and fifth family health survey.

We should check the qualities of the data before relying on it.

### **The Data On Mpi (MULTIDIMENSIONAL POVERTY INDEX)**

Niti Ayog published its report in 2021 on the MPI. and the MPI is derived from the multiples functions of the family like health, education, living standard, etc. However the NITI Ayog identified 12 parameters .and among that parameters, weight deprivation is also a parameter. If we accept this parameter then the score would be more than .33 and they would be considered the poor

In some non-poor families, the deprivation score may be more than .33. therefore, this parameter for using poverty is questionable.

Another surprising and interesting aspect of this approach is an estimation of the Intensity of Poverty. This is the weighted-average deprivation score of the multidimensionally poor. and on this ground, the Intensity of Poverty in Tamil Nadu declined from 39.97% to 38.78% during this period. It indicates that the summary measure of multiple deprivations of the poor has only marginally declined during this period

In fact, the MPI is the product of the Head Count Ratio and Intensity of Poverty. In Tamilnadu, it declined from 0.020 to 0.006. This gives us a clue that any further decline in MPI in Tamil Nadu should happen only by addressing all the dimensions of poverty and reducing its intensity substantially across the State.

## Quality of NFHS data

Today, the disputes evolve in the matter of the quality of this data of NFHS. the academicians and the other economist raised the question mark in front of the quality of the data. However, the survey done by the National Sample Survey Organisation (NSSO) had never been free from criticism. but every time the NSSO has been attempting to improve sampling design and reduce non-sampling errors

Demographics like K. Srinivasan, S. Irudaya Rajan, and K.S. James on many occasions suggested the NFHS for reducing the anomalies in sampling surveys. these people reported many articles on the errors of these surveys. In these surveys, we found arbitrariness in the data on the deaths, differences in data quality, pregnancy rate, death rate, and fertility rate. these data were also not of such qualities

In the case of Tamilnadu, the data was collected by NFHS in two phases – the pre-lockdown period and the post-lockdown period. Approx 30 percent in pre corona period and 70 in the post-lockdown period. the impact of lockdown should be reflected in data. if we compare the data of the pregnant women before the lockdown period, we see the pregnant women below the age of 19 were 18.82 % and those between 19-21 years was 25:75 and 32:68 for pregnant women above 21 years. The data on pregnancy increased during the lockdown period. Death data also increased because of the pandemic

The survey data, if suppose collected from a single time period, it is normal and easy to compare the result of survey data on specific indicators. But in two different situations, some indicators may be affected and some do not affect by this pandemic. These flaws must be considered while making the policy for the poor

## Conclusion

As per the above discussion, it can be concluded that the data provided by NFHS are not free from criticism. therefore our lawmakers should use these data very carefully while making policies based on these data. the quality of



these data was impacted because of the corona pandemic. This survey data provides us the inputs on a broad level for making the policies But these survey data should be analyzed with the ground-level reality also. We should use data for making the policy after careful analysis and then we should improve our data collection pattern and the data interpretation also in future.

**ANSHUL**

## **Smile-75**



- The Government of India has formulated a comprehensive scheme named “Smile – Support for marginalized persons for livelihood and enterprise” to overcome the problem of desperation and begging.
- Under the Smile-75 initiative, 75 municipal corporations have been identified to implement holistic rehabilitation of people engaged in begging.

### **Smile 75-Initiatives:**

- Government welfare programs in collaboration with Municipal Corporations, Non-Governmental Organizations (NGOs) and other stakeholders have covered a wide range of welfare measures for persons engaged in begging, including their rehabilitation, provision of medical facilities, counselling, awareness, there will be a broad focus on education, skill development, economic empowerment and convergence.

- The Ministry of Social Justice and Empowerment has also allocated a total budget of Rs 100 crore for the Smile project for the period 2025-26.
- Under this, a target has been set to develop a support system for the holistic rehabilitation of the people engaged in begging.
- Ministry of Social Justice and Empowerment.

**This includes a sub-scheme of the following:**

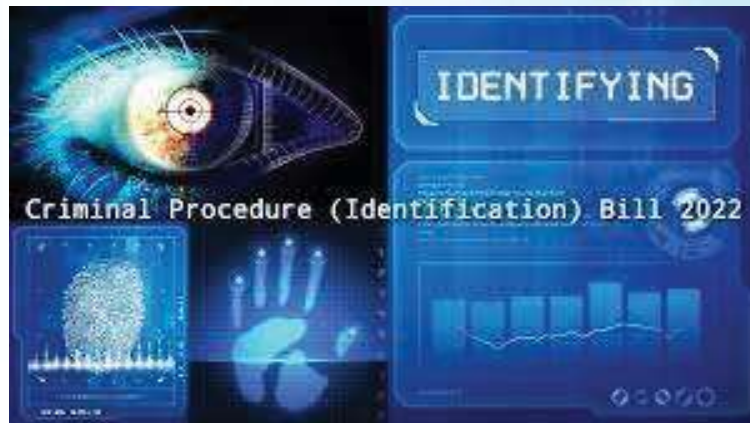
- Comprehensive rehabilitation of persons engaged in the act of begging.
- To free the towns/towns and municipal areas from begging.
- To formulate a strategy for comprehensive rehabilitation of persons engaged in the act of begging through coordinated action of various stakeholders.

**Status of population engaged in begging in India:**

- According to the 2011 census, the total number of beggars in India is 4, 13,670 (2, 21,673 males and 1, 91,997 females) and their numbers have increased as compared to the previous census.
- West Bengal tops it, followed by Uttar Pradesh and Bihar at number two and third place respectively. According to the 2011 census, there are only two beggars in Lakshadweep.
- The Union Territory of New Delhi had the highest number of beggars at 2,187, followed by Chandigarh with 121.
- Among the north-eastern states, Assam tops with 22,116 beggars, while Mizoram ranks lower with 53 beggars.

**Swadeep Kumar**

## Criminal Procedure (Identity) Act, 2022



- Recently the Criminal Procedure (Identity) Act, 2022 has come into force after it was passed in Parliament in April 2022.
- It replaces a colonial-era law, the Identification of Prisoners Act, 1920, and authorizes police officers to identify people convicted, arrested or facing trial in criminal cases.

### Criminal Procedure (Identity) Act, 2022

- It gives legal permission to the police to take physical and biological samples of criminals as well as those accused of crimes.
- Police can collect data under Section 53 or Section 53A of the Code of Criminal Procedure (CrPC), 1973.
- Data that may be collected: Finger-impressions, palm-print impressions, footprint impressions, photographs, iris and retinal scans, physical, biological specimens and their analysis, behavioral properties including signatures, handwriting or any other examination.
- CrPC is the primary law with respect to procedural aspects of criminal law.
- Any person convicted, arrested or detained under any preventive detention law shall be required to provide a “measurement” to a police officer or prison officer.
- National Crime Records Bureau (NCRB) will act as a repository of physi-

cal and biological specimens, signature and handwriting data where they can be preserved for at least 75 years.

- It aims to ensure the unique identity of the people involved in the crime and help the investigating agencies in solving the cases.

### **The need to change the previous act:**

- The purpose of this bill is to replace the 'Identification of Prisoners Act, 1920'.
- In which amendments were proposed in the 87th Report of the Law Commission of India in the year 1980s and in the judgment of the Supreme Court in the case 'State of Uttar Pradesh Vs Ram Babu Mishra' (1980).
- The Act needs to be amended to include "palm impression", "signature or writing sample" and "voice sample" in the first set of recommendations and to expand the scope of measurement.
- The second set of recommendations has sought the need to allow sampling for actions other than those under the Code of Criminal Procedure (CrPC).
- The Law Commission report also states that the need for amendment is reflected in the many amendments made to the Act by several states.
- It was realized that with advances in forensics there is a need to identify more types of "measurements" that can be used by law enforcement agencies for investigation.

### **Significance of the Act:**

#### **Modern technology:**

- The Act provides for the use of modern techniques for recording appropriate body measurements.
- The existing law allows only 'fingerprint' and 'footprint' to be taken of a limited category of convicted persons.



### **Help investigative agencies:**

- Expansion of the scope of 'persons' (whose samples can be taken) will help the investigating agencies to gather sufficient legally acceptable evidence and prove the guilt of the accused person.

### **Making testing more efficient:**

- It provides legal approval for taking suitable samples from the bodies of persons who are required to provide such samples and will also help in making the investigation of crime more efficient and speedy and increase the conviction rate.

### **Legal Issues:**

#### **Undermining the right to privacy:**

- This legislative proposal undermines the right to privacy not only of persons convicted of crime but of every ordinary Indian citizen.
- The Bill proposes to collect biological samples of even protesters involved in political protests.

#### **Thin provision:**

- The proposed law aims to replace the 'Prisoner Identification Act, 1920', while also substantially expanding its scope and reach.
- Terms such as 'biological sampling' are not described much, so any somatic intervention such as taking blood and hair samples or collection of DNA samples can be performed.
- Presently such interventions require the written approval of a magistrate.

#### **Violation of Article 20:**

- Apprehensions have been raised that the Bill has enabled arbitrary collection of samples and has the potential to violate Article 20(3) which

gives protection against self-incrimination.

- The bill implicates the use of force in the collection of biological information, which can lead to 'narco testing' and 'brain mapping'.

### **Data Management:**

- This bill allows preservation of records for 75 years. Other concerns include the means by which the collected data will be protected, shared, transmitted and destroyed.
- Collection may also result in mass surveillance, with the law linking the database with other databases such as the Crime and Criminal Tracking Network and System (CCTNS).
- The Crime and Criminal Tracking Network and System (CCTNS) has been conceived from the experience of Common Integrated Police Application (CIPA).

### **Lack of awareness among prisoners:**

- Although the Bill provides that an arrested person (not accused of a crime against a woman or a child) can refuse to give samples, but in the absence of awareness, not all detainees will be able to exercise this right.
- It will also not be too difficult for the police to ignore such refusal and later they can claim that they collected samples with the consent of the prisoner.

**Swadeep Kumar**