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Weekly Current Affairs Compilations

A holistic magazine for UPSC Prelims, Mains and Interview Preparation

Volume 19

5th - 11th Dec 2019

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- b. Gujarati Literature

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MAINS TOPICS

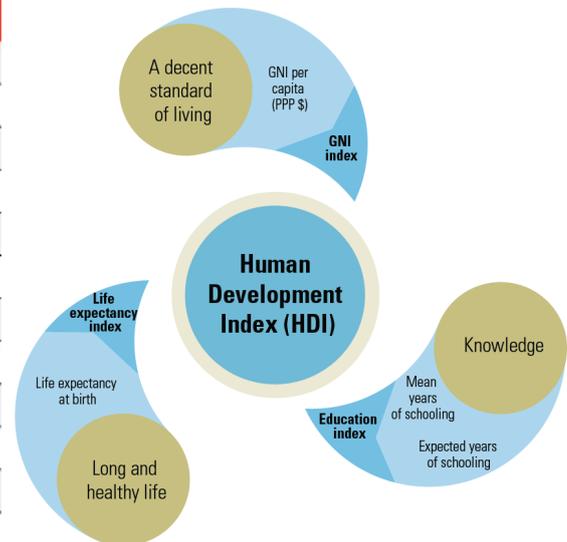
1. HUMAN DEVELOPMENT REPORT - 2019

1. India ranks 129 out of 189 countries on 2019 Human Development Index (HDI) — up one slot from 130th position last year — according to **Human Development Report (HDR)** released by **United Nations Development Programme (UNDP)**.
2. *The HDI measures average achievement in three basic dimensions of human development — life expectancy, education and per capita income.*

Country	2017 Rank	2018 Rank
India	130	129
Brazil	79	79
China	86	85
Russia	49	49
South Africa	113	113
Pakistan	150	152
Afghanistan	168	170
Sri Lanka	76	71
Bhutan	134	134
Nepal	149	147
Bangladesh	136	135
Maldives	101	104

Ups and downs
Among India's neighbours Sri Lanka moved up five rungs on the HDI ladder while Maldives fell three ranks. While Pakistan slipped two spots, Bangladesh moved up one

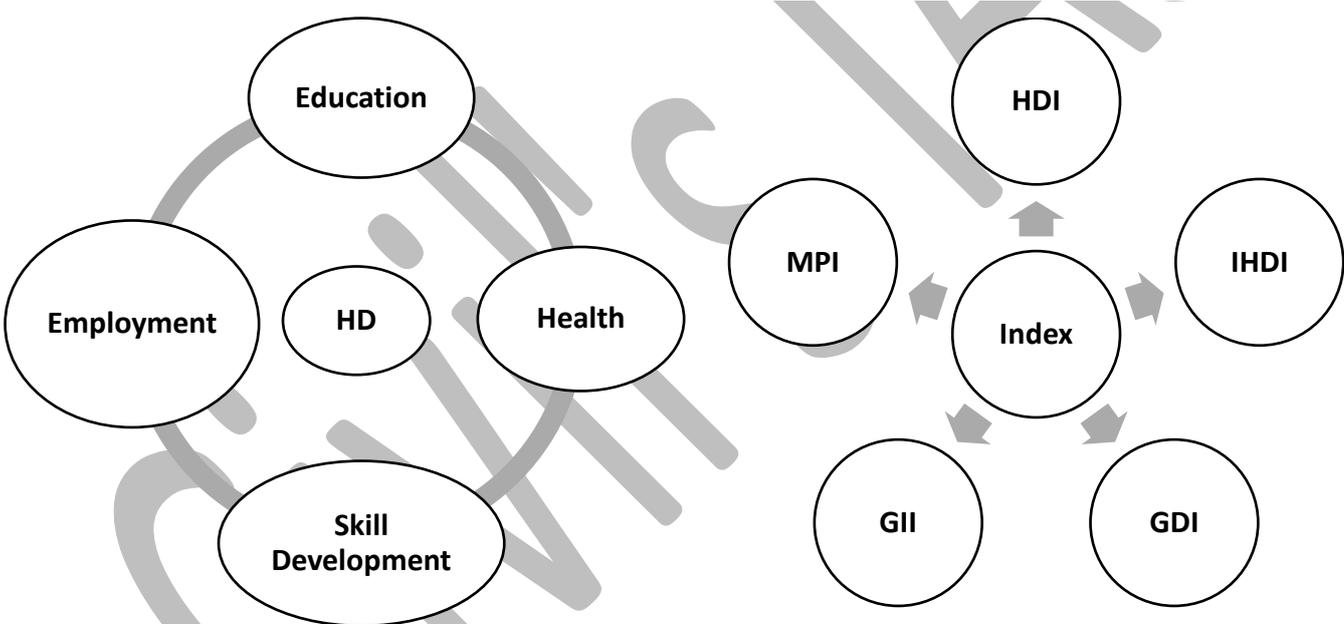
Source: Human Development Report, UN



3. **Norway, Switzerland and Ireland** occupied the top three positions in that order. **Germany** is placed fourth along with **Hong Kong**, and **Australia** secured the fifth rank on the global ranking.
4. **46% growth in South Asia**
 - a. As per report, South Asia was fastest growing region in human development progress witnessing a 46% growth over 1990-2018, followed by East Asia and Pacific at 43%.
 - b. India's HDI value increased by 50% (from 0.431 to 0.647), which places it above average for other South Asian countries (0.642).
5. However for inequality adjusted HDI (IHDI) India's position drops by one position to 130, losing nearly half progress (.647 to .477) made in past 30 years. IHDI indicates % loss in HDI due to inequalities.
6. The report notes that group-based inequalities persist, especially affecting women and girls and no place in world has gender equality. In Gender Inequality Index (GII), India is at 122 out of 162 countries. Neighbors China (39), Sri Lanka (86), Bhutan (99), Myanmar (106) were placed above India.
7. The report notes that world is not on track to achieve gender equality by 2030 as per the UN's Sustainable Development Goals. It forecasts that it may take 202 years to close gender gap in economic opportunity — one of three indicators of the GII.
8. **Increasing bias**
 - a. The report presents a new index indicating how prejudices and social beliefs obstruct gender equality, which shows only 14% of women and 10% of men worldwide have no gender bias.
 - b. The report notes that this indicates a backlash to women's empowerment as these biases have shown a growth especially in areas where more power is involved, including in India.
 - c. The report also highlights that new forms of inequalities will manifest in future through climate change and technological transformation which have the potential to deepen existing social and economic fault lines.

What is Human Development?

- Human development is defined as the process of enlarging people's freedoms and opportunities and improving their well-being.
- Tagline : **Inequalities in Human Development in the 21st Century**



Human Development- Measurement

Human Development Report (HDR) is an annual report published by the Human Development Report Office of the United Nations Development Programme (UNDP)

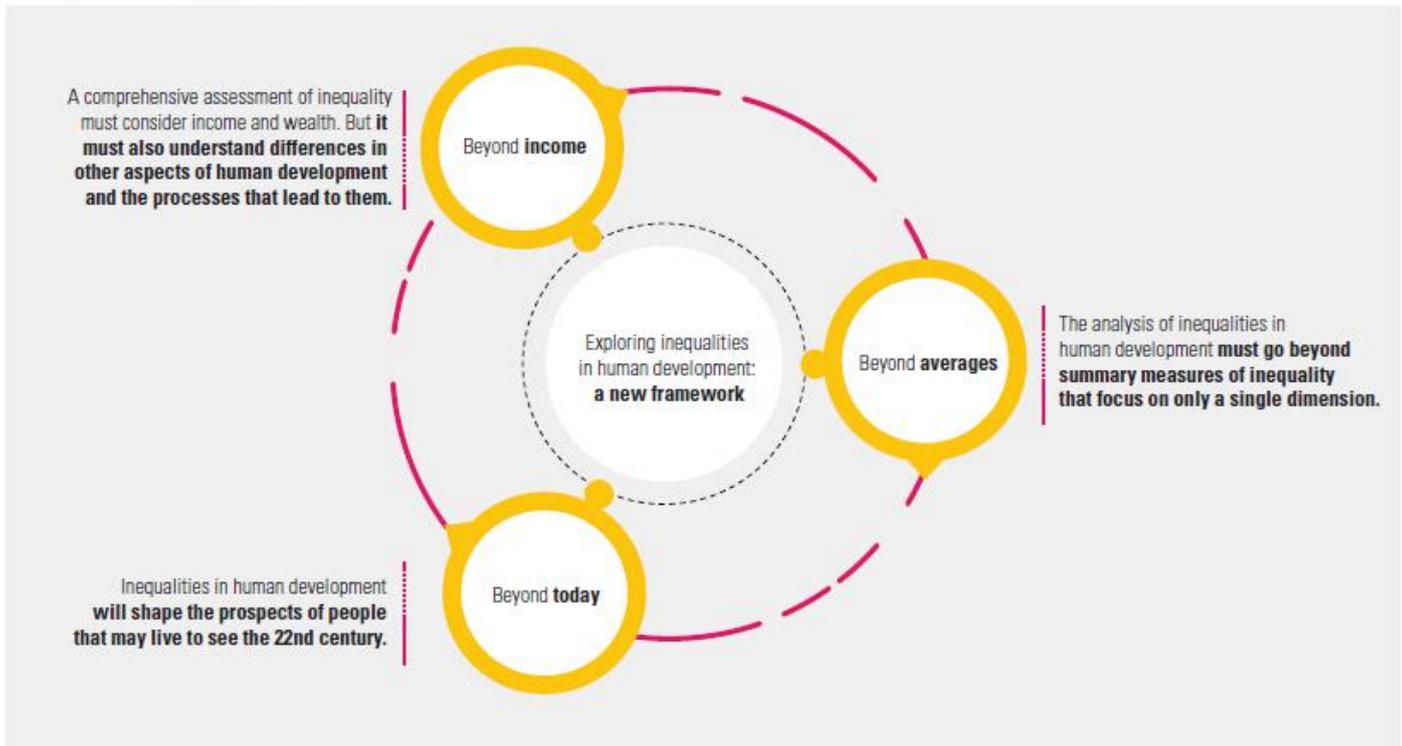
1. Human Development Index
2. Inequality-adjusted Human Development Index
3. Gender Development Index
4. Gender Inequality Index
5. Multidimensional Poverty Index

Beyond income, beyond averages and beyond today: Exploring inequalities in human development leads to five key messages



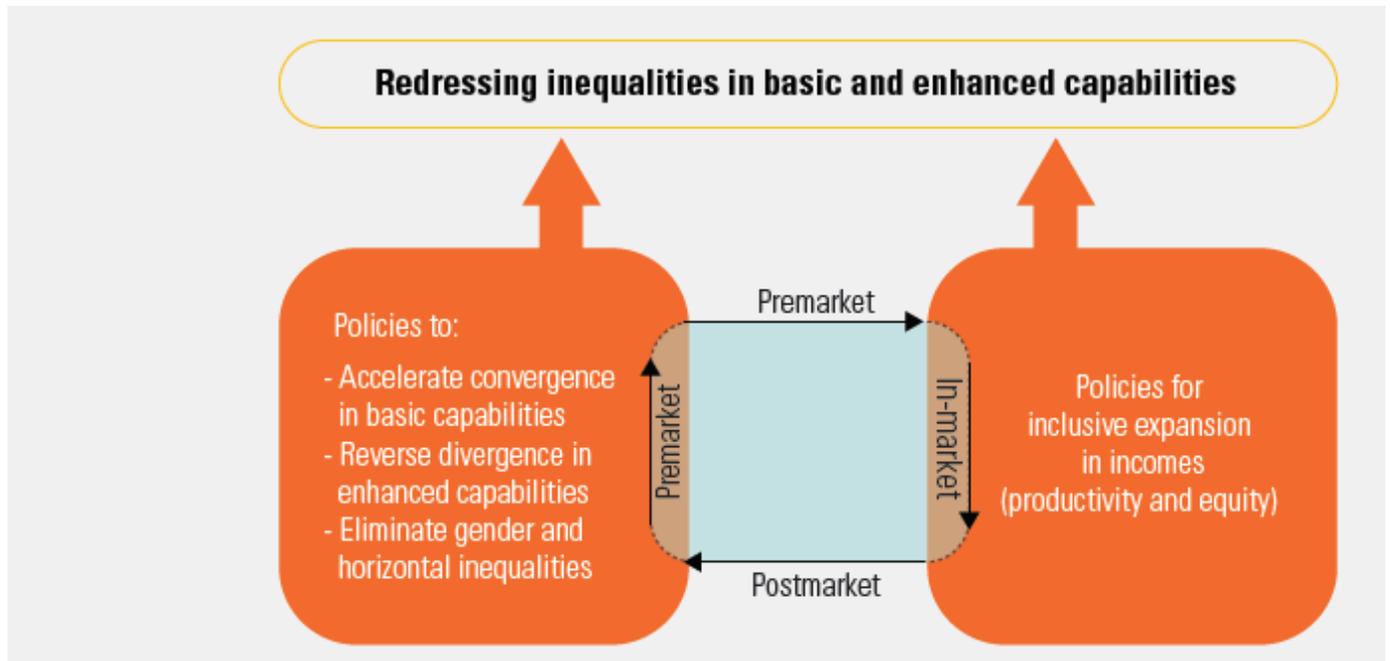
Source: Human Development Report Office.

Thinking about inequalities

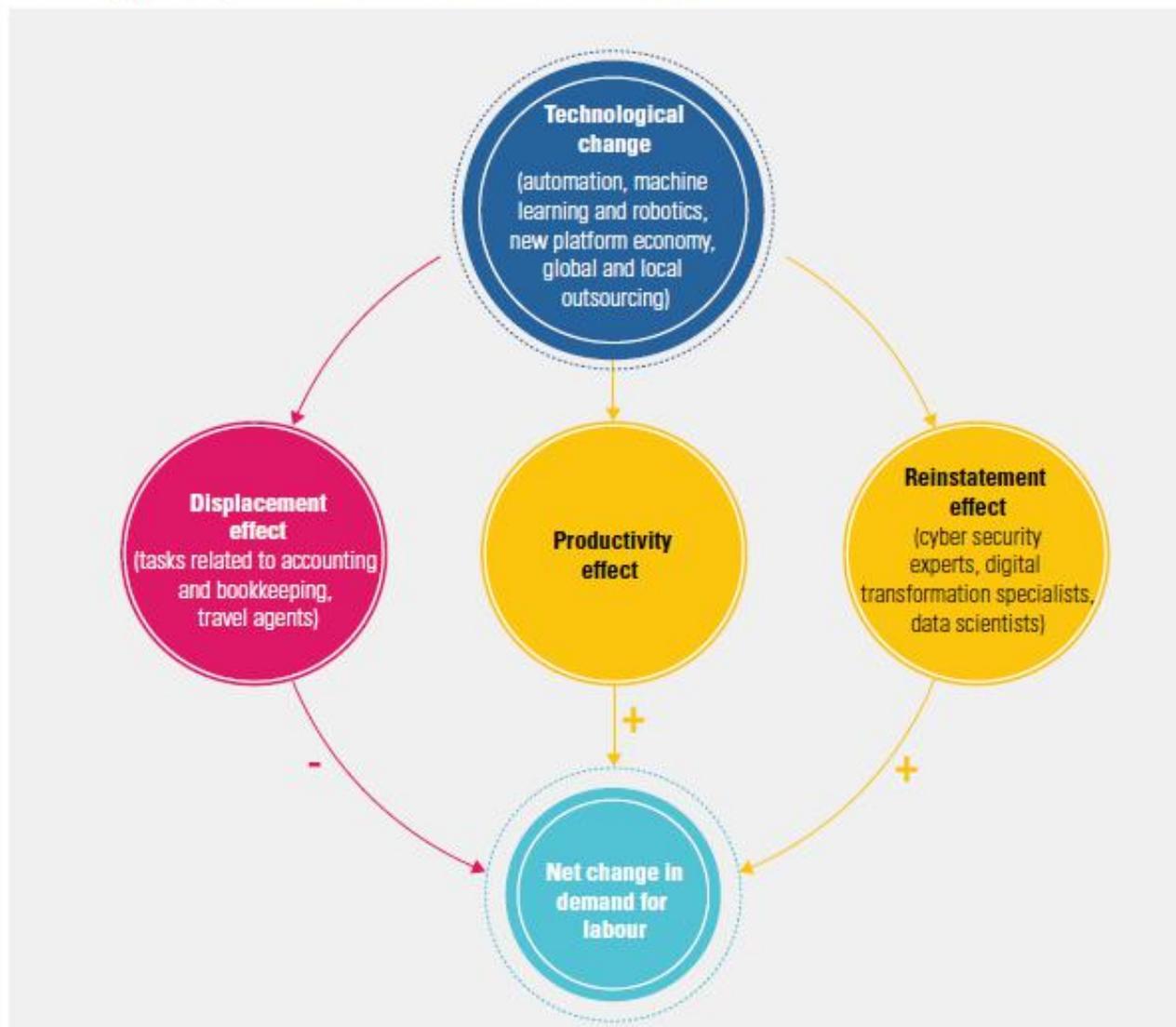


Source: Human Development Report Office.

A framework for designing policies to redress inequalities in human development



Technology can displace some tasks but also create new ones



Human Development Index [0.647] [129/189]

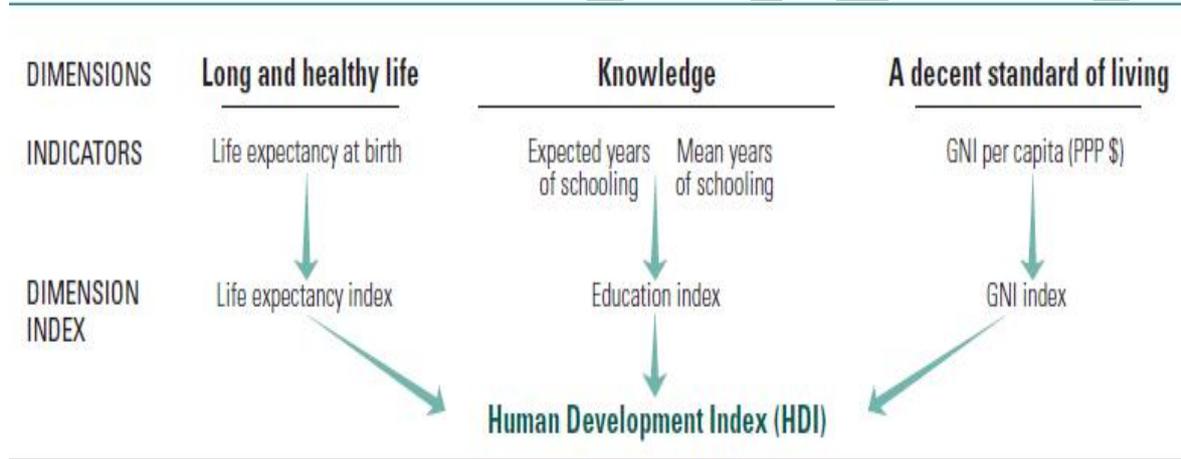
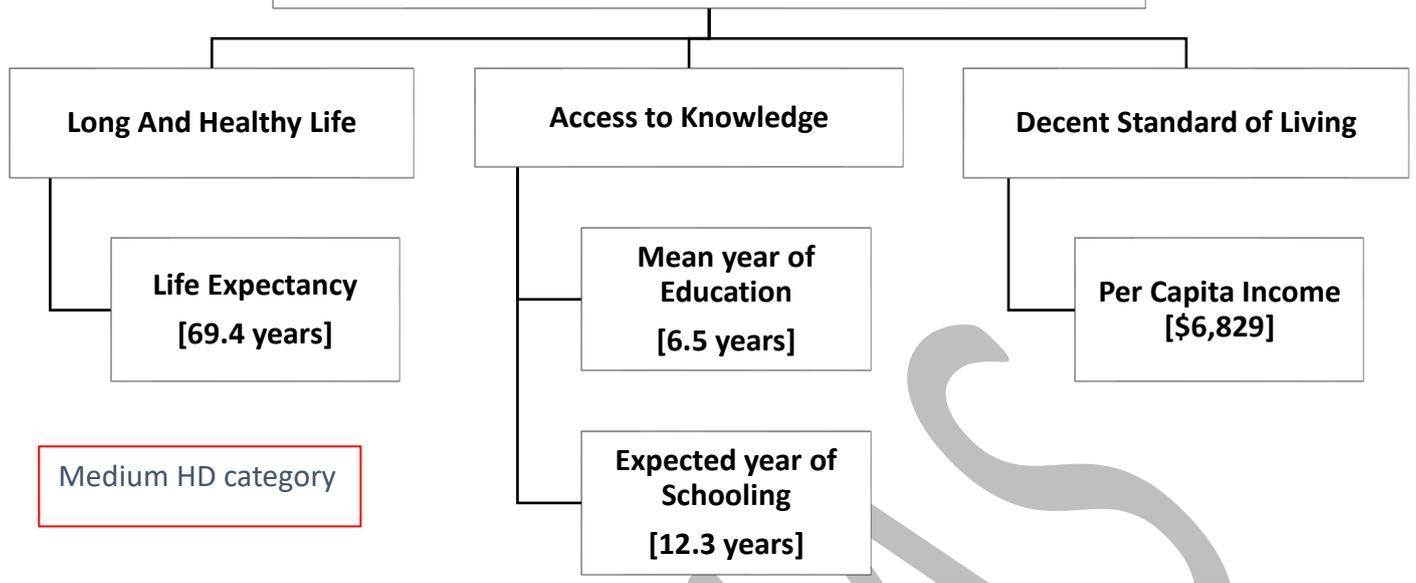
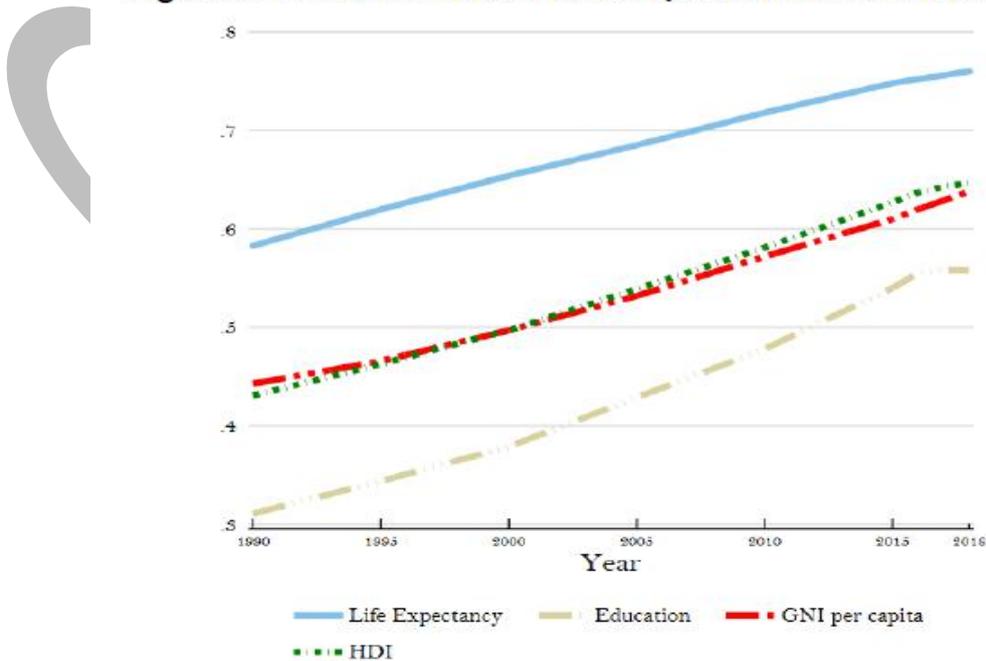
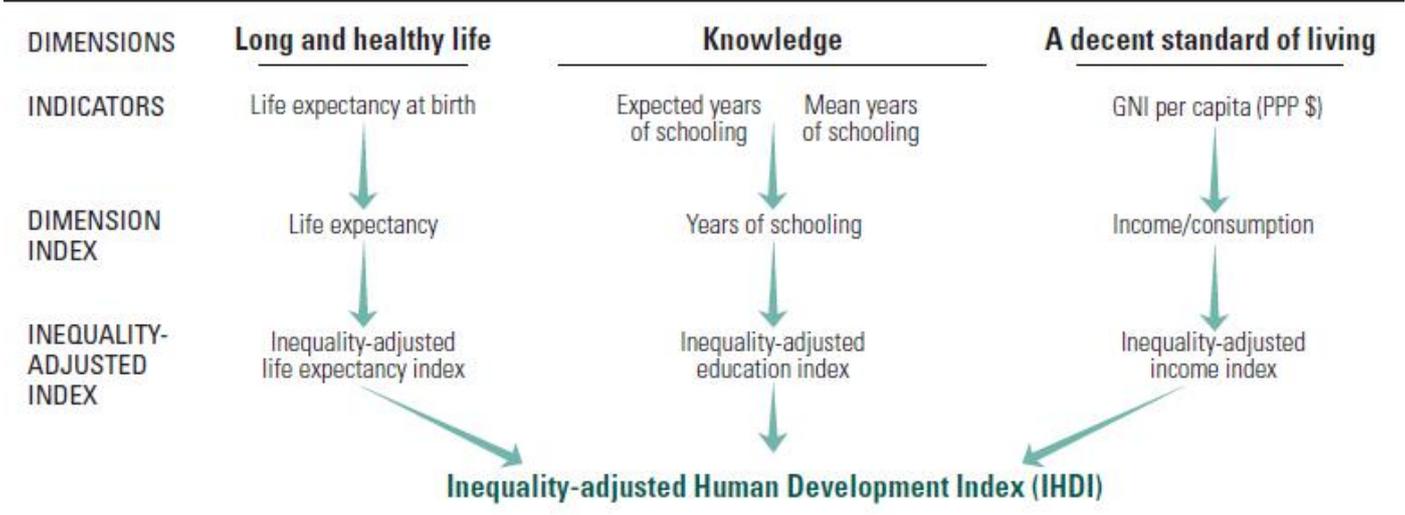
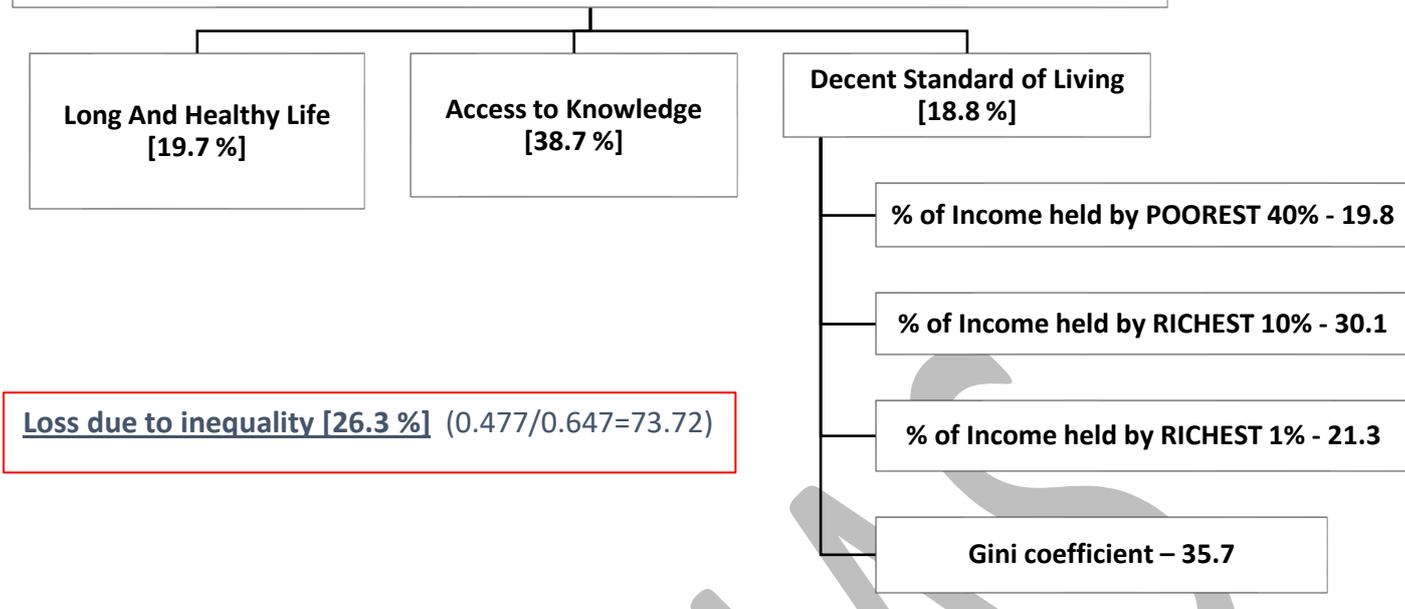


Figure 1: Trends in India's HDI component indices 1990-2018

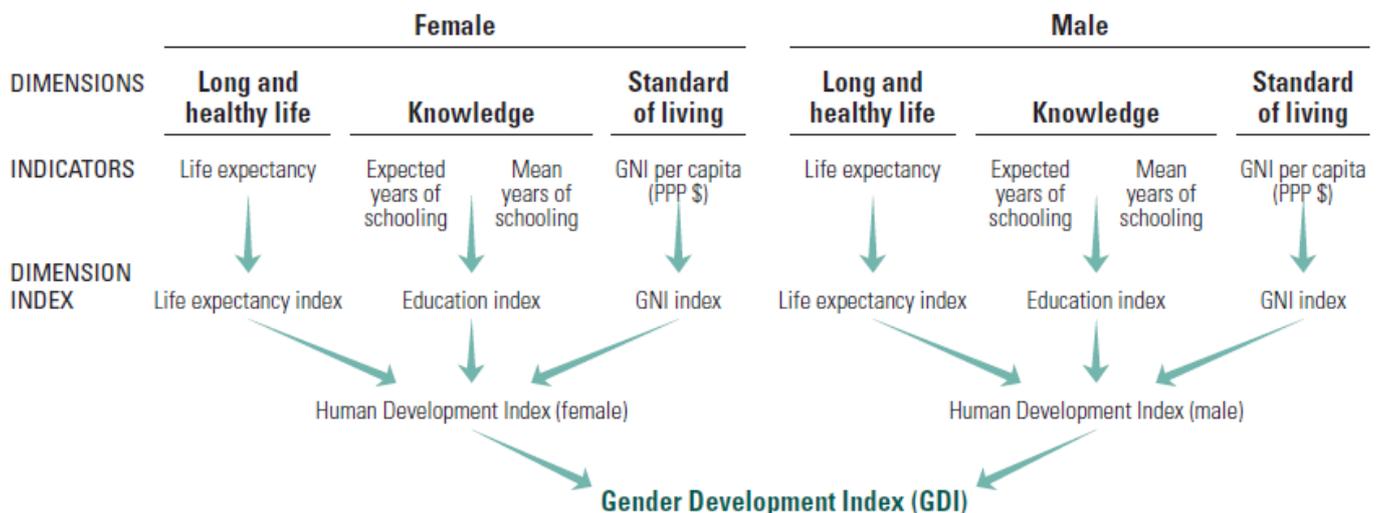
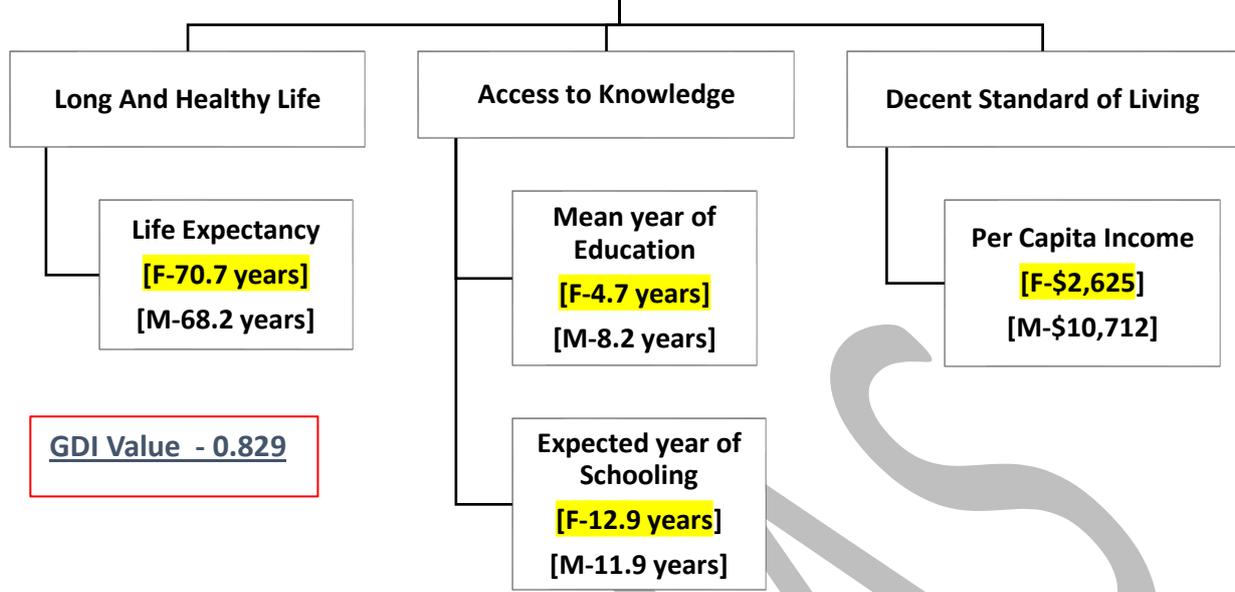


Inequality-adjusted Human Development Index [0.477] [130/150]



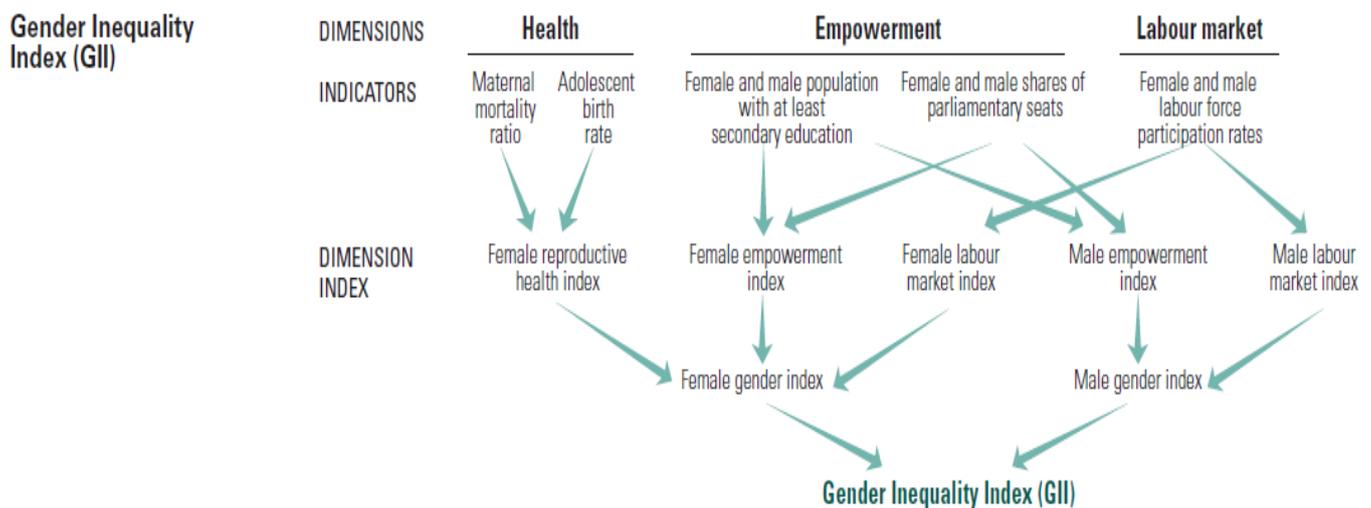
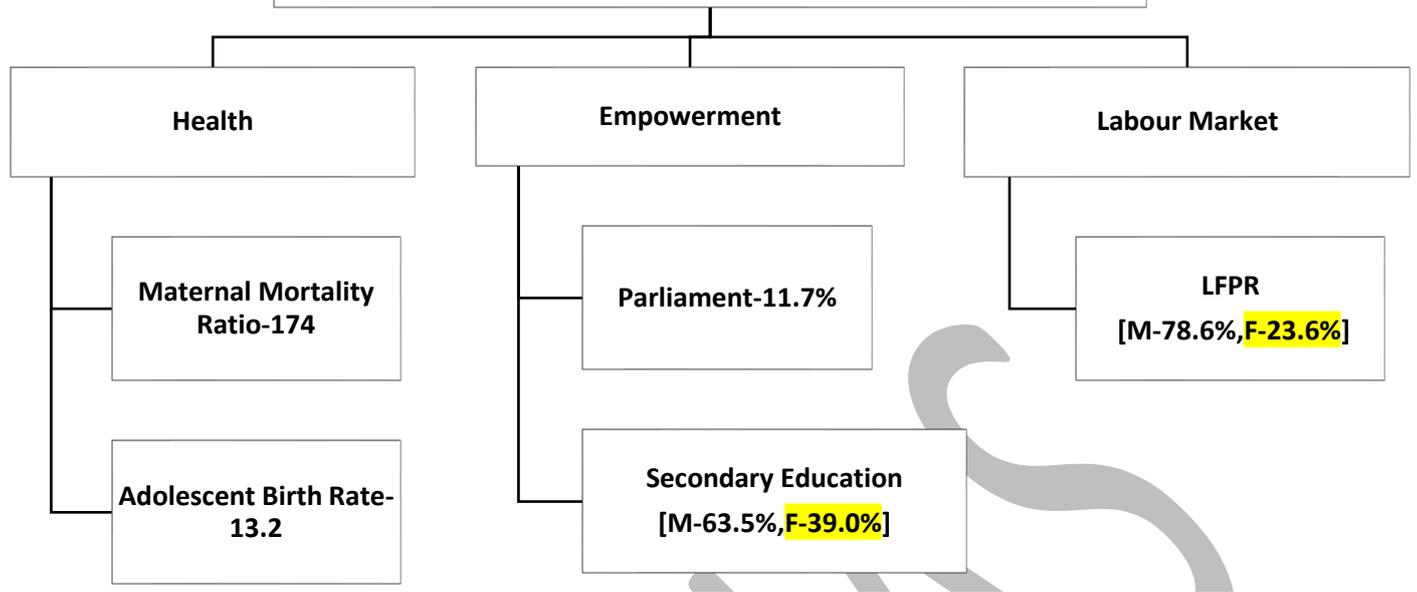
1. The 2010 HDR introduced the IHDI, which takes into account inequality in all three dimensions of the HDI by 'discounting' each dimension's average value according to its level of inequality.
2. The 'loss' in human development due to inequality is given by the difference between the HDI and the IHDI, and can be expressed as a percentage.
3. As the inequality in a country increases, the loss in human development also increases.
4. We also present the coefficient of human inequality as a direct measure of inequality which is an unweighted average of inequalities in three dimensions.
5. India's HDI for 2018 is 0.647. However, when the value is discounted for inequality, the HDI falls to 0.477, a loss of 26.3 percent due to inequality in the distribution of the HDI dimension indices.

Gender Development Index [F-0.574, M-0.692] [Group 5 , 166 Countries]



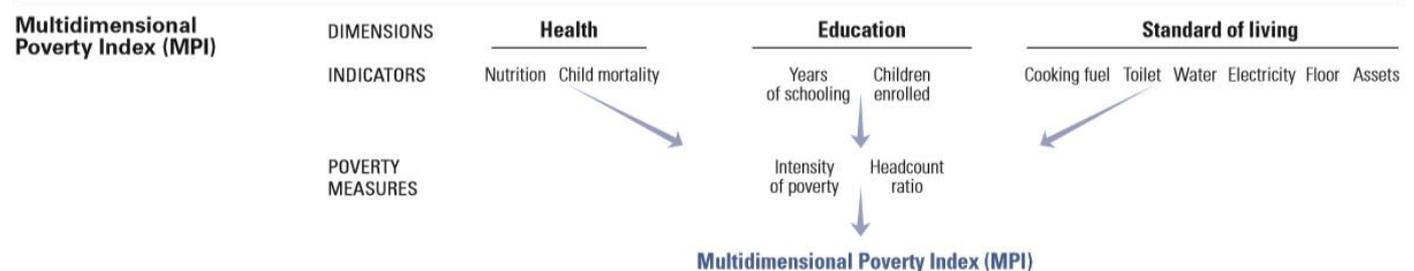
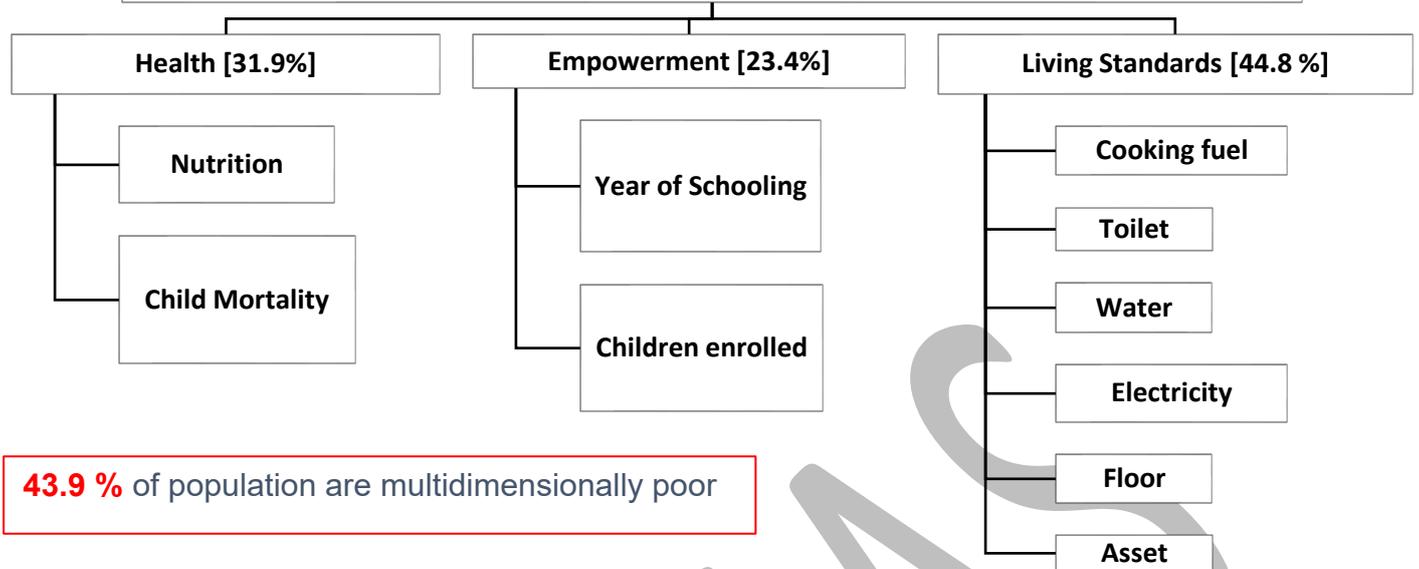
- In 2014 HDR, HDRO introduced a new measure, GDI, defined as a ratio of the female to the male HDI.
- The GDI reflects gender inequalities in achievement in the same three dimensions of the HDI:
 - health (measured by female and male life expectancy at birth),
 - education (measured by female and male expected years of schooling for children and mean years for adults aged 25 years and older); and
 - command over economic resources (measured by female and male estimated GNI per capita).
- Gender Development Index groups: Countries are divided into five groups by absolute deviation from gender parity in HDI values.
 - Group 1** comprises countries with high equality in HDI achievements between women and men (absolute deviation of less than 2.5 percent),
 - Group 2** comprises countries with medium to high equality in HDI achievements between women and men (absolute deviation of 2.5– 5 percent),
 - Group 3** comprises countries with medium equality in HDI achievements between women and men (absolute deviation of 5–7.5 percent),
 - Group 4** comprises countries with medium to low equality in HDI achievements between women and men (absolute deviation of 7.5–10 percent) and
 - Group 5** comprises countries with low equality in HDI achievements between women and men (absolute deviation from gender parity of more than 10 percent).

Gender Inequality Index [0.501] [122/162]



- The 2010 HDR introduced the GII, which reflects gender-based inequalities in three dimensions
 - Reproductive health is measured by
 - maternal mortality and
 - adolescent birth rates;
 - empowerment is measured by the
 - share of parliamentary seats held by women and
 - attainment in secondary and higher education by each gender; and
 - economic activity is measured by the labour market participation rate for women and men.
- The GII can be interpreted as the loss in human development due to inequality between female and male achievements in the three GII dimensions.

Multidimensional Poverty Index [0.123] [101]



1. The 2010 HDR introduced the MPI, which identifies multiple overlapping deprivations suffered by individuals in 3 dimensions: health, education and standard of living.
 - a. The health and education dimensions are based on two indicators each, while standard of living is based on six indicators.
 - b. All the indicators needed to construct the MPI for a country are taken from the same household survey.
 - c. The indicators are weighted to create a deprivation score, and the deprivation scores are computed for each individual in the survey.
 - i. A deprivation score of **33.3 percent** (one-third of the weighted indicators) is used to distinguish between the poor and nonpoor.
 - ii. If the deprivation score is **33.3 percent or greater**, the household (and everyone in it) is classified as multidimensionally poor.
 - iii. Individuals with a deprivation score greater than or equal to **20 percent but less than 33.3 percent** are classified as vulnerable to multidimensional poverty.
 - iv. Finally, individuals with a deprivation score **greater than or equal to 50 percent** live in severe multidimensional poverty.
 - d. The MPI is calculated for 101 developing countries in the 2019 HDR.

PRELIMS TOPICS

1. GOOGLE

1. In a shock for online platforms like Google, Supreme Court held that ***“internet intermediaries cannot be protected from criminal defamation cases registered against them prior to October 27, 2009.”***
2. Information Technology Act of 2000
 - a. It was only on October 27, 2009 that Parliament amended the Information Technology Act of 2000 to protect online intermediaries from liability for criminally defamatory content published in them by third parties.
 - b. The amended Section 79 of the 2000 Act provided that ***“an intermediary shall not be liable for any third party information, data, or communication link made available or hosted by him.”***
 - c. The amendment gave almost blanket protection to intermediaries from legal action under Section 499/500 (criminal defamation) of the Indian Penal Code.
3. A Bench of Justices Mohan M. Shantanagoudar and K.M. Joseph pronounced the 148-page judgment on the basis of an appeal filed by Google India Pvt Ltd.
4. The appeal was against a criminal defamation action on the basis of a complaint filed by M/s Vishaka Industries, a manufacturer of asbestos cement sheets. Vishaka accused the co-ordinator of a Google group called ‘Ban Asbestos India’ and Google India for authoring / hosting defamatory articles against their products in 2008.
5. The accused were asked to appear in court in September 2009 – that is before the amendment in Section 79 came into existence.
6. “We hold that Section 79 of Act, prior to its substitution, did not protect an intermediary in regard to offence under Section 499/500 of the IPC,” Justice Joseph, who wrote the judgment.
7. The verdict noted that Google India argued it was not a publisher of third-party content.

Too big, too fast

What the government said in the Supreme Court on the Internet traffic and the role of intermediaries

■ Internet offers information on a mind-boggling variety of subjects. High speed and high volume render pre-censorship difficult

■ Viewers exercise choice as to what content they wish to view or read. There is automatic uploading without any application of mind on the part of the website/platform



■ 3.5 billion people in the world accessed the Internet in 2015

■ 3 million photographs were uploaded on Facebook per day

■ 510 comments, 2,93,000 statuses are posted per minute

2. PERSONAL DATA PROTECTION (PDP) BILL, 2019

1. OBJECTIVE:

- a. *The Bill seeks to provide for*
 - i. *protection of personal data of individuals and*
 - ii. *establishes a Data Protection Authority for the same.*

2. APPLICABILITY:

- a. The Bill governs processing of personal data by:
 - i. government,
 - ii. companies incorporated in India,
 - iii. foreign companies dealing with personal data of individuals in India.
- b. Personal data pertains to characteristics, traits or attributes of identity, which can be used to identify an individual.

c. The Bill categorizes certain personal data as sensitive personal data.

- i. This includes financial data, biometric data, caste, religious or political beliefs, or any other category of data specified by government, in consultation with Authority and concerned sectoral regulator.

2. OBLIGATIONS OF DATA FIDUCIARY:

- a. **A data fiduciary is an entity or individual who decides the means and purpose of processing personal data.**
- b. Such processing will be subject to certain purpose, collection and storage limitations.
- c. For instance, personal data can be processed only for specific, clear and lawful purpose.
- d. All data fiduciaries must undertake certain transparency and accountability measures such as:
 - i. implementing security safeguards (such as data encryption and preventing misuse of data),
 - ii. instituting grievance redressal mechanisms to address complaints of individuals.
 - iii. They must also institute mechanisms for age verification and parental consent when processing sensitive personal data of children.

3. RIGHTS OF THE INDIVIDUAL:

- a. The Bill sets out certain rights of the individual (or data principal).
- b. These include the right to:
 - i. obtain confirmation from the fiduciary on whether their personal data has been processed,
 - ii. seek correction of inaccurate, incomplete, or out-of-date personal data,
 - iii. have personal data transferred to any other data fiduciary in certain circumstances, and
 - iv. restrict continuing disclosure of their personal data by a fiduciary, if it is no longer necessary or consent is withdrawn.

4. GROUNDS FOR PROCESSING PERSONAL DATA:

- a. The Bill allows processing of data by fiduciaries only if consent is provided by the individual.

Decoding the data protection bill



WHAT IT MEANS FOR CONSUMERS

- **DATA** can be processed or shared by any entity only after consent.
- **SAFEGUARDS**, including penalties, introduced to prevent misuse of personal data.
- **ALL** data to be categorized under three heads—general, sensitive and critical.



THE GOVERNMENT & REGULATORY ROLE

- **GOVT** will have the power to obtain any user's non-personal data from companies.
- **THE** bill mandates that all financial and critical data has to be stored in India.
- **SENSITIVE** data has to be stored in India but can be processed outside with consent.



WHAT COMPANIES HAVE TO DO

- **SOCIAL** media firms to formulate a voluntary verification process for users.
- **SHARING** data without consent will entail a fine of ₹15 crore or 4% of global turnover.
- **DATA** breach or inaction will entail a fine of ₹5 crore or 2% of global turnover.

Source: Mint research

- b. However, in following circumstances, personal data can be processed without consent.
 - i. if required by State for providing benefits to individual,
 - ii. legal proceedings,
 - iii. to respond to a medical emergency.

5. **SOCIAL MEDIA INTERMEDIARIES:**

- a. The Bill defines these to include intermediaries which enable online interaction between users and allow for sharing of information.
- b. All such intermediaries which have users above a notified threshold, and whose actions can impact electoral democracy or public order, have certain obligations, which include providing a voluntary user verification mechanism for users in India.

6. **DATA PROTECTION AUTHORITY:**

- a. The Bill sets up a Data Protection Authority which may:
 - i. take steps to protect interests of individuals,
 - ii. prevent misuse of personal data, and
 - iii. ensure compliance with the Bill.
- b. It will consist of a chairperson and six members, with at least 10 years' expertise in the field of data protection and information technology.
- c. Orders of the Authority can be appealed to an **Appellate Tribunal**.
- d. Appeals from the Tribunal will go to the **Supreme Court**.

7. **TRANSFER OF DATA OUTSIDE INDIA:**

- a. Sensitive personal data may be transferred outside India for processing if explicitly consented to by individual, and subject to certain additional conditions.
- b. However, such sensitive personal data should continue to be stored in India.
- c. Certain personal data notified as critical personal data by government can only be processed in India.

8. **EXEMPTIONS:**

- a. The central government can exempt any of its agencies from the provisions of the Act:
 - i. in interest of security of state, public order, sovereignty and integrity of India and friendly relations with foreign states, and
 - ii. for preventing incitement to commission of any cognizable offence (i.e. arrest without warrant) relating to the above matters.
- b. Processing of personal data is exempted from provisions of Bill for certain other purposes such as:
 - i. prevention, investigation, or prosecution of any offence, or
 - ii. personal, domestic, or
 - iii. journalistic purposes.
- c. However, such processing must be for a specific, clear and lawful purpose, with certain security safeguards.

9. **OFFENCES:**

- a. Offences under the Bill include:
 - i. processing or transferring personal data in violation of the Bill, punishable with a fine of Rs 15 crore or 4% of the annual turnover of the fiduciary, whichever is higher, and
 - ii. failure to conduct a data audit, punishable with a fine of five crore rupees or 2% of the annual turnover of the fiduciary, whichever is higher.
 - iii. Re-identification and processing of de-identified personal data without consent is punishable with imprisonment of up to three years, or fine, or both.

10. **SHARING OF NON-PERSONAL DATA WITH GOVERNMENT:**

- a. The central government may direct data fiduciaries to provide it with any:
 - i. non-personal data and
 - ii. anonymized personal data (where it is not possible to identify data principal) for better targeting of services.

11. **AMENDMENTS TO OTHER LAWS:**

- a. The Bill amends the Information Technology Act, 2000 to delete the provisions related to compensation payable by companies for failure to protect personal data.

Analysis Data Protection Bill

1. **What is Data?**

- a. Data is any collection of information that is stored in a way so computers can easily read them (011010101010 format).
- b. Data usually refers to information about your messages, social media posts, online transactions, and browser searches.
- c. The individual whose data is being stored and processed is called the data principal in the PDP Bill.

2. **Why does data matter?**

- a. This large collection of information about you and your online habits has become an important **source of profits**, but also a potential avenue for **invasion of privacy** because it can reveal extremely personal aspects.
- b. Companies, governments, and political parties find it valuable because they can use it to find the most convincing ways to **advertise to you** online.
- c. It is now clear that much of the **future's economy and law enforcement** will be predicated on the regulation of data, introducing issues of national sovereignty.

3. **Who handles my data, and how?**

- a. Data is stored in a physical space similar to a file cabinet of documents and transported across country borders in underwater cables that run as deep as Mount Everest and as long as four times the Indian Ocean.
- b. To be considered useful, data has to be processed, which means analyzed by computers.
- c. Data is collected and handled by entities called **DATA FIDUCIARIES**.
- d. While the fiduciary controls how and why data is processed, the processing itself may be by a third party, the **DATA PROCESSOR**.
- e. This distinction is important to delineate responsibility as data moves from entity to entity. For example, in the US, Facebook (the data controller) fell into controversy for the actions of the data processor — Cambridge Analytica.
- f. The physical attributes of data — where data is stored, where it is sent, where it is turned into something useful — are called **DATA FLOWS**.
- g. **DATA LOCALIZATION** arguments are premised on the idea that data flows determine who has access to the data, who profits off it, who taxes and who “owns” it.
- h. However, many contend that the physical location of the data is not relevant in the cyber world.

4. **How does the PDP Bill propose to regulate data transfer?**

- a. To legislate on the topic, **Bill trifurcates personal data**.
 - i. The umbrella group is all personal data — data from which an individual can be **IDENTIFIED**.
 - ii. Some types of personal data are considered **SENSITIVE PERSONAL DATA (SPD)**, which the Bill defines as financial, health, sexual orientation, biometric, genetic, transgender status, caste, religious belief, and more.
 - iii. Another subset is **CRITICAL PERSONAL DATA**. The government at any time can deem something critical and has given examples as military or national security data.

5. What are the two sides of the debate?

a. For data localization

- i. A common argument from government officials has been that data localization **will help law-enforcement access data for investigations and enforcement.**
- ii. **data regulation for privacy and security will have little teeth without localization**
- iii. **increase the ability of the Indian government to tax Internet giants.**

6. Criticism of Bill

- a. open-ended exceptions given to the government in the Bill, allowing for surveillance.
- b. Moreover, some lawyers contend that security and government access are not achieved by localization. **Even if the data is stored in the country, the encryption keys may still be out of reach of national agencies.**
- c. Technology giants like Facebook and Google and their industry bodies, especially those with significant ties to the US, have slung heavy backlash. Many are concerned with a fractured Internet (or a “splinternet”), where the domino effect of protectionist policy will lead to other countries following suit.
- d. Much of this sentiment harkens to the values of a globalized, competitive internet marketplace, where costs and speeds determine information flows rather than nationalistic borders. Opponents say protectionism may backfire on India’s own young startups that are attempting global growth, or on larger firms that process foreign data in India, such as Tata Consulting Services and Wipro.

Where your Privacy Is (and Isn't) Protected



Data Protection Law Passed or Under Review



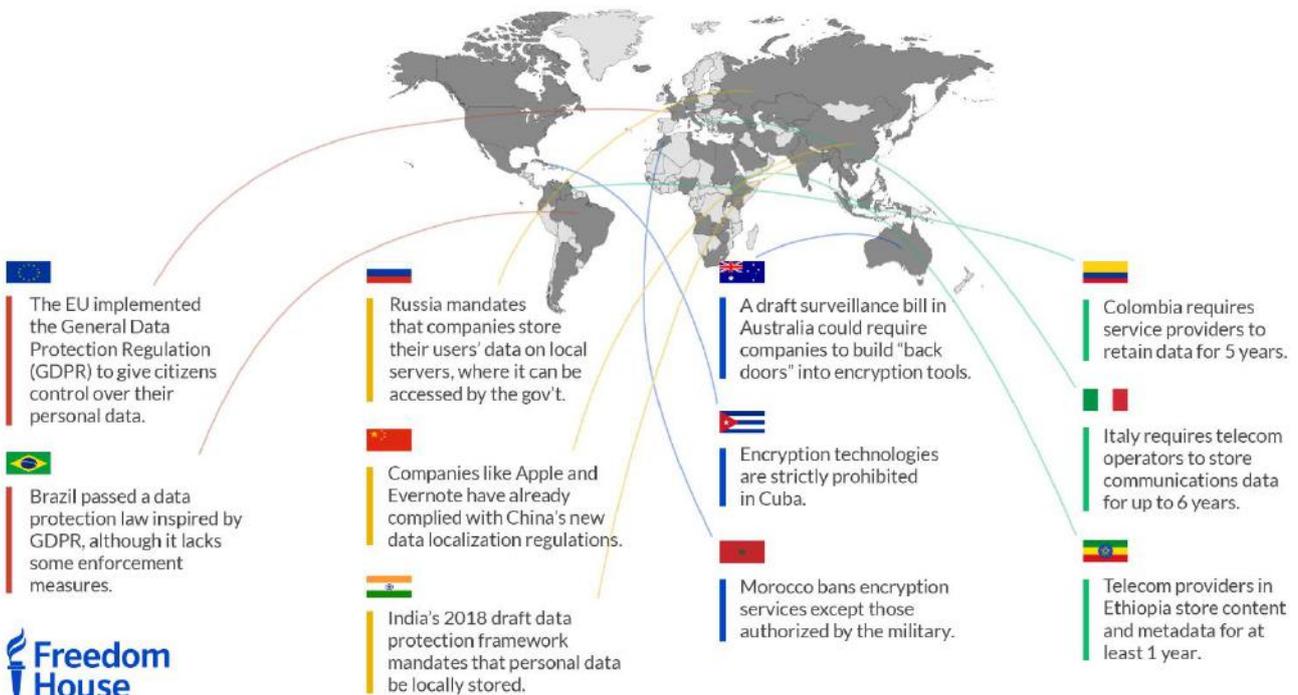
Data Localization Requirement Passed or Under Review



Law Weakening Encryption Passed or Under Review



Data Retention Requirement Passed or Under Review



www.freedomofthenet.org

3. THE CITIZENSHIP (AMENDMENT) BILL, 2019

In & out

The Bill seeks to allow members of six communities from Pakistan, Bangladesh and Afghanistan to apply for naturalisation, but the list doesn't include Muslims

■ Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from these countries will not be considered illegal migrants

■ They should have entered the country prior to December 31, 2014, and should have stayed for at least five years to be eligible for naturalisation

■ Residential requirement for citizenship through naturalisation for others is 11 years

■ No mention of Muslim migrants or minorities from any other neighbour

■ Bill allows OCI cards to be cancelled if cardholder violates any law, after an opportunity to be heard



A college student protests against the Citizenship (Amendment) Bill in Guwahati on Monday. ■ RITU RAJ KONWAR

Easing the path

Salient features of the Bill cleared by the Cabinet on Wednesday:

■ It inserts **December 31, 2014, as the cut-off date** for members of the Hindu, Buddhist, Christian, Parsi, Jain and Sikh communities from Pakistan, Bangladesh and Afghanistan **to be eligible to get Indian citizenship**

■ It will not apply to the **tribal areas of Assam, Meghalaya, Mizoram and Tripura** as included in the Sixth Schedule of the Constitution and to **Arunachal Pradesh, Mizoram and Nagaland, which are protected by the Inner Line Permit**

■ **All cases against a non-Muslim illegal migrant** before any authority, including foreigners tribunals or courts, **shall stand abated**

■ It will enable a person who does not have proof of birth of his parents in support of his being of Indian origin to apply for citizenship by **naturalisation on completion of six years residency**

■ It reduces the **mandatory requirement of 12 years stay to five years to be eligible for citizenship**

1. The Bill seeks to amend the Citizenship Act, 1955.
2. **THE CITIZENSHIP ACT, 1955**
 - a. provides various ways in which citizenship may be acquired. It provides for citizenship by
 - i. **birth, descent, registration, naturalization** and
 - ii. **incorporation of territory into India.**
 - b. It regulates registration of Overseas Citizen of India Cardholders (OCIs), and their rights.
 - i. An OCI is entitled to benefits such as a multiple-entry, multi-purpose lifelong visa to visit India.
3. **DEFINITION OF ILLEGAL MIGRANTS:**
 - a. The Act prohibits illegal migrants from acquiring Indian citizenship.
 - b. It defines an illegal migrant as a foreigner:
 - i. who enters India without a valid passport or travel documents, or
 - ii. stays beyond the permitted time.
 - c. Bill amends Act to provide that Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, who entered India on or before **December 31, 2014**, will not be treated as illegal migrants.
 - d. In order to get this benefit, they must have also been exempted from the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920 by the central government.
 - e. The 1920 Act mandates foreigners to carry passport, while the 1946 Act regulates the entry and departure of foreigners in India.
4. **CITIZENSHIP BY REGISTRATION OR NATURALISATION:**
 - a. The Act allows a person to apply for citizenship by registration or naturalization, if person meets certain qualifications.
 - b. For instance, if a person resides in India for a year and if one of his parents is a former Indian citizen, he may apply for citizenship by **REGISTRATION.**
 - c. To obtain citizenship by **NATURALISATION**, one of qualifications is that person must have resided in India or have been in service of central government for at least 11 years before applying for citizenship.

- d. The Bill creates an exception for **Hindus, Sikhs, Buddhists, Jains, Parsis and Christians** from **Afghanistan, Bangladesh and Pakistan**, with regard to this qualification.
- e. For these groups of persons, the 11 years' requirement will be reduced to **five years**.

5. **ON ACQUIRING CITIZENSHIP:**

- a. such persons will be deemed to be citizens of India from the date of their entry into India,
- b. all legal proceedings against them in respect of their illegal migration or citizenship will be closed.

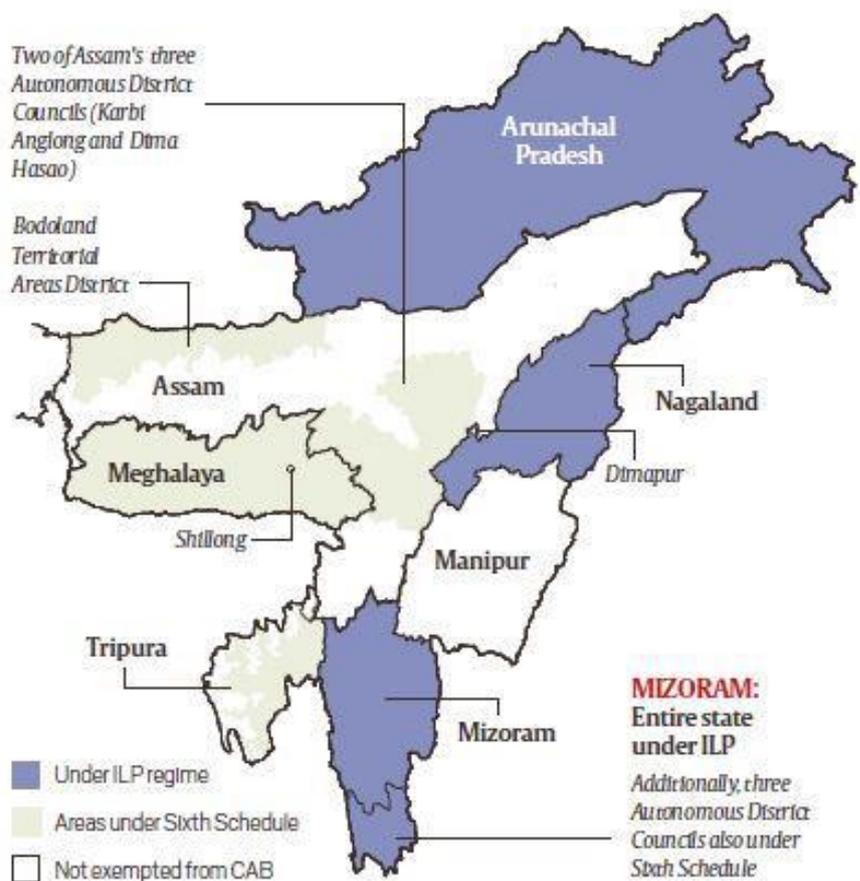
6. **CANCELLATION OF REGISTRATION OF OCIs:**

- a. The Act provides that central government may cancel registration of OCIs on certain grounds.
 - i. if the OCI has registered through fraud, or
 - ii. if within five years of registration, OCI has been sentenced to imprisonment for 2 years or more
 - iii. if it becomes necessary in the interest of sovereignty and security of India.
 - iv. Bill adds one more ground for cancelling registration, that is, if OCI has violated provisions of Act or of any other law as notified by central government.
- b. orders for cancellation should not be passed till OCI cardholder is given an opportunity to be heard.

7. These provisions on citizenship for illegal migrants will **not apply to**

- a. Tribal areas of Assam, Meghalaya, Mizoram, and Tripura included in **6th Schedule** to Constitution.
 - i. Karbi Anglong (Assam),
 - ii. Garo Hills (Meghalaya),
 - iii. Chakma District (Mizoram),
 - iv. Tripura Tribal Areas District.

- b. **"Inner Line" areas** notified under Bengal Eastern Frontier Regulation, 1873.
 - i. In these areas, visits by Indians are regulated through the Inner Line Permit.
 - ii. Currently, this permit system is applicable to **Arunachal Pradesh, Mizoram, and Nagaland**.



<p>ARUNACHAL PRADESH: Entire state under ILP regime</p> <p>NAGALAND: Entire state under ILP regime, except Dimapur town for the time being</p> <p>TRIPURA: Sixth Schedule covers 70% of geographical area</p>	<p>MEGHALAYA: Almost entire state covered under Sixth Schedule, except a part of Shillong</p> <p>ASSAM: 3 Autonomous District Councils under Sixth Schedule</p> <p>MANIPUR: CAB will apply pending 'alternative arrangements'</p>
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Analysis Citizenship Amendment Bill

1. How does the ILP system work?

- a. ILP is a special permit that citizens from other parts of India require to enter the three states.
- b. It can be obtained after applying online or physically and specifies dates of travel and areas which ILP holder can travel to.
- c. When regime was introduced under Bengal Eastern Frontier Regulation Act of 1873, objective was to protect Crown's own commercial interests by preventing "British subjects" (Indians) from trading within these regions.
- d. In 1950, Indian government replaced "British subjects" with "Citizen of India", to address local concerns about protecting their interests.

2. What is the Sixth Schedule, and which areas are exempted from CAB?

- a. The Sixth Schedule of Constitution, described in Articles 244(2) and 275(1), relates to special provisions in administration of Assam, Meghalaya, Tripura and Mizoram and provides special powers for Autonomous District Councils (ADCs) in these states.
- b. ADCs have powers to enact laws in areas under their jurisdiction on a variety of subjects, with objective of ensuring development of tribal areas and boosting self-governance by tribal communities.
- c. Mizoram is covered under the ILP regime in any case.
- d. Among the other three states that have areas protected under Sixth Schedule, tribal-majority Meghalaya has three ADCs that cover practically entire state except for a small part of Shillong city.
- e. Assam has three ADCs and Tripura one, all with Sixth Schedule powers.

3. So, why has Manipur been an exception to both these kinds of regimes?

- a. Manipur, like Tripura, was a princely state. When they joined Indian Union (both in 1949; they became full-fledged states in 1972), they were out of scheme of Sixth Schedule
- b. Only from 1985, Sixth Schedule was implemented in Tripura's tribal areas.
- c. When Tripura was given, Centre had said that even in Manipur it would be extended shortly —but it never turned out to be a reality.
- d. However, in Manipur state government had recommended three times for Sixth Schedule, they recommended three times but they did not pursue it properly

4. What about Manipur's tribal areas?

- a. Manipur has two geographically distinct areas.
 - i. The **VALLEY**, which includes Imphal, constitutes roughly 10% of geographical area but holds around 60% of state's population. These belong mostly to dominant **Meitei** community.
 - ii. The remaining 90% is **HILL** areas, home to the other 40% that include a wide range of tribes, including **Nagas and Kukis**.
- b. Centre, while granting statehood, was aware that certain problems could come up for tribals and hence introduced Article 371C.

5. But what is Article 371C?

- a. It mentions special **provisions for Manipur**
 - i. The **President** may, by order made with respect to the State of Manipur, provide for the constitution and functions of a committee of the Legislative Assembly of the State consisting of members of that Assembly elected from the Hill Areas of that State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of such committee.

- ii. The **Governor** shall annually, or whenever so required by the President, make a report to the President regarding the administration of the Hill Areas in the State of Manipur and the executive power of the Union shall extend to the giving of directions to the State as to the administration of the said areas.
 - b. powers granted through this provision protect the tribals of Manipur in the Assembly, primarily through **Hill Areas Committee** of the Manipur State Legislative Assembly — which comprises MLAs from the hill areas of the state.
6. **Are there any other provisions for Manipur?**
- a. The **Manipur (Hill Areas) District Council Act, 1971**, passed by Parliament, paved way for establishment of **six Autonomous District Councils** in Manipur in 1972. these Councils have much lower powers in comparison to ADCs under Sixth Schedule.
 - b. Last year, **Manipur People Bill, 2018** was passed by the Assembly.
 - i. awaiting presidential assent
 - ii. it proposes to several regulations on “outsiders” or “non-Manipuri people” in the state.
 - iii. The Bill had undergone series of negotiations on defining the “Manipuri” people, after which a consensus was reached on **1951** as the cut-off year.
7. **What about other states in the Northeast?**
- a. In November, 2019 Meghalaya Cabinet approved amendments to **Meghalaya Residents Safety and Security Act 2016**, which will lead to laws that require non-resident visitors to register themselves.
 - b. The move came in the backdrop of demands for an ILP-like regime and concerns expressed by civil society and political leaders, including Chief Minister Conrad Sangma, that **people excluded** from National Register of Citizens (NRC) in Assam might try to enter Meghalaya.
 - c. In Assam too, there have been demands by certain sections for introduction of an ILP regime.

4. RASHTRIYA VAYOSHRI YOJANA and ADIP

1. A Central Sector Scheme namely 'Rashtriya Vayoshri Yojana' (RVY) is being implemented by D/o Social Justice and Empowerment (M/o SJ&E) with an objective **to provide to senior citizens, belonging to BPL category and suffering from age-related disabilities/ infirmities, with such physical aids and assisted living devices which can restore near normalcy in their bodily functions.**
2. Department of Empowerment of Persons with Disabilities (DEPwD) under M/o SJ&E is implementing '**Assistance to Disabled Persons for Purchase/Fitting of Aids and Appliances (ADIP) Scheme**'
 - a. under which aids and assistive devices are distributed to eligible Divyangjan for their physical, social, psychological and economic empowerment.
 - b. Persons with disabilities fulfilling following conditions would be eligible for assistance under ADIP Scheme:
 - i. An Indian citizen of any age.
 - ii. Holds a 40% Disablement Certificate.
 - iii. Has monthly income from all sources not exceeding Rs. 20,000/- per month.
 - iv. In case of dependents income of parents / guardians should not exceed Rs. 20,000/- per month.
 - v. Who have not received assistance during last 3 years for same purpose from any source. However, for children below 12 years of age, this limit would be one year.



- ◆ Free of cost distribution of devices in Camp mode
- ◆ Expected to benefit 5,20,000 Senior Citizens over a period of 3 years
- ◆ One year free maintenance of the aids & devices by ALIMCO
- ◆ As far as possible, 30% of beneficiaries in each district shall be women



CARING FOR SENIOR CITIZENS

Modi government to launch 'Rashtriya Vayoshri Yojna' to provide free assistive devices for senior citizens below poverty line

Scheme to be launched on **25th March 2017** in Nellore, Andhra Pradesh

Similar camp scheduled on **26th March 2017** in Ujjain, Madhya Pradesh

Scheme to address disabilities like **low vision, hearing impairment, loss of teeth and locomotor disability**

Beneficiaries will get **walkers, crutches, wheelchairs, tripods, spectacles, hearing aids and dentures**

Following this, camps will be organised in **two districts of each state for the entire year**

5. LAWS ON RAPE

1. After rape and murder of a veterinarian in Hyderabad on November 28 and burning of a rape survivor in Unnao, Uttar Pradesh, on December 5, there has been an outcry for justice for victims.
2. Within and outside Parliament there has been a clamor to make criminal justice system tougher on an offender committing sexual crimes against women and children.
3. **What has been the system in place?**
 - a. 'Rape' as a clearly defined offence was first introduced in the **Indian Penal Code in 1860**.
 - b. Prior to this, there were often diverse and conflicting laws prevailing across India.
 - c. The codification of Indian laws began with enactment of Charter Act, 1833 by British Parliament which led to establishment of first Law Commission under chairmanship of Lord Macaulay.
 - d. The Law Commissioners decided to put criminal law of land in two separate codes.
 - e. first to be placed on statute book was Indian Penal Code formulating substantive law of crimes.
 - f. This was enacted in October 1860 but brought into force 15 months later on January 1, 1862.
 - g. The first **Code of Criminal Procedure** was enacted in 1861, which consolidated law relating to set-up of criminal courts and procedure to be followed in investigation and trial of offence.
4. **What did the IPC say?**
 - a. **Section 375** of IPC made punishable act of sex by a man with a woman if it was done against her will or without her consent.
 - i. The definition of rape also included sex when her consent has been obtained by putting her or any person in whom she is interested, in fear of death or of hurt.
 - ii. Also, sex with or without her consent, when she is under 18 years is considered rape.
 - iii. However, under the exception, sexual intercourse or sexual acts by a man with his wife, the wife not being under 15 years of age, is not rape.
 - b. **Section 376** provided for 7 years of jail term to life imprisonment to whoever commits offence of rape.
5. **What happened in 1972? (How to distinguish between Rape and Consensual Sexual Intercourse)**
 - a. For over a century after 1860, the criminal law relating to rape and sexual assault cases remained unchanged until the watershed incident of the Mathura custodial rape case.
 - b. On March 26, 1972 a young Adivasi girl named Mathura was allegedly raped by policemen in the Desai Gunj Police Station in Maharashtra. In the trial that ensued, the sessions court came to the conclusion that she had sexual intercourse while at the police station but rape had not been proved and that she was habituated to intercourse.
 - c. While the sessions court acquitted both the policemen, the High Court reversed the order of acquittal. When the case reached the Supreme Court, it overturned the High Court verdict saying that "the intercourse in question is not proved to amount rape".
 - d. The top court, in its September 15, 1978 verdict, said no marks of injury were found on the girl after the incident and "their absence goes a long way to indicate that the alleged intercourse was a peaceful affair".
6. **Are the laws gender neutral?**
 - a. Following direction of Supreme Court in a public interest litigation (PIL) initiated by a NGOs to widen definition of sexual intercourse in Section 375 of IPC, Law Commission in its 172th report recommended widening scope of rape law to make it gender neutral.
 - b. While rape law in India even today remains gender specific, as perpetrator of the offence can only be a 'man', the 172nd report led to the amendments in the Indian Evidence Act in 2002.
 - c. A new provision was inserted which barred putting questions in the cross-examination of the victim as to her general 'immoral character' in rape or attempt to rape cases.
7. **Are rape laws stricter now?**

- a. The nationwide public outcry, in 2012, following the December 16 gang rape and murder in Delhi, led to the passing of the Criminal Law (Amendment) Act in 2013 which widened the definition of rape and made punishment more stringent.
- b. Parliament made the amendments on the recommendation of Justice J.S. Verma Committee, which was constituted to re-look the criminal laws in the country and recommend changes.
- c. The 2013 Act, which came into effect on April 2, 2013,
 - i. **increased jail terms** in most sexual assault cases and
 - ii. also provided for **death penalty** in rape cases that cause
 1. death of the victim or
 2. leaves her in a vegetative state.
 - iii. It also created **new offences**, such as use of criminal force on a woman with intent to disrobe, voyeurism and stalking.
 - iv. The punishment for **gang rape** was increased to 20 years to life imprisonment from the earlier 10 years to life imprisonment.
 - v. Earlier, there was no specific provision in law for offences such as use of **unwelcome physical contact, words or gestures, demand or request for sexual favours, showing pornography against the will of a woman or making sexual remarks**. But, the 2013 Act clearly defined these offences and allocated punishment.
 - vi. Similarly, **stalking** was made punishable with up to three years in jail.
 - vii. The offence of **acid attack** was increased to 10 years of imprisonment.

8. What about offences against minors?

- a. In January 2018, an eight-year-old girl in Rasana village near Kathua in Jammu and Kashmir was abducted, raped and murdered by a group of men.
- b. The news of the shocking act led to nationwide protests and calls for harsher punishment.
- c. This led to the passing of **Criminal Law (Amendment) Act, 2018** which for first time put
 - i. death penalty as a possible punishment for rape of a girl under 12 years;
 - ii. minimum punishment is 20 years in jail.
- d. new section was also inserted in IPC to specifically deal with **rape on a girl below 16 years**.
 - i. The provision made offence punishable with minimum imprisonment of 20 years which may extend to imprisonment for life.
- e. The minimum jail term for rape, which has remained unchanged since the introduction of the IPC in 1860, was increased from **seven to 10 years**.

Cases and convictions

In 2017, while the chargesheeting and conviction rates in cases of 'rape' and 'murder with rape' were well above the overall rate on violent crimes, the pendency rates were similar. The pendency rates, in courts, in the case of crimes against Dalits were much higher



All figures in %	Rape	Murder with rape	All crimes against women	Crimes against Dalits	All violent crimes
Chargesheeting rate	86.6	95	78.3	82.6	82.6
Pendency rate (police station)*	29.3	32.9	32.9	27.8	28.2
Conviction rate	32.2	57.9	23.9	35.3	30.9
Pendency rate (court)**	87.5	90.1	89.6	91.7	87.8

*Number of cases in the police station pending investigation at the end of the year relative to the total number of cases for investigation

**Number of cases pending trial at the end of the year relative to the total number of cases for trial

SOURCE: NCRB 2017

6. CREAMY LAYER RESERVATIONS

Quota Call

2006

SC says creamy layer must be excluded from SC, ST reservations

This would ensure benefits reach the poorest of them

2018

Rejects AG's plea to refer issue to 7-judge bench

Reiterates that creamy layer concept is an inherent part of the principle of equality; will apply to SCs, STs too

2019

AG again wants case to be referred to larger bench

Says issue sensitive



1. On December 2, Central government asked Supreme Court of India to refer to a 7 judge Bench question whether **creamy layer concept should apply (or not) to Scheduled Castes and Scheduled Tribes while giving them reservation in promotions.**
2. Attorney General urged the court to reconsider a past ruling and refer the issue to a larger Bench.
3. **What does the government want?**
 - a. government wants Supreme Court to re-consider its stand that socially, educationally and economically advanced “cream” of Scheduled Castes/Scheduled Tribes (SC/ST) communities should be excluded from the benefits of reservation in government services.
 - b. The government has asked Chief Justice of India to refer a September 26, 2018 judgment of a five-judge Bench of Supreme Court in **Jarnail Singh vs Lachhmi Narain Gupta** to a larger Bench of seven judges for a review.
 - i. SC in Jarnail Singh case had **upheld applicability of creamy layer to affluent SCs and STs.**
 - ii. In Jarnail Singh, court had agreed with its 12-year-old verdict in **M. Nagaraj case** that **creamy layer applied to SCs and STs in order to prevent socially advanced in a backward community or class from eating whole cake while leaving weak among them impoverished.**
 - c. But government believes that ‘creamy layer’ will become a ruse to deprive the backward classes of benefit of reservation.
 - d. Attorney-General of India said SC/ST community as a whole still continues to bear the yoke of centuries’ old backwardness.
4. **What is the creamy layer concept?**
 - a. The ‘means-test and creamy layer’ first finds expression in Supreme Court’s landmark judgment in **Indra Sawhney vs Union of India**, delivered by a nine-judge Bench on November 16, 1992.
 - i. judgment recorded lawyers describing ‘creamy layer’ as “some members of a backward class who are highly advanced socially as well as economically and educationally
 - ii. They constitute forward section of that particular backward class — as forward as any other forward class member.
 - iii. They lap up all benefits of reservations meant for that class, without allowing benefits to reach truly backward members of that class”.

- iv. The Indra Sawhney judgment had upheld the government's move, based on the Mandal Commission report, to give 27% reservation to Other Backward Classes.
- v. But it held that the creamy layer (socially advanced persons) "can be and must be excluded from backward classes".
- vi. The court said "economic criterion could be adopted as an indicium or measure of social advancement" in order to identify members of a creamy layer in a class or a group.
- vii. The court asked the Central government to fix **the norms for income, property and status for identifying the creamy layer**.
- viii. In 1993, the creamy layer ceiling was fixed at ₹1 lakh. It was subsequently increased to ₹2.5 lakh in 2004, ₹4.5 lakh in 2008, ₹6 lakh in 2013, and at ₹8 lakh since 2017.

5. How was the creamy layer made applicable to SC/ST members?

- a. Indra Sawhney verdict had held **there would be reservation only in initial appointments and not promotions**.
 - i. Centre introduced Article 16(4A) through Constitution (**77th Amendment**) Act on May 31, 1995 to overcome effect of this judgment and continue with its policy of extending quotas for SCs and STs in promotions, reasoning that their representation in States' services has not reached required level.
- b. **Article 16(4B)** was also introduced in Constitution to carry forward unfilled vacancies in subsequent years and not apply the 50% cap on reservation to these vacancies.
- c. **Article 335** of the Constitution was amended in 2001 to allow relaxations in qualifying marks and lowering of standards in favour of SCs/STs. The amendments were challenged in the Supreme Court and referred to a five-judge Bench in the M. Nagaraj case.
 - i. In 2006, five-judge Bench, in Nagaraj, laid down three conditions for promotion of SCs and STs in public employment.
 - ii. The court held that the government cannot introduce quota in promotion for its SC/ST employees unless it proves that particular community was **backward, inadequately represented and providing reservation** in promotion would not affect the overall efficiency of public administration.
 - iii. The opinion of the government should be based on quantifiable data.
- d. judgment in Nagaraj also held that creamy layer was applicable to SCs and STs in government promotions.

6. What happened in the 'Jarnail Singh' judgment?

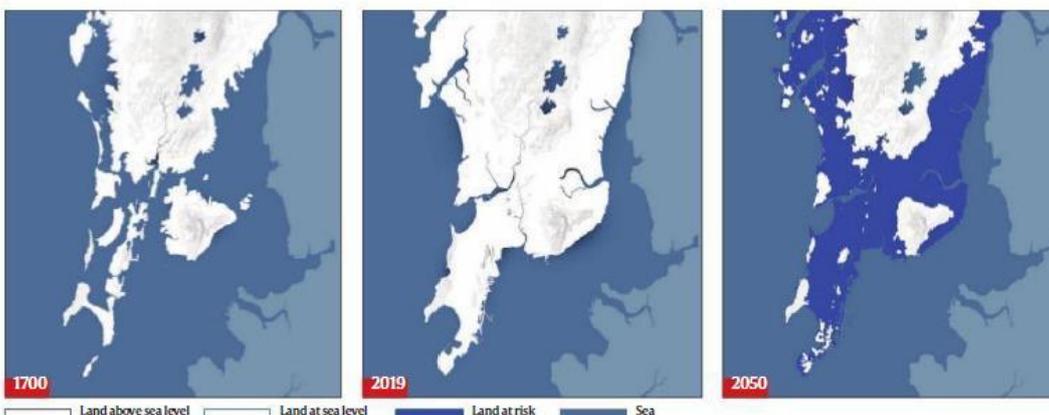
- a. In Jarnail Singh, another five-judge Bench led by then Chief Justice of India upheld 2006 verdict's reasoning that the creamy layer principle was based on the right to equality.
 - i. **The court held that quota benefits should go to the weakest of the weak and not be snatched away by members of the same class who were in the "top creamy layer".**
 - ii. **creamy layer concept ensured that only the genuinely deserving members of an SC/ST community get reservation benefits.**
 - iii. **The whole object of reservation is to see that backward classes of citizens move forward so that they may march hand in hand with other citizens of India on an equal basis. This will not be possible if only the creamy layer within that class bag all the coveted jobs in the public sector and perpetuate themselves, leaving the rest of the class as backward as they always were."**
- b. The 2018 judgment said that when the court applied creamy layer to SCs and STs in the Nagaraj case, it did not tinker with the Presidential List under Articles 341 or 342 of the Constitution. The caste, group or sub-group named in the List had remained intact.

7. The court had thus refused the government's plea to refer the case to a seven-judge Bench.

7. MUMBAI

1. On October 29, 2019, journal Nature published an important paper identifying dangers climate change poses specifically to Mumbai and other coastal cities. The research carried by many newspapers indicates that anthropogenic climate change will inundate significant sections of Mumbai by 2050.
2. Unless city takes significant action in next 3 decades, sea will reclaim much of landfill that city has been built on. Together with **Guangzhou, Jakarta, Miami, and Manila**, Mumbai now regularly appears on a list of cities endangered by climate change.
3. As **cyclones** battering coastlines near Mumbai and **unseasonal, heavy rains** indicate, climate change is not some event in distant future.
4. Special Report on Ocean and Cryosphere in a Changing Climate, published last month by IPCC,
 - a. indicates that **sea levels are significantly higher than were originally anticipated, and as such will have significant impacts on cities like Mumbai.**
 - b. warns Mumbai's planners and administrators and states that **"in absence of adaptation, more intense and frequent extreme sea level events, together with trends in coastal development will increase expected annual flood damages by 2-3 orders of magnitude by 2100."**
 - c. points out, however, that **"well-designed coastal protection" could both "reduce expected damages" and "be cost efficient for urban and densely populated... areas".**
 - d. projects **sea level rise to accelerate still further and faster in the coming years.**
5. Despite urgent need for adaptation and action in a vulnerable city like Mumbai city is ignoring climate adaptation programs and infrastructures in its development planning processes.
6. Take, for example, ways in which climate change is treated in Mumbai's new **Coastal Road project**, now stalled by Bombay High Court.
 - a. The project proposes construction of a 29.2 km road on western coast of Mumbai, that aims to mitigate "extreme traffic congestion" and "transport related pollution" in hopes of increasing productivity and quality of life for citizens. (Environmental Impact Assessment Report)
7. Mumbai is in midst of a climate emergency.
8. **sea walls, river embankments, and reclamation do not always prevent inundation from intensified rains and rising seas.**
9. They instead magnify the risks of inundation. Water seeks its own level. While a wall might prevent inundation in one part of city, it would exacerbate inundation in other parts.
10. Climate change is not just an environmental issue. It is a **human issue and an urban issue** that will dramatically affect every resident of Mumbai, particularly its urban poor.
11. Mumbai's current priorities are misplaced. It is currently spending a large part of city's 'rainy day' corpus to construct a coastal road that few will use. Wouldn't it be wiser for city to instead spend this money on mitigating effects of actual rainier days, floods, and rising seas that already are a new normal in city's climate changed future?

MUMBAI'S PAST, PRESENT, FUTURE? MAPS OF THE CITY AND THE SEA IN 1700, 2019 AND 2050 (PROJECTED)



Map data: Mathur, Anuradha, and Dilip da Cunha, 2009: Soak: *Mumbai in an estuary*; 'Climate Central | Land Projected to be below Annual Flood Level in 2050': <https://coastal.climatecentral.org/>; Google Earth 2018, accessed on 18.11.2019. Maps: Sara Anand

8. SEEDS BILL, 2019

Back With The Bill

Seeds Bill 2004 seeks to regulate seeds, plant material, increase private participation

Early passage of Bill important for doubling farmers' income, says govt official

High-level meeting to discuss the Bill expected in March

Three rounds of inter-ministerial talks already held

All ministries have agreed to major provisions and 5 amendments

Bill was put on hold in 2015 after protests an enabling provision for GM crops

1. What does new Bill seek to change?

- The current Act only covers **“notified kinds or varieties of seeds”**. Thus, regulation of quality, too, is limited to the seeds of varieties that have been officially notified.
- Such varieties would be mostly those that are bred by public sector institutions — likes of Indian Council of Agricultural Research (ICAR) and state agricultural universities (SAUs) — and officially “released” for cultivation after multi-location trials, over three years or more, to evaluate their yield performance, disease and pest resistance, quality, and other desired traits.
- Release is a precondition for notification.**
- And provisions of The Seeds Act, 1966, apply only to certified seeds produced of notified varieties.
- provides for **compulsory registration of “any kind or variety of seeds” that are sought to be sold.**
 - even hybrids/varieties of private companies will need to be **registered**,
 - their seeds would have to meet **minimum prescribed standards** relating to germination, physical and genetic purity, etc.
 - Breeders would be required to disclose **“expected performance”** of their registered varieties “under given conditions”.
 - If the seed of such registered kind or variety **“fails to provide the expected performance under such given conditions”**, farmer “may claim compensation from the producer, dealer, distributor or vendor under The Consumer Protection Act, 1986”.

2. What is the context for bringing the Bill?

- The 1966 legislation was enacted at time of Green Revolution, when country hardly had any private seed industry. The high-yielding wheat and paddy varieties, which made India self-reliant in cereals by 1980s, were developed by various ICAR institutes and SAUs.
- These public sector institutions have retained their dominance in breeding of wheat, paddy, sugarcane, pulses, soyabean, groundnut, mustard, potato, onion and other crops, where farmers largely grow open-pollinated varieties (OPV) whose grain can be saved as seed for re-planting.
- Over last three decades or more, however, private companies and multinationals have made significant inroads, particularly into crops that are amenable to hybridization (their seeds are first-generation hybrids produced by crossing two genetically diverse plants, and whose yields tend to be higher than that of either of parents; grains from these, even if saved as re-used as seed, will not give same “F1” vigour).

- d. Today, size of private hybrid seeds industry is estimated at about Rs 15,000 crore. That includes cotton (Rs 4,000 crore), vegetables (Rs 3,500 crore), corn/maize (Rs 1,500 crore), paddy (Rs 1,000 crore), pearl millet/bajra (Rs 300 crore) and sorghum/jowar (Rs 200 crore).
 - e. Hybrid seed adoption rates are reported to be 7-8% in paddy, 60-70% in corn, 90% in jowar and bajra, 95% in cotton, and 80%-plus in major vegetables such as okra, tomato, chilli, capsicum, cauliflower, gourds, cucumber, cabbage, melons, brinjal, carrot and radish.
 - f. Even in banana, real production increase after 1990s has come from tissue-culture micro-propagation planting technology commercialized by private players like Jain Irrigation.
3. **So, are privately bred hybrids not covered under any regulation?**
- a. The current Seeds Act, as already noted, applies only to notified varieties. Also, unless a variety or hybrid is notified, its seeds cannot be certified. Most of private hybrids marketed in India, by virtue of not being officially “released”, are neither “notified” nor “certified”.
 - b. Instead, they are “truthful labeled”.
 - c. The companies selling them simply state that seeds inside the packets have a
 - i. **minimum germination** (if 100 are sown, at least 75-80, say, will produce plants),
 - ii. **genetic purity** (percentage of “true-to-type” plants and non-contamination by genetic material of other varieties/species), and
 - iii. **physical purity** (proportion of non-contamination by other crop/weed seeds or inert matter).
4. **How does the proposed Seeds Bill, 2019 address the above lacuna?**
- a. It does away with the concept of “notified” variety.
 - b. By providing for **compulsory registration** of “any kind or variety of seeds”, private hybrids — whether officially “released” or “truthful labeled” — will automatically be brought under regulatory purview.
 - c. It must be mentioned here that Seeds (Control) Amendment Order of 2006 under Essential Commodities Act mandates dealers to ensure minimum standards of germination, purity, and other quality parameters even in respect of “other than notified kind or variety of seeds”.
 - d. Enforcing mandatory registration under a new Seed Act, encompassing all varieties and hybrids, is expected to bring greater accountability from industry, even while rendering Seeds Control Order redundant.
5. **How has been the private seed industry responded to the proposed Bill?**
- a. Seed companies have welcomed provision of compulsory registration of all varieties/hybrids, based on results of multi-location trials for a prescribed period to establish their performance vis-à-vis the claims of breeders concerned.
 - b. This should **help minimize risk of farmers being sold seeds of low-quality genetics**, especially by fly-by-night operators taking undue advantage of “truthful labeling” and “self-certification” processes.
 - c. The industry, however, wants process of registration to be **time-bound**. Given lack of manpower and infrastructure within government system, registration may be granted or refused on basis of multi-location trials carried out by breeder/applicant itself.
 - d. But industry’s main reservation is provision for **regulation of sale price** “in emergent situations like scarcity of seeds, abnormal rise in prices, monopolistic pricing or profiteering”.
 - e. The fact that this power of fixing sale price of seed has been given both to Centre and state governments has added to their nervousness.
 - f. Their contention is that seed accounts for not even a tenth of total operational costs in most crops, despite genetic information contained in it being the main determinant of grain yield and quality.
6. **When is the Bill likely to become law?**
- a. Despite the buzz, the chances of it being introduced in the current session of Parliament are remote — it is not listed in the legislative business expected to be taken up.
 - b. Incidentally, an earlier version of the Bill had lapsed after being introduced in 2004.

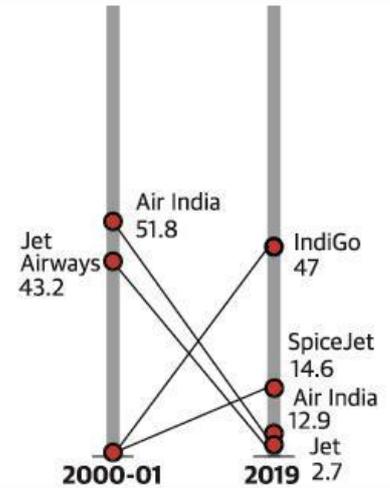
FACTS for ANSWER WRITING

AVIATION

Air India's Mayday call

Air India's market share has dropped significantly over the years. From being the top domestic airline at the start of the millennium, it has become just another player trying to stay on the runway. The airline performs poorly relative to its competitors on timeliness, attention to passenger grievances, and fare affordability. These factors have had a big impact on the airline's finances. By **Naresh Singaravelu and Sumant Sen**

1. Plummeting numbers | In FY01, Air India & Indian Airlines carried half the domestic passengers. However, in 2019, as of October, the national carrier has flown only over a tenth of them. The chart shows domestic passenger share of major airlines in two different years



2. Not a crowd puller | A major factor behind Air India's fall in market share is dissatisfaction of customers who chose less expensive and better serviced players. The national carrier's on-time performance (% of flights operating on time) fared the worst among airlines. It has also failed to address a relatively high percentage of passenger complaints in the last four years unlike others

On-time performance *(Figures are for October)*

Airline	2016	2017	2018	2019
Air India	71.8	77.2	74.7	54.3
IndiGo	81.2	83.9	85.9	79.4
SpiceJet	86.1	83.3	86.5	66.5
Jet Airways	78.3	64.0	85.9	-

% complaints not addressed in the same month

Airline	2016	2017	2018	2019
Air India	34	33	22	35
IndiGo	0	0	0	0
SpiceJet	0	0	0	0
Jet Airways	4	1	2	0

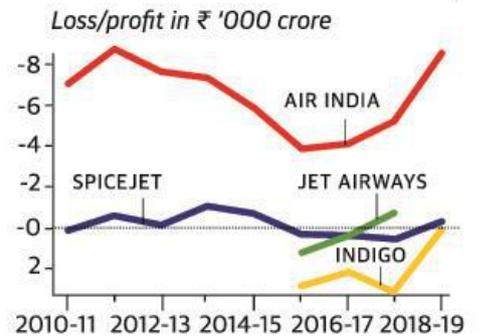
Source: DGCA, Public Enterprises Survey, BSE filings

3. Higher fares | While Air India's services have been the poorest, its ticket prices are among the most expensive. The table compares the lowest fares of major Indian airlines in two routes. For instance, on the Mumbai-Delhi route, Air India's fares were at least 3% higher than the next costliest

Mumbai to Delhi in the morning		
	Jan. 10, '20	Jan. 23, '20
AI	4,173	3,648
IndiGo	3,827	3,510
SpiceJet	3,826	3,510
GoAir	3,642	2,938

Delhi to Chennai in the evening		
	Jan. 10, '20	Jan. 23, '20
AI	6,537	5,172
IndiGo	5,308	4,106
SpiceJet	5,476	4,106

4. Mounting losses | As passenger revenue fell, Air India's losses ballooned. For the past 9 years, Air India has never turned a profit. In 2018-19, the company's loss before tax was ₹8,475 cr., its highest in 7 years. Graph shows loss/profit before tax



HEALTH INSURANCE

At the cost of health

A majority of Indians did not have health insurance as of 2017-18. Coverage levels varied widely based on 'wealth classes'. The poorest were the least covered as they mostly depended on government schemes, while the richest fared better and relied more on private insurance. By **Sumant Sen** and **Vignesh Radhakrishnan**

2. Insurance source | Of those with health insurance, most were dependent on government schemes. The only exceptions were the richest urban households who used private insurance the most. With just 9.6% coverage, the urban poor were the worst affected. In urban areas, workers in both government and private sectors were covered by their employers to an extent. Only a meagre share of rural folk received that benefit. Table shows % of **households with insurance**

Rural

Sources of insurance

Wealth class	Govt. sponsored	Govt as an employer	Pvt. as an employer	Privately arranged
1 (poorest 20%)	9.9	0.2	0.1	0
2	9	0.2	0.1	0
3	12.1	0.4	0.1	0.1
4	15.1	0.3	0.2	0.2
5 (richest 20%)	18.4	1.6	0.8	0.8

Urban

1 (poorest 20%)	7.5	0.6	0.9	0.6
2	10.7	1.2	1.5	0.5
3	11.6	2.6	2.1	1.6
4	9	4.2	2.8	4.1
5 (richest 20%)	5.5	8	7.1	12.1

1. Absymal coverage | Among the poorest households, 90% did not have health insurance. While richer households fared better, coverage among them was still poor (67% of urban households lacked insurance). The table shows the % of **households without health insurance** across wealth classes (from poorest 20%: 1 to the richest 20%: 5)

	Poorest		Middle		Richest
	1	2	3	4	5
Rural	90	91	87	84	78
Urban	90	86	82	80	67

3. Health budget | Urban households spent more on hospitalisation than rural households across all wealth classes. Table shows average expense incurred for treatment for every case of hospitalisation (in ₹). As most households lacked insurance, they were forced to spend out of their pockets. This particularly affected the poor whose insurance coverage levels were lowest among wealth classes

	Poorest		Middle		Richest
	1	2	3	4	5
Rural	12,272	15,622	14,261	15,266	21,338
Urban	14,140	18,759	23,591	26,612	44,573

4. Money source | As out-of-pocket expenditure was high, households were forced to dip into their savings or borrow. Table shows % of hospital expenses that were made by dipping into savings and borrowing

	Poorest		Middle		Richest
	1	2	3	4	5
Rural	94.6	92.8	93.1	92.9	92
Urban	91.5	91.7	92.8	93.2	91.8

Source: Key indicators of social consumption, NSS 75th round (2017-18)

DISABLED

Disabled & disadvantaged

A large number of disabled Indians are not literate and also not part of the labour force. A high proportion of them lost their jobs after the onset of disability, even as their expenses increased. The conclusions are based on the 76th National Sample Survey, 2018. By **Vignesh Radhakrishnan**

1. Low literacy levels | An overwhelming share of disabled persons are not literate. Even among the literates, only a few go on to become graduates. Table lists % share of disabled people across education levels. For instance, 49% of those with any type of disability are not literate

Disability type	Not literate	Upto school	Graduates
Locomotor*	44.3	49.9	5.8
Visual*	63.6	34	2.4
Hearing	58.8	38.3	2.9
Speech	57.6	40.6	1.8
Intellectual*	70.2	29	0.8
Mental illness	48.4	48.6	3
Any type	49	46.3	4.7
No disability	24	64.5	11.5

2. Few in the work force | Partly due to their low literacy levels, a high percentage among them are not part of the labour force (those who actively seek work). Even among those who are working, only a fraction receive regular salary or wages. Table lists % share of disabled workers

Disability type	Not in labour force	Self-employed	Regular wage/salary
Locomotor	74.7	14.7	4.3
Visual	87.5	7.9	1.4
Hearing	71.3	16.6	2.3
Speech	71.4	13.4	2.6
Intellectual	94.1	2.9	0.5
Mental illness	89.5	5.5	1
Any type	76.2	13.6	3.4

Source: Persons with disabilities in India, July to December 2018

3. Given the pink slip | Close to 57% persons working before the onset of disability lost their jobs after they became disabled. About 16% of them were also forced to change their nature of job. For instance, among workers who had onset of visual disability, 64.2% lost jobs

Disability type	% working before onset	% working before	
		% lost jobs	% changed jobs
Locomotor	40.3	60.7	18
Visual	42.3	64.2	11.5
Hearing	33.9	28.4	11.1
Speech	11.3	69.9	7.1
Intellectual	3.9	81.9	4.6
Mental illness	39.1	71.9	9.9
Any type	36.7	57.2	16

4. Low income, high expenditure | Not only do disabilities rob people of their income sources, they also increase their living expenses. 30% of those surveyed incurred out-of-pocket expenses towards disability. They spent, on an average, ₹2,477 every month

Area	% who spent	Expenses in ₹
Rural	25.8	2,117
Urban	39.1	3,112
Total	29.4	2,477

*** Intellectual disability:** Specific learning disabilities; autism spectrum disorder; similar disabilities
Locomotor disability: Acid attack victims; leprosy cured person; polio; cerebral palsy; dwarfism; muscular dystrophy
Visual disability: Blindness; low vision

JUDICIAL VACCANCY

Empty chairs

38% of all sanctioned posts for judges in High Courts are lying vacant as of December 1, 2019. The six HCs with most vacancies:

Name of High Court	Sanctioned strength	Working strength	Vacancies	% of vacancies
A.P.	37	15	22	59.46
Rajasthan	50	21	29	58
J&K	17	8	9	52.94
Patna	53	27	26	49.06
Odisha	27	14	13	48.15
Gujarat	52	28	24	46.15

JUSTICE DELAYED, DENIED

Almost a quarter of the sanctioned positions remain vacant in subordinate courts which are thronged by poor litigants

Supreme Court	High Courts	District & Sub Courts
Sanctioned Strength 31	Sanctioned Strength 1,079	Sanctioned Strength 21,017
Current Strength 26	Current Strength 615	Current Strength 16,851
Vacancies 5	Vacancies 464	Vacancies 4,166
Backlog 60,000	Backlog 38,91,076	Backlog 2,30,79,723

Top five Indian states with highest backlog of cases

State	Cases pending at district courts	Judges at district courts	Judges per/mn people
UTTAR PRADESH	53,63,613	2,068	10
MAHARASHTRA	31,54,681	2,353	21
GUJARAT	21,98,280	1,205	20
BIHAR	14,33,511	1,361	13
WEST BENGAL	13,42,122	744	8

In other countries

■ Judges per million population

France	124
USA	108
Australia	40
Canada	33
England	22
India	17

Source: 2010 Comparative Litigation Rates by J Mark Ramseyer & Eric B Rasmusen of Harvard Law School

MODEL ANSWER

1. 'Communalism arises either due to power struggle or relative deprivation.' Argue by giving suitable illustrations. (15 marks) [150 words]

a. Understanding Keywords

- Communalism, Power Struggle, Relative Deprivation

b. Way of writing

- Argue- give reasons or cite evidence in support of an idea, action, or theory, typically with the aim of persuading others to share one's view.

c. Approach

- Explain how communalism arises with illustrations.

Answer

INTRODUCTION

- Communalism is a phenomenon where communities compete with each other which give rise to prejudice, discrimination, persecution and communal riots

BODY

- The reason behind communalism can be better explained by observing recent incidents of communal riots (riots is extreme form of communalism)
- a. Power Struggle, where communities fight to exert their dominance.
 - **MIZORAM:** Incidents of communal clashes between numerically larger Mizo tribe and numerically smaller Bru tribe occurred as each community wanted to strengthen its claim over Mizoram.
 - **AYDHOYA Movement:** building temple at Ram Janambhoomi in Ayodhya is seen as muscle flexing exercise by Hindu and Muslim communities which is example of competing communalism.
 - Power struggle between political parties leading to **vote bank politics** with each trying to garner votes based on identity markers such as religion. E.g. Congress and BJP both trying to appease Muslims and in turn strengthening the Hindu Muslim divide.
- b. Deprivation makes it easier to influence a group. Rather than self-introspecting they blame others for their condition. It causes them to support anyone who can help them marginally move above their misery.
 - In some parts of country where there is development of **kasbas** (ghettoization by Muslim communities) is marked by poor social economic indicator and are blamed for slowing India's growth rate and increasing population.
 - **BODOLAND:** Deprivation makes groups such as Bodos and non Bodos to fight for limited resources.

Hence from above illustration we can say that power struggle and deprivation play major role in arising feeling of communalism.

CONCLUSION

- If communalism is not tackled in effective and time bound manner, then it will disrupt the very foundation of Indian constitution which is secularism , tarnish India image internationally, hinder development of India and create law and order problem