

**INDIAN HERITAGE AND CULTURE, HISTORY****Delhi Gymkhana Club**

The Principal Bench of National Company Law Tribunal (NCLT) has ruled that the Delhi Gymkhana Club was acting in a manner prejudicial to “public interest” and therefore a five-member central government-appointed panel should look into the affairs of the club.

**About:**

- The Delhi Gymkhana Club is one of the oldest and most prestigious private membership club in India.
- Background: It was founded in 1913. Its first president was Spencer Harcourt Butler, first governor of the then United Provinces of Agra and Oudh.
- Location: The club is located in Lutyens' Delhi on Safdarjung Road.
- Governance: The club is registered as a company under Section 8 of Companies Act. The club is run by a 16-member governing body, which consists of various retired government and army officers as well as other private citizens.

**Recent development:**

- In April this year, the Ministry of Corporate Affairs (MCA) moved the NCLT claiming that the club was being run in a manner which was “prejudicial to public interest”.
- The MCA alleged that the club had over the course of time become a den of nepotism and gave preferential treatment in membership only to existing members and their children.
- The NCLT also said that though the club had right to function as it chose to under Article 19 of the Constitution of India, the same could not supersede rights of common public under Article 14, which promises equality to all.

**CONSTITUTION AND POLITY****Adultery**

The Supreme Court has refused to review its 2018 judgment which decriminalised adultery.

**About:**

- It upheld a September 2018 judgment by Constitution Bench which had struck adultery out of the penal statute book.
- The original judgment found that Section 497 (adultery) of the Indian Penal Code cannot “command” married couples to remain loyal to each other for the fear of penal punishment.
- Two individuals may part if one cheats, but to attach criminality to infidelity is going too far.
- The court had reasoned that there was no data whatsoever to support claims that abolition of adultery as a crime would result in “chaos in sexual morality” or an increase of divorce.

**Uttarakhand Approves Land Transfer**

Recently, the Uttarakhand State Wildlife Advisory Board has permitted proposals on the transfer of forest land in Gangotri National Park for development of roads. The decision comes amid the row between India and China along the Line of Actual Control (LAC) in Ladakh.

**Key Points**

- Under these proposals, a total of 73.36 hectares of forest land at three different sites of Gangotri National Park will be required to be transferred for construction of separate roads, totalling 35.66 km in length.
- Gangotri National Park is a protected area and forest land chosen is near the international border with China.
- These routes are very important for national security because they will make the movement of Indo-Tibetan Border Police (ITBP) personnel near the China border far easier.
- Now, the proposals regarding the land transfer for these roads will be sent to the National Wildlife Board.

**GOVERNANCE- WELFARE SCHEMES, E-GOVERNANCE, SERVICES ETC.****TOP To Total**

Union Minister for Food Processing announced the Extension of Operation Greens from TOP (Tomato-Onion-Potato) crops to all Perishable Fruits & Vegetables (TOP to Total).

**About:**

- Operation Greens Scheme, being implemented by MoFPI has been extended from tomato, onion and potato (TOP) crops to other notified horticulture crops for providing subsidy for their transportation and storage from surplus production area to major consumption centres.
- The objective of intervention is to protect the growers of fruits and vegetables from making distress sale due to lockdown and reduce the post-harvest losses.

- Duration of Scheme: For the period of six months from the date of notification i.e., 11/06/2020.
- Eligible entities: Food Processors, FPO/FPC, Co-operative Societies, Individual farmers, Licensed Commission Agent, Exporters, State Marketing/Co-operative Federation, Retailers etc. engaged in processing/ marketing of fruits and vegetables.
- Pattern of Assistance: Ministry will provide subsidy @ 50 % of the cost of the following two components, subject to the cost norms –
  - Transportation of eligible crops from surplus production cluster to consumption centre; and/or
  - Hiring of appropriate storage facilities for eligible crops (for maximum period of 3 months).

### **INTERNATIONAL AFFAIRS- BILATERAL, GROUPINGS, ORGANISATIONS**

#### **Uganda Submitted REDD+ Results**

Recently, Uganda has become the first African country to submit results for Reducing Emissions from Deforestation and forest Degradation (REDD+) to the United Nations Framework Convention on Climate Change (UNFCCC).

#### **Key Points**

- Uganda's REDD+ Results: There is a 44% reduction in the country's rate of deforestation annually between 2015 and 2017.
  - The results submission by Uganda to the UNFCCC has paved the way for potential results-based payments to the country.
  - It will help Uganda to receive funds through the Green Climate Fund's forest conservation scheme.
- Significance for Africa: The submission of the results are a significant development on REDD+ for Africa. This will encourage other African countries to reduce carbon emissions by decreasing deforestation and forest degradation.

#### **India and REDD+:**

- The Paris agreement on climate change called upon country Parties to take action to implement and support REDD+.
- India has communicated in its Nationally Determined Contribution (NDC) under Paris Agreement, that it will capture 2.5 to 3 billion tonnes of Carbon dioxide through additional forest and tree cover by 2030.
- In this regard, India has prepared its "National REDD+ Strategy".
  - Introduced in 2018 by the Ministry of Environment, Forest and Climate Change, the strategy seeks to address drivers of deforestation and forest degradation and also develop a roadmap for enhancement of forest carbon stocks and achieving sustainable management of forests through REDD+ actions.

#### **Way Forward**

- Achieving REDD+ results are challenging, as there are other development priorities — with agriculture, mining, energy and forestry — driving deforestation.
- There is a need to support developing countries through all three REDD+ phases — readiness, implementation and result-based actions — by providing tools and analysis of how to design, implement and measure the results of REDD+ action.
- This will in turn position countries like India and Africa as the forest champion of the next decade.

### **INDIAN ECONOMY**

#### **Pm Formalization Of Micro Food Processing Enterprises (PM FME) Scheme**

Union Minister for Food Processing launched the PM Formalization of Micro Food Processing Enterprises (PM FME) scheme as a part of "Atmanirbhar Bharat Abhiyan".

#### **About:**

- Objective: To provide financial, technical and business support for upgradation of existing micro food processing enterprises.
- Impact: The Scheme would generate total investment of Rs 35,000 crore and generate 9 lakh skilled and semi-skilled employment and benefit 8 lakh units through access to information, training, better exposure and formalization.
- Duration: This Centrally Sponsored Scheme will be implemented over a period of five years from 2020-21 to 2024-25 with an outlay of Rs 10,000 crore.
- Fund Sharing: The expenditure under the scheme would to be shared in 60:40 ratio between Central and State Governments, in 90:10 ratio with North Eastern and Himalayan States, 60:40 ratio with UTs with legislature and 100% by Centre for other UTs.

Implementation strategy:

- The Scheme adopts One District One Product (ODODP) approach to reap benefit of scale in terms of procurement of inputs, availing common services and marketing of products.
- The Scheme also place focus on waste to wealth products, minor forest products and Aspirational Districts.
- Existing Individual micro food processing units desirous of upgradation of their unit can avail credit-linked capital subsidy @35% of the eligible project cost with a maximum ceiling of Rs.10 lakh per unit. Seed capital @ Rs. 40,000/- per SHG member would be provided for working capital and purchase of small tools.

**India's International Investment Position (IIP)**

The Reserve Bank of India (RBI) released data relating to India's International Investment Position (IIP) as at end-March 2020.

Key findings: Annual Variations during April 2019 – March, 2020

- International financial assets of Indian residents increased by 73.9 billion dollar due to the rise in reserve assets and overseas direct investment by 64.9 billion dollar and 13.0 billion dollar, respectively, though other investments declined marginally during the year.
- Despite a fall of 13.7 billion dollar in portfolio investment during the year, international financial liabilities increased by 16.3 billion dollar as direct investment and other investments rose by 19.0 billion dollar and 11.0 billion dollar, respectively.
- Overall, net claims of non-residents on India declined by 57.6 billion dollar during the year.

**Indian Oil's R&D Centre**

Union Petroleum and Natural Gas Minister laid the foundation stone of Indian Oil Corporation's (IOC) Technology Development & Deployment Centre as its second R&D Campus at Faridabad.

About:

- The new campus would focus on demonstration and deployment of various technologies developed by Indian Oil R&D, and will work in tandem with the existing campus at Sector-13, Faridabad.
- It is going to focus on non-conventional energy domains besides the conventional ones and will aim at indigenisation of several frontline and sunrise technologies.

**ENVIRONMENT- CONSERVATION, BIO-DIVERSITY AND ISSUES**

**Gynandromorph**

Researchers have spotted a very rare biological phenomenon – 'gynandromorphism' – in dragonflies of the Puzhakkal area of the Kole wetlands in Thrissur, Kerala.

About:

- A gynandromorph is an organism that contains both male and female characteristics.
- Examples: Notable gynandromorphic organisms are butterflies, moths and other insects, wherein both types of body part can be distinguished physically due to sexual dimorphism.
- Pattern of distribution of male and female tissues in a single organism: A gynandromorph can have bilateral asymmetry—one side female and one side male. Alternatively, the distribution of male and female tissue can be more haphazard.
- Causes: It is caused by an event in mitosis during early development. While the organism contains only a few cells, one of the dividing cells does not split its sex chromosomes typically. This leads to one of the two cells having sex chromosomes that cause male development and the other cell having chromosomes that cause female development.

**DAILY ANSWER WRITING PRACTICE**

**Qns: The functional overlap between the organs of government undermines the principle of separation of power. Comment.**

Separation of powers is the division of the legislative, executive, and judicial functions of government. It minimises the possibility of arbitrary excesses by the government, since the sanction of all three branches is required for the making, executing, and administering of laws. The constitutional demarcation precludes the concentration of excessive power by any branch of the Government.

Constitutional Provisions Ensuring Separation Of Power

- Article 50: State shall take steps to separate the judiciary from the executive.
- Article 121 and 211: Judicial conduct of a judge of the Supreme Court and the High Courts' cannot be discussed in the Parliament and the State Legislature.
- Article 122 and 212: Validity of proceedings in Parliament and the Legislatures cannot be called into question in any Court.

- Article 361: the President or the Governor shall not be answerable to any court for the exercise and performance of the powers and duties of his office.

### Functional Overlap Among Organs Of the Government

#### Overlapping Powers Of Legislature

With Judiciary	With Executive
<ul style="list-style-type: none"> <li>Impeachment and the removal of the judges.</li> <li>Power to amend laws declared ultra vires by the Court and revalidating it.</li> <li>In case of breach of its privilege and it can punish the person concerned.</li> </ul>	<ul style="list-style-type: none"> <li>The heads of each governmental ministries are members of the legislature.</li> <li>Through a no-confidence vote it can dissolve the Government.</li> <li>Power to assess works of the executive.</li> <li>Impeachment of the President.</li> <li>The council of ministers on whose advice the President and the Governor acts are elected members of the legislature.</li> </ul>

#### Overlapping Powers Of The Executive

With Judiciary	With Legislative
<p>Making appointments to the office of Chief Justice and other judges.</p> <p>Powers to grant pardons, reprieve, respite or remission of punishments or sentence of any person convicted of any offence.</p> <p>The tribunals and other quasi-judicial bodies which are a part of the executive also discharge judicial functions.</p>	<p>Power to promulgate ordinance which has the same force of the Act made by the Parliament or the State legislature.</p> <p>Authority to make rules for regulating their respective procedure and conduct of business subject to the provisions of this Constitution.</p> <p>Powers under delegated legislation.</p>

#### Overlapping Powers Of The Judiciary

With Executive	With Legislative
<p>Under Article 142, the Supreme Court functions as an Executive in order to bring about the complete justice.</p>	<p>Judicial review i.e. the power to review executive action to determine if it violates the Constitution.</p> <p>Unamendability of constitution under basic structure.</p>

### Issues with Functional Overlapping

- Unaccountability: One of the demerits of overlapping powers, is that a particular organ cannot be held accountable for its decisions. Eg. Judicial verdicts in 2G and Coal Block allocation case.
- Erosion of faith: Repeated interventions of one organ into another's functioning can diminish the faith of the people in the integrity, quality, and efficiency of the other organs.
- Accumulation of power: It undermines the spirit of democracy as too much accumulation of powers in organs of government undermines the principle of check and balance.
- Adverse effect on development: Excessive infringement on each other jurisdiction may impede smooth functioning of government and hinder public service and overall development.

### Utility of Functional Overlapping

- Check and balance: Organs of government are empowered to prevent arbitrary actions by other two organs. Eg. Power of judicial review by the Supreme Court.
- Rule of law: Power sharing laws among the executive, legislative and judiciary enhances accountability and equality in governance.
- Checks arbitrariness: Constitutional demarcation of overriding powers decreases the scope of conflict among the government organs.
- Cooperation: Overlapping function induces power sharing and power decentralisation.

**Conclusion:** For a democratic polity and diverse society like India, a Constitutional system with strict separation of powers is undesirable and impracticable. However judicious and calculated constitutional functional overlapping makes way for democratic collaboration of the three organs of the government. Such mutual cooperation bridges the executive, legislative and judicial gap facilitating smooth functioning of government