

GOVERNANCE- WELFARE SCHEMES, E-GOVERNANCE, SERVICES ETC.

Centre cannot Brand Organizations 'Political': SC

The **Supreme Court** recently held that the central government cannot brand an organisation political and deprive it of its right to receive foreign funds for using legitimate forms of dissent to aid a public cause.

Background

- This move comes in the background of a petition filed by the **Indian Social Action Forum (INSAF)** challenging certain provisions of the **Foreign Contribution Regulation Act (FCRA), 2010** and the **Foreign Contribution (Regulation) Rules of 2011**.
 - The FCRA 2010 prohibited acceptance and utilisation of foreign contribution or foreign hospitality for any activities detrimental to the national interest.
 - Both, the Act and the rules confer the Centre with '**unguided and uncanalised power**' to brand organisations political and shut down their access to foreign funds.
- **Section 5(1) of the FCRA** was challenged for being vague as it allowed the Centre to decide freely whether a seemingly non-political organisation was actually political in nature. The Court said that the provision was expansive and not vague.
- **Section 5(4) of the FCRA** was also questioned as it did not exactly identify the authority before which an organisation could represent its grievance. This contention was dismissed by the apex court.
- **Various clauses of Rule 3 of the 2011 Rules** were also challenged. This provision identified the various types of 'political' activities for which/organisations whose foreign funding could be stopped by the government.

Key Points

- SC observed that an organisation, which supports the cause of a group of citizens agitating for their rights without a political goal or objective, cannot be penalised by being declared as an organisation of a political nature.
- However, **foreign funding could be stopped** if an organisation took recourse to these forms of protest to **score a political goal**.
 - Organisations with political objectives in their memorandum of association or bye-laws cannot be permitted access to foreign funds because of their clear political nature.
- **Justifications behind the move:**
 - It is to make sure that the **administration is not influenced** by foreign-funded political organisations.
 - A prohibition from receiving direct or indirect foreign aid ensures that the **values of a sovereign democratic republic are protected**.
 - It will also **protect the interests and fundings of voluntary organisations** having no connection with either party politics or active politics.
- Foreign funding can continue for organisations of farmers, workers, students, youth based on caste, community, religion, language, etc as long as they **work for the social and political welfare of society and not to further political interests**.

INTERNATIONAL RELATION

India as an Observer at IOC

India has been accepted as an **observer of the Indian Ocean Commission (IOC)**.

- India's joining of the IOC as an observer has **strategic importance** as the Commission is an important regional institution in the **Western/African Indian Ocean**.

Indian Ocean Commission

- The Indian Ocean Commission (IOC) is an **intergovernmental** body created in **1984 to protect the interests of the Western Indian Ocean islands**.
- It consists of **Madagascar, Comoros, La Réunion (French overseas territory), Mauritius and Seychelles**.
- The Commission has **five observers** — **India, China, European Union (EU), Malta and International Organisation of La Francophonie (OIF)**.

Significance of an Observer Status of India

- **Engagement with the Western Indian Ocean:**
 - It will facilitate **collective engagement with the islands** in the Western Indian Ocean that are becoming strategically significant.
 - Given China's growing presence in the region, **India will be able to increase its naval presence** and gain support for its maritime projects across the **Indo-Pacific**.
 - The Western Indian Ocean (WIO) is also a strategic location of the **Indian Ocean linking the Southeastern coast of Africa to the wider Indian Ocean and beyond**.

- **Opportunity in the Mozambique Channel:**
 - The IOC islands are situated around one of the key **chokepoints** in the **Indian Ocean- the Mozambique Channel**.
 - The Mozambique Channel is an arm of the Indian Ocean located between the African countries of Madagascar and Mozambique.
 - The Mozambique Channel **lost its significance** post the **opening of the Suez Canal**, but the recent hostilities near the **Strait of Hormuz** brought the channel back into focus as the original route for bigger commercial vessels (especially for oil tankers).
 - **Potential of natural gas reserves in the Mozambique Channel** further increases the significance of the region.
- **Cooperation with France:**
 - It will also help to boost **cooperation with France** that has a strong presence in the western Indian Ocean.
- **SAGAR Policy:**
 - It will help to extend **India's SAGAR (Security and Growth for all in the Region)** policy in the region.
 - SAGAR is an articulation of India's vision for the Indian Ocean which aims for enhancement of capacities to safeguard land and maritime territories & interests; deepening economic and security cooperation in the littoral; action to deal with natural disasters and maritime threats like piracy, terrorism.

SOCIAL JUSTICE

SC order on Land Acquisition

Recently, the **Supreme Court of India** reaffirmed its February 2018 ruling on **Section 24 on land acquisition compensation awards** in the Indore Development Authority case.

- The five-judge Bench also overruled an earlier 2014 ruling under the **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act of 2013**.
- **Background**
- The **2013 Act replaced the Land Acquisition Act, 1894 (1894 Act)** and provides for higher compensation to those deprived of land by the government for both public and private sector projects.
 - It also mandates consent of a majority of land-owners and contains provisions for rehabilitation and resettlement.
 - Under **Section 24(2) of the 2013 Act**, land acquisition made under the old law of 1894 lapses if the award of **compensation had been made five years before the new Act** came into force, but **has not been paid**.
 - In such situations, the process will start afresh under the new Act, which **mandates higher compensation**.
- However, there are cases of farmers and landowners refusing compensation which delays the possession by the government.
 - In such cases, the compensation is deposited in the government treasury and according to one interpretation, the acquisition process is saved.
 - This interpretation has been contended on the basis that such cases will fall under the new Act because compensation has not been paid to the landowners, and the lapsing clause in Section 24 should be applied.
- If a long-pending land acquisition process closes under the old law and fresh acquisition proceedings start under the new one, the land-owners will benefit and project proponents will have to pay higher compensation.
- In the **Pune Municipal Corporation vs Harakchand Misirimal Solanki case 2014**, a **three-judge bench** held that acquisition proceedings initiated under the 1894 Act, which were initiated five years before the 2013 law was enacted (in 2014), would lapse if the land in question was not taken control of or if compensation was not paid to displaced farmers.
 - The judgment came as a **relief for landowners**.
- However, in the **Indore Development Authority vs Shailendra (D) Through LRS & Ors case 2018**, another three-judge bench **declared the 2014 judgment "per incuriam"**.
 - It held that if a landowner refuses to accept the compensation offered by the developer, they cannot take advantage of their own wrongdoing and have the acquisition proceedings lapse under the old law.
 - This judgement was a **relief for developers**.

Per Incuriam

- It literally translates as "through lack of care".

- A judgment can be declared per incuriam if it does not follow a statutory provision or a binding precedent that may have been relevant.
- Such judgments can be declared to be without any legal force and are not treated as a valid precedent.

Key Points

- In the latest ruling, the Bench was interpreting **Section 24 (2)** of the 2013 Act.
- The provision said that **if the physical possession of land has not been taken or the compensation is not paid for five or more years** prior to 1st January 2014, the acquisition proceeding is **“deemed to have lapsed”**.
- The judgment said that the **compensation would be considered paid** if the amount is put in the Treasury.
 - There was no obligation that the amount should be deposited in the court in order to sustain the land acquisition proceedings.
- Thus, there is **no lapse** if possession has been taken and compensation has not been paid. Similarly, there is no lapse if compensation has been paid and possession not taken of the land.
- Further, it was also held that Section 24(2) of the 2013 Act **does not give rise to a new cause of action to question the legality of concluded proceedings** of land acquisition.

WOMEN RELATED ISSUES

Schemes For Adolescent Girls

The Government is implementing the ‘**Scheme for Adolescent Girls (SAG)**’ across the country.

About the Scheme

- **Introduced in:** 2010
- **Implemented By:** Ministry of Women and Child Development
- **Implemented Through:** Existing **Anganwadi Centres (AWCs)** under the **Integrated Child Development Scheme (ICDS)**.
- **Coverage:** Pan-India
- **Key Objective:** To facilitate, educate and empower Adolescent Girls (AGs) so as to enable them to become self-reliant and aware citizens.
- **Target Group:** Out of school girls in the age group of 11-14 years. The scheme aims at motivating out of school girls to go back to formal schooling or vocational /skill training.
- **Components**
 - **Nutrition:** Provision for providing specified amount of calories, protein and micronutrients to AGs, etc.
 - **Non-nutrition:** Includes health check-up, mainstreaming out of school girls into the school system, Iron and Folic Acid (IFA) supplementation, life skill education etc.
- **Funding Pattern**
 - SAG is a **centrally sponsored scheme**, implemented through Centre and State share in the ratio of 50:50 for nutrition component and 60:40 for the rest of the activities.
 - For both components, the ratio is 90:10 for North Eastern and three Himalayan States and 100% for UTs without legislation.
- **Achievement of the Scheme is measured through:**
 - **SAG- Rapid Reporting System (RRS):** It is a role based Management Information System (MIS) that captures details of the AGs that are taking benefits under this scheme.
 - **Kishore Health Card:** To record the information about the weight, height, Body Mass Index (BMI) of AGs along with other services provided under the scheme. These health cards for AGs are maintained at the AWCs.

IMPORTANT FACTS FOR PRELIM

Katchatheevu Island

- It is an **uninhabited off-shore island in the Palk Strait** originally owned by a king of **Ramnad** (present-day **Ramanathapuram, Tamil Nadu**).
- The island is used by fishermen to dry their nets.
- During the British rule, it was **administered jointly by India and Sri Lanka**.
- In the early 20th century, **Sri Lanka claimed territorial ownership** over the islet, so in **1974 India ceded the island to Sri Lanka, through a joint agreement**.
 - Two years later through another accord, **India further gave up its fishing rights** in the region.

AYUSH Grid and NAMASTE Portal

Recently, the Minister of State for **AYUSH** has informed about the development of the **AYUSH Grid and NAMASTE Portal**.

AYUSH Grid

- AYUSH Grid, initiated by the **Ministry of AYUSH**, aims to **bring onboard all AYUSH** (Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy) **facilities including hospitals and laboratories** and to promote traditional systems of healthcare.
- The Ministry of AYUSH and Ministry of Electronics and Information Technology have already inked a pact to **collaborate with each other for the digitisation of the AYUSH sector**.

NAMASTE Portal

- **National AYUSH Morbidity and Standardized Terminologies Electronic Portal** (NAMASTE Portal) was launched on **17th October, 2017 (2nd Ayurveda day)**.
 - The **National Ayurveda Day** is celebrated every year on the occasion of **Dhanwantari Jayanti (Dhanteras)**.
- The portal provides standardized terminologies & morbidity codes for Ayurveda, Siddha and Unani systems of medicines.
 - Morbidity codes provide a comprehensive classification of diseases described in the traditional medicines system.

Indian National Centre for Ocean Information Services

Recently the Indian National Centre for Ocean Information Services (INCOIS), Hyderabad celebrated **International Women's Day (March 8)**.

Key Points

- INCOIS is an **autonomous organization** under the **Ministry of Earth Sciences (MoES)**.
- It is located in **Hyderabad & was established in 1999**.
- It is a unit of the **Earth System Science Organization (ESSO), New Delhi**.
- It is mandated to provide the best possible **ocean information and advisory services** to society, industry, government agencies and the scientific community through sustained ocean observations and constant improvement through systematic and focused research.

Earth System Science Organization

- The ESSO operates as an **executive arm** of the Ministry of Earth Sciences (MoES) for its policies and programmes.
- **Aim:** to develop and improve capability to **forecast, weather, climate and hazard** related phenomena for social, economic and environmental benefits including addressing aspects relating to climate change science, and climate services.
- It is also responsible for the development of technology towards the **exploration and exploitation of marine resources**.
- It has **four major branches** of earth sciences.
 1. Ocean Science & Technology
 2. Atmospheric and Climate Science
 3. Geoscience and Technology
 4. Polar Science and Cryosphere

DAILY ANSWER WRITING PRACTICE

Qns. "India needs smart urbanization". in light of this, discuss issues and challenges associated with urbanization in India. (250 words)

Ans.

Urbanisation in India is taking place at a faster rate with over 34% of India's current population living in urban areas (UN World Urbanisation Prospects Report 2018). It has expanded rapidly as an increasing number of people migrate to towns and cities in search of economic opportunity. Smart urbanisation involves effective integration of physical, digital and human systems in the built environment to deliver sustainable, prosperous and inclusive future for its citizens.

Issues associated with urbanisation in India:

- **Urban sprawl or real expansion of the cities**, both in terms of population and geographical area, which has encroached upon the agricultural and forest lands.
- **Overcrowding and haphazard development of urban areas** which has led to annually recurring instances of floods, diseases and fire in many cities.
- **Rising demands for basic services** such as clean water, public transportation, sewage treatment and housing.
- **The proliferation of slums** due to policy, planning, and regulatory deficiencies.
- **Huge quantities of garbage generated by the cities** which are posing a serious health problem.
- **Environmental concerns** such as urban areas becoming heat islands, rising air pollution, groundwater pollution and persistent water crisis.

- **Rising urban poverty**, inequality and unemployment.
- **Urban Crimes** such as human trafficking, sexual assault, child labour etc.
Several smart urbanisation measures like **Smart Cities Mission**, **AMRUT** etc are being taken up by the government to address these issues. However, there are various challenges which impede progress such as:
 - Many urban local governments **lack a modern planning framework** which limits effective land utilisation and cities' abilities to grow in accordance with changing needs.
 - 74th Amendment Act has been implemented half-heartedly by the states, which have not fully empowered the Urban Local Bodies (ULBs). **ULBs need clear delegation of functions, functionaries and funds.**
 - **The state governments have not given enough autonomy to ULBs** to generate revenues and at the same time, the ULBs have failed to utilize even those tax and fee powers that they have been vested with.
 - On the 'Smart City' front, while over 90 'Smart Cities' have identified 2,864 projects, **India lags on implementation**, with about 148 projects completed and over 70% still at various stages of preparation.
 - **Low level of urban infrastructure investment** and capacity building.
 - **Wide inter-state disparity in urbanization levels** also poses a challenge to the urban planners. An urban area that has an advanced model of technology but is badly planned, with outdated legal frameworks or lacking a good financial model, will only aggravate the dysfunction in the area.

Conclusion

The announcement of a new urbanisation policy that seeks to rebuild Indian cities around clusters of human capital, instead of considering them simply as an agglomeration of land use, is a welcome transition. We need to empower our cities, with a focus on land policy reforms, granting urban local bodies the autonomy to raise funds and enforce local land usage norms.

DAILY QUIZ

1. In India, the guidelines for declaring a language as 'Classical' language are:
 1. High antiquity of its early texts/recorded history over a period of 1500-2000 years.
 2. The literary tradition must be original and not borrowed from another speech community.
 3. There should not be any discontinuity between the classical language and its later forms or its offshoots.

Which of the above statements is/are correct?

a) 1, 2 b) 1, 3 c) 2, 3 d) 1, 2, 3
2. Recently Union Ministry of Law and Justice declared United Arab Emirates as a "reciprocating territory". Consider the following statements regarding reciprocating territory.
 1. Reciprocating territory means any country or territory outside India where orders passed by certain designated courts in that territory can be implemented in India.
 2. A country is declared as a reciprocating territory under the provisions of Civil Procedure Code, 1908.

Which of the above statements is/are correct?

a) 1 only b) 2 only c) Both 1 and 2 d) Neither 1 nor 2
3. Consider the following statements regarding Coastal Regulation Zone (CRZ) Rules.
 1. In India, the Coastal Regulation Zone (CRZ) Rules govern human and industrial activity close to the coastline, in order to protect the fragile ecosystems near the sea.
 2. The regulation zone has been defined as the area up to 500 m from the high-tide line.
 3. CRZ Rules are made and implemented by the Union environment ministry.

Which of the above statements is/are correct?

a) 1, 3 b) 1, 2, 3 c) 2, 3 d) 1, 2
4. Tilhan Mission, recently in news is related to
 - a) Make India net exporter of Pulses
 - b) Reducing import dependency of crude petroleum
 - c) **Make India self-reliant in oilseed production**
 - d) None of the above
5. Sustainable Alternative Towards Affordable Transportation (SATAT) programme is
 - a) Sub component under FAME-2 Scheme
 - b) **Compressed Bio-Gas production from agricultural residue, municipal solid waste and cattle dung**
 - c) Providing better connectivity in the North-Eastern States

- d) None of the above
6. Consider the following statements regarding Long Term Repo Operations (LTRO).
1. LTRO is a new liquidity facility conducted by RBI to inject liquidity in the banking system with long term maturity periods.
 2. Funds through LTRO will be provided at the repo rate.
 3. LTROs will be conducted on E-KUBER platform.
- Which of the above statements is/are correct?
- a) 1, 2 b) 1, 3 c) 2, 3 **d) 1, 2, 3**
7. Consider the following statements regarding Goldilocks zone.
1. Goldilocks zone, is the area around a star where it is not too hot and not too cold for liquid water to exist on the surface of surrounding planets.
 2. Earth is the only planet in the Sun's Goldilocks zone.
 3. If a planet is in the Goldilocks Zone of a star, it necessarily means the planet is going to have life or liquid water.
- Which of the above statements is/are correct?
- a) 1 only** b) 1, 2 c) 1, 3 d) 2, 3
8. Consider the following statements regarding BrahMos missile.
1. BrahMos is a cruise missile, meaning it can be guided towards a pre-determined land- or sea-based target.
 2. BrahMos is classified as supersonic cruise missile.
 3. In 2019, India upgraded the missile with a new range of 2000 km.
- Which of the above statements is/are correct?
- a) 1, 3 **b) 1, 2** c) 2, 3 d) 1, 2, 3
9. Which of the following are the major activities of Central Ground Water Board (CGWB).
1. Periodic assessment of the country's ground water resources
 2. Monitoring of Ground water levels and quality through ground Water observation wells.
 3. Operationalization of new technologies/ techniques for ground water investigation, development and management.
- Select the correct answer code:
- a) 1, 2 b) 2, 3 c) 1, 3 **d) 1, 2, 3**
10. Consider the following statements regarding Maternity Benefit Act, 2017.
1. Maternity benefit in India applies to all shops and establishments with 10 or more employees.
 2. It extended the period of maternity benefit from 12 weeks to 26 weeks for commissioning mothers.
 3. It is mandatory for employers to educate women about the maternity benefits available to them at the time of their appointment.
- Which of the above statements is/are correct?
- a) 1, 2 **b) 1, 3** c) 3 only d) 2, 3