

NATIONAL SOCIAL ISSUES- WOMEN, POPULATION, URBANISATION, EMPOWERMENT ETC**The Muslim Women (Protection of Rights on Marriage) Act 2019**

The Muslim Women (Protection of Rights on Marriage) Bill 2019 after receiving Presidents nod became an Act to replace an Ordinance promulgated on triple talaq.

Key Provisions

- Declaration of Talaq: The Act makes all declaration of talaq, including in written or electronic form, to be void (i.e. not enforceable in law) and illegal. The Act defines talaq as talaq-e-biddat or any other similar form of talaq pronounced by a muslim man resulting in instant and irrevocable divorce.
- Offence and Penalty: The Act makes a declaration of talaq a cognizable offence, attracting up to three years imprisonment with a fine.
- Cognizable Offence: The offence will be cognizable only if information relating to the offence is given by married woman (against whom talaq has been declared), or any person related to her by blood or marriage.
- Bail: The Act provides that the Magistrate may grant bail to the accused. The bail may be granted only after hearing the woman (against whom talaq has been pronounced), and if the Magistrate is satisfied that there are reasonable grounds for granting bail.
- Compounding Offence: The offence may be compounded (i.e. the parties may arrive at a compromise) by the Magistrate upon the request of the woman (against whom talaq has been declared). The terms and conditions of the compounding of the offence will be determined by the Magistrate.
- Allowance: A Muslim woman against whom talaq has been declared, is entitled to seek subsistence allowance from her husband for herself and for her dependent children. The amount of the allowance will be determined by the Magistrate.
- Custody: A Muslim woman against whom such talaq has been declared, is entitled to seek custody of her minor children. The manner of custody will be determined by the Magistrate.

Resource Assistance for Colleges with Excellence (RACE)

- Rajasthan government has launched a new higher education model titled Resource Assistance for Colleges with Excellence.
- This model is utilized for distribution of faculties and movable assets among the government colleges at the district level to rationalise the availability of resources.
- The model will create a pool for sharing of facilities which will benefit the colleges lacking infrastructure.
- The colleges in need will submit their requirement to the nodal college in the district, which will send the teachers on deputation, if needed, and provide the facilities such as projectors, digital libraries, equipment and technicians.
- RACE will give autonomy to small colleges and help them find solutions to their problems at the local level.

INDIAN HERITAGE AND CULTURE, HISTORY**Pathamadai Silk Mat**

- Inclusion of technology in the making of traditional Pathamadai silk mat through the use of electronic powerloom is ensuring higher production and income for weaving community.
- Handmade Pathamadai silk mats are also called Pattu paai.
- Traditional art of weaving pathamadai silk mat belongs to the Tirunelveli district of Tamil Nadu.
- Pathamadai mat is made up of Korai grass.

- Pathamadai mats have been granted Geographical Indication (GI) status by the trademarks and GI authorities.
- These are made specially for wedding ceremonies and have bride's and groom's names as well as the wedding date woven in it.

Concerns

- Outdated handicraft methods used in the making of Pattamadai mats is facing tough competition from increased domestic and international demand and supply imbalance which has led to increased use of synthetic dyes and lesser focus on benefits for the weaver.
- Low cost and mechanisation of plastic mats are resulting in the decline of the silk mat industry.

CONSTITUTION AND POLITY

J&K and 15th Finance Commission

With the change in status of Jammu & Kashmir's statehood, the Fifteenth Finance Commission will have to rework its calculations for inter se distribution of central resources among different states.

- The state of J&K is proposed to be organized into two Union Territories – Jammu & Kashmir (with Legislative Assembly) and Ladakh (without Legislative Assembly).
- Instead of 29 states, the Finance Commission (FC) would have to decide devolution for 28 states now.
- Funds for Union territories (including Delhi, Puducherry, etc) are decided by the Central government in the Union Budget and voted by the Parliament.
 - Jammu and Kashmir was one of the few states that was accorded a special category status (SCS) by the Central government.
 - Almost 30% of the total central assistance was earmarked for these states. Further, they used to get favourable treatment in terms of the grant versus loan mix compared with other states.
 - Following the constitution of the NITI Aayog and the recommendations of the 14th Finance Commission (FFC), central plan assistance to SCS States has been subsumed in an increased devolution of the divisible pool to all States from 32% to 42%.
 - Of the states' share, the 14th FC recommended that Jammu and Kashmir should receive 1.854% from 2015-16 till 2019-20. This is higher than 1.551 % that the state received during the previous five years.

Finance Commission

- The Finance Commission is a constitutional body, that determines the method and formula for distributing the tax proceeds between the Centre and states, and among the states as per the constitutional arrangement and present requirements.
- Under Article 280 of the Constitution, the President of India is required to constitute a Finance Commission at an interval of five years or earlier.
- The 15th Finance Commission was constituted by the President of India in November 2017, under the chairmanship of NK Singh. This Commission is expected to submit its report by November end 2019. Its recommendations will cover a period of five years from April 2020 to March 2025.

Article 371 Concerns

While Article 370, which limited purchase and inheritance of property to permanent residents, was scrapped for J&K, similar provisions are also provided under Article 371 in many states.

- Article 371A prohibits anyone who is not a resident from buying land in Nagaland, which may only be bought by tribals who are residents of the state.

- Article 371F bestows on Sikkim government the right of ownership of all land in the state, even if it was owned by private individuals prior to the state's merger with India.
- The same Constitutional provision mandates a four-year term for the Sikkim state assembly, though assembly elections in the state have violated that clause as they have been held every 5 years.
- Moreover, Article 371F states that "neither the Supreme Court nor any other court shall have jurisdiction in respect of any dispute or other matter arising out of any treaty, agreement, engagement or other similar instrument relating to Sikkim", however, a specific condition allows the President to step in if the need arises related to constitutional law.
- Article 371G is similar to Article 371A, as it limits the ownership of land to Mizoram's tribals except for setting up of industries by the private sector, land can now be acquired by the state government as per the provisions of Mizoram (Land Acquisition, Rehabilitation and Resettlement) Act, 2016.
- Both Article 371A and Article 371G limit the Parliament's authority to enact any law that interferes with tribal religious laws, customs, including their justice system.
- Moreover, under Article 371 non-residents are still not allowed to buy agriculture land in Himachal Pradesh.

INDIAN ECONOMY

Government unveils draft e-com norms

The Ministry of Consumer Affairs has introduced the draft e-commerce guidelines for consumer protection. The proposed rules are aimed at curbing the sale of counterfeit goods, streamlining returns and refunds and delineating the liabilities of sellers and online marketplaces.

Highlights:

- The rules provides that every e-commerce entity needs to publish the name and contact details of the grievance officer on their website along with the mechanism by which users can lodge their complaints.
- The rules mandates that e-commerce companies needs to ensure that the data collection, storage and usage comply with provisions of the Information Technology (Amendment) Act, 2008.
- The rules also reiterates that e-commerce entities will not be allowed to influence prices of products sold on their websites directly or indirectly, which has already been a part of FDI rules for e-commerce.
- The guidelines also put the onus on marketplaces to do their own due diligence when customers complain about receiving counterfeit products, and they may need to take down such listings.
- The rules proposed to make it mandatory for firms to display terms of contract with the seller relating to return, refund, exchange, warranty, delivery, mode of payments and grievance redressal mechanism to enable consumers to make informed decisions.

KABIL set up to ensure supply of critical Minerals to Indian domestic market

- A joint venture company Khanij Bidesh India limited (KABIL) has been set up with the participation of three Central Public Sector Enterprises (CPSEs). These CPSEs are National Aluminium Company Ltd. (NALCO), Hindustan Copper Ltd. (HCL) and Mineral Exploration Company Ltd. (MECL).
- The objective of the company is to ensure a consistent supply of critical and strategic minerals to Indian domestic market.
- The company would also ensure mineral security of the nation as it would help in realizing the overall objective of import substitution.

- The KABIL would also carry out identification, acquisition, exploration, development, mining and processing of strategic minerals overseas for commercial use and meeting country's requirement of these minerals.
- The company will also help in building partnerships with other mineral rich countries like Australia and those in Africa and South America, where Indian expertise in exploration and mineral processing will be mutually beneficial bringing about new economic opportunities.

ODISHA DEVELOPMENT

Odisha Must Scale Up The Fight Against Polavaram

- In a clear indication that Odisha is determined to step up its fight against the controversial Polavaram project coming up in neighbouring Andhra Pradesh the state assembly has set up a committee comprising members from various parties to take up the issue with Prime Minister, Narendra Modi.
- With the union environment ministry recently granting a two year extension for work on the multi-purpose project that the government of the neighbouring state has been executing despite protests from Odisha it has become imperative for Naveen Patnaik regime to scale up resistance. The move of the union ministry that came soon after chief minister, Naveen Patnaik's meeting with the Prime Minister in Delhi was shocking to say the least.
- The ministry was fully aware of Odisha's stand on the issue but made the move in complete disregard of state's objections to the project. Soon after this chief minister wrote a letter to the Prime Minister reiterating Odisha's objections and urging him to halt the project till the state's concerns were addressed.
- Odisha government has consistently maintained that the project in its present form is going to adversely impact several tribal villages in the state's Malkangiri district that borders Andhra Pradesh. It is likely to cause inundation in these villages. Equally significant is the fact that mandatory public hearing before the execution of such projects has not been held in the Odisha villages likely to be affected by the Polavaram dam.
- It is an emotive issue for not only the people of Malkangiri but also those residing in the neighbouring districts. For the ruling Biju Janata Dal (BJD) it has also been a major campaign issue during elections. A few years ago the party had held a massive rally in Malkangiri to protest the construction of the multi-purpose dam. The rally had drawn party leaders from different parts of southern Odisha and also some coastal districts. It was a major show of strength by the regional party which wanted to convey the message that it would not compromise the interests of the state under any circumstances.
- Polavaram issue had also figured in the recent elections with the party reiterating its commitment to safeguard state's interests. However, things started taking a different turn after the election results were announced and there was speculation about chief minister, Naveen Patnaik cozying up to Prime Minister, Narendra Modi. The meeting between the two leaders in New Delhi further fuelled these speculations and political observers hoped that the chief minister would be able to extract some major concessions for the state from the Centre.
- While that has not happened the Centre has dealt Odisha a blow by deciding to grant two year extension for work on Polavaram. It is baffling to note that despite this BJD has been extending support to the Modi government on crucial issues. It is time for the Prime Minister to reciprocate and address Odisha's concerns on issues like Polavaram. This is the only way he can convince the people of Odisha that he is a well wisher.

QUOTE OF THE DAY

Know your worth, and stop giving people Discounts.

DAILY ANSWER WRITING PRACTICE

Qns: The concept of federalism has continued to change its contours in Indian Polity. Analyse.

A federal government is one in which powers are divided between the national government and the regional governments by the Constitution itself. The specific features of the federal system are dual government, written constitution, division of powers between two levels of government, supremacy of constitution, independent judiciary.

The Constitution of India provides for a federal system of government. Despite structural rigidity of constitutional federalism, the practice of federation have continuously changed and evolved.

Changing Contours of federalism in India

- **Single party dominance:** The practice of federalism during 1950-66 was characterized by dominance of Congress as ruling party in centre and most states and as such major question of centre-state relations did not generally arise. After 4th general election, due to the emergence of regional parties, there were a number of conflicts between centre and states and states demanded higher autonomy in financial, legislative and administrative spheres.
- **Planning commission:** Setting up of Planning Commission in 1950 led to excessive centralization undermining the responsibility of states. Planning commission while it existed undermined the role of Finance commission a constitutional body in fiscal federalism.
- **Role of Governors and President rule:** Post 1966 there were growing conflict wherever different parties were in centre and state. Governor acted as agent of central government and his interference in state was objected by states. Use of Article 356 (President's Rule) on Governor report was abused many times. Sarkaria Commission (1988) recommended appointment of Governors be made strictly non-partisan.
- **Interstate conflicts:** Interstate disputes regarding territorial disputes e.g. between Maharashtra and Karnataka on Belgaum, Interstate water disputes e.g. Cauvery water dispute between Tamil Nadu and Karnataka also emerged as new contour of federal system. Under Article 262, Parliament had the power to provide for the adjudication of any dispute or complaint with respect to water in Inter-State River or river valley. Parliament provided Inter-State Water Dispute Act, 1956 to deal with this issue.
- **Centrally sponsored Scheme:** States have opposed these schemes and see them as hindrance on their administrative autonomy. Further, tied nature of funding associated with these schemes is also criticized by states as they see CSS 'one size fits all model' which induced inflexibility in development process.
- **Recent changes**
- **NITI Aayog:** The Government of India constituted the NITI Aayog to replace the Planning Commission instituted in 1950. It is an important evolutionary change from the past, NITI Aayog acts as the quintessential platform of the Government of India to bring States to act together in the national interest.
- **Cooperative federalism:** In cooperative federalism the Centre and states share a horizontal relationship, where they cooperate in the larger public interest. NITI Aayog seeks to achieve cooperative federalism. It is an important tool to enable states' participation in the formulation and implementation of national policies.
- **Competitive federalism:** In competitive federalism, States need to compete among themselves to attract funds and investment, which facilitates efficiency in administration and enhances developmental activities. For instance, spirit of competitive federalism is integrated in Smart City Mission, Ease of Doing Business state rankings etc.
- **One Nation, One Election:** Recently proposed idea of conducting simultaneous centre and state election can have significant impact on federal relationship in India. Many regional parties have opposed the idea as anti federal.
- **Way Forward**
- **In S.R. Bommai case (1994),** the Supreme Court ruled federalism as 'basic feature' of constitution. It observed: "The states have an independent constitutional existence; they are not satellites or agents of the Centre. Within the sphere allotted to them, the states are supreme".
- **In this context** Centre and state should work in tandem in the spirit of cooperative federalism by working within their allotted sphere determined constitutionally.

DAILY CURRENT AFFAIRS BASED MCQS

1. Which of the following statements is/are incorrect w.r.t the Muslim Women (Protection of Rights on Marriage) Act 2019?

1. The Act makes all declaration of talaq, including in written or electronic form, to be void and illegal.
2. The Act makes declaration of talaq a non- cognizable offence, attracting up to five years imprisonment with a fine.
3. Under the Act, a Muslim woman against whom talaq has been declared, is entitled to seek custody of her minor children.

Select the correct answer using the code given below:

- (a) 1 only **(b) 2 only**
(c) 1 and 2 (d) 2 and 3

2. Which of the following statements is/are correct w.r.t 'Pathamadai Silk Mat'?

1. The handmade mat is made up of Korai grass, a montane grass found only in Kerala.
2. The mat has been granted Geographical Indication (GI) status.
3. These mats are made specially for child birth ceremonies.

Select the correct answer using the code given below:

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

3. Consider the following statements.

1. Article 371 provides special provisions mostly for the northeastern states in India.
2. Special provisions under Article 371 are granted to preserve tribal culture of these states.
3. Article 371F mandates a five-year term for the Sikkim state assembly.

Which of the statements given is/are correct?

- (a) 1 only **(b) 1 and 2**

- (c) 2 and 3 (d) 1, 2 and 3

4. Which of the following state government has launched a new higher education model titled Resource Assistance for Colleges with Excellence?

- (a) Gujarat
(b) Maharashtra
(c) Rajasthan
(d) Madhya Pradesh

5. Which of the following Union Territories have its/their own legislative assembly and a high court?

1. Delhi
2. Puduchery
3. Jammu and Kashmir

Select the correct answer using codes given below

- (a) 1 and 2 **(b) 1 and 3**
(c) 2 and 3 (d) 1, 2 and 3

6. Consider the following statements w.r.t the 15th Finance Commission?

1. It's a Quasi-Judicial body
2. Its recommendations will cover a period of five years from 2020 to 2025.

Select the correct answer using codes given below

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

7. Which of the following Central Public Sector Enterprises (CPSEs) is/are not a stakeholder in the newly organized joint venture Khanij Bidesh India limited (KABIL).

1. SAIL
2. NALCO
3. HCL

Select the correct answer using codes given below

- (a) 1 only** (b) 1 and 2
(c) 2 and 3 (d) 1 and 3