

NATIONAL**The Supreme Court decision to decriminalise adultery is a step in the right direction. Comment.**

- The Supreme Court decriminalised the offence of adultery by holding Section 497 of the Indian Penal Code (IPC) unconstitutional.
- Till the judgement, India was one of the few countries in the world that still considered adultery an offence. The appalling attribute of the Indian definition of this crime was that it did not punish the erring spouses, but instead punished the adulterous man, or rather 'the outsider', for having extra-marital relations with a woman who he knows to be married. It was only an offence if the husband had not consented to this relation, implicitly suggesting that the wife was the property of her husband. Hence, the husband was considered to be the "victim" of adultery and could file a case. The same recourse was, however, not available to the wife.
- For any act to be a crime, it has to be committed against society at large. The main argument for retaining the criminal provision was that the outsider should be punished for breaching the matrimonial unit and that the law should mandate punishment for such a moral wrong. This violation was seen as a crime against the institution of marriage, thus justifying it to be a breach of security and well-being of society. Thankfully, and rightly so, this argument was unanimously dismissed by the bench. The court observed that the issue of adultery between spouses was a private matter, and could be a ground for divorce under civil law. It did not warrant the use of criminal sanction against any party involved. Moreover, no justification can be given by the state for penalising people with imprisonment for making intimate and personal choices. Further, addressing the issue of making the penal provisions of adultery gender neutral, the court held that even then the matter was private, and anything otherwise would be a grave intrusion into the privacy of individuals.
- In simple terms, as the law previously stood, in this offence, the victim would be the husband alone, whose property (i.e. the wife) was trespassed upon. Dismissing this regressive patriarchal notion of women being "chattels" of their husband, the court held that Section 497, as it existed, denied women ownership of their sexuality and agency over their own relationships. The court even relied on K.S. Puttaswamy v. Union of India to explain this deprivation of autonomy as a violation of their right to privacy and to live with dignity, thus violating their fundamental rights under Article 21 of the Constitution.
- The adultery provision also violated the right to equality guaranteed under Article 14. The court observed that women were treated as passive entities, and possessions of their husband. The fact that the commission of the offence would have been in the absence of the husband's consent proved the inequality between the spouses. Section 497 consumed the identity of a wife, as an individual with rights as an equal partner to the marriage, tipping the scales to favour the husband. The court further explained: "Marriage in a constitutional regime is founded on the equality of and between spouses. Each of them is entitled to the same liberty which Part III [of the Constitution] guarantees." Therefore, not affording both parties to a marriage equal rights and opportunities would be discriminatory and a violation of their right to equality.
- Previous challenges to this provision claimed that exempting women under Section 497 from prosecution and being prosecuted was 'protecting' them and was in consonance with Article 15(3) of the Constitution that allowed the state to make laws for the benefit of women and children. This provision was made when bigamy was prevalent and Lord Macaulay, the drafter of the IPC, did not find it fair to punish one inconsistency of the wife when the husband was allowed to marry many others. However, a fallacy in this reasoning was pointed out by the court - the law that takes away the right of women to prosecute, just as her husband had the right to proceed against the other man, could not be considered 'beneficial' and was, in fact, discriminatory.
- It is surprising to see that even after the verdict many have opposed this decision of the Supreme Court, most countries around the world have done away with this practice. While the struggle for equality in many other spheres still continues, the decision to scrap this archaic law is definitely a step in the right direction.

In the light of the latest Supreme Court judgment, discuss why it is urgent for the Parliament to enact a law to prevent criminalization of politics.

- The issue of candidates facing criminal charges getting elected to Parliament and State legislative Assemblies is often raised and in a recent judgment, the Supreme Court has left it to Parliament to legislate on the subject.
- Some important changes in the electoral laws - making it mandatory for candidates to submit an affidavit with full disclosure of criminal cases, if any, and details of their asset and income - were made mandatory by the judiciary. The most recent change, i.e. providing an option to voters to exercise None of the Above (NOTA) in case they do not want to vote for any of the candidate contesting an election, was also introduced by the judiciary in 2003 on the basis of the PIL filed by People's Union for Civil Liberties.
- The court mentioned that it was not within its powers to disqualify politicians facing criminal cases from contesting election, but recommended that Parliament enact a strong law. However, the court made it mandatory for political parties and candidates themselves to make public disclosure through print and electronic media.
- Data from the Association for Democratic Reforms (ADR) indicate that 179 out of the 543 elected Members of Parliament in the present Lok Sabha have some kind of criminal case pending against them. While it is true that

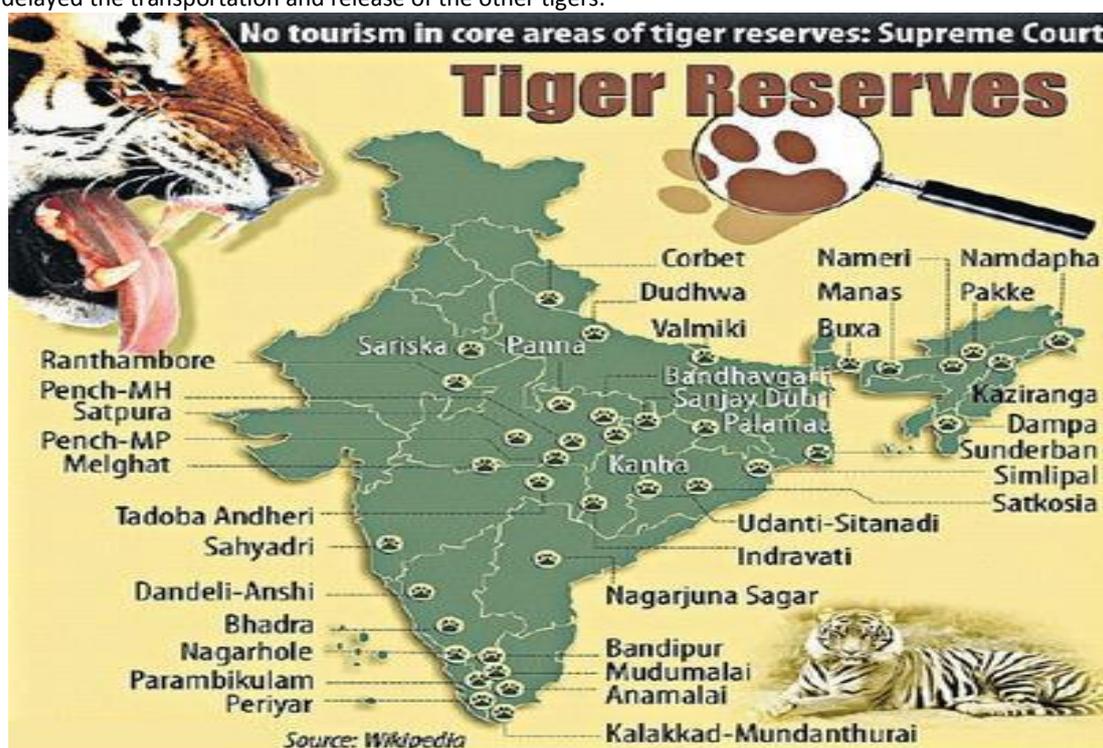
some of these may be of a frivolous nature, it is also true that many of these cases concern allegations of their involvement in serious crimes. In the case of over 100 MPs, the cases were of a very serious nature such as crimes against women and kidnapping. There seems to be very little improvement in this regard in the last five years. In the previous Lok Sabha (2009), 163 had criminal cases pending against them, many of which were of a serious nature. The profile of members of the Upper House is no better; of 228 members of the Rajya Sabha for whom data could be analysed, 20 have cases of serious crimes pending against them.

- While political parties raise concern about candidates with a tainted background contesting elections and getting elected, none of them come forward to set an example for others when it is time to act. Also, there is hardly any difference between the national and regional parties in this regard. Going by the ADR's estimates, there are more than 1,500 MPs and MLAs in Parliament and State Assemblies with criminal cases pending against them.
- The issue is far more important and serious than the attention being paid to it by the policy makers. While the Election Commission has limited powers to legislate on such laws, it is only Parliament which can legislate to bring about the desired change.

STATE ODISHA

Tiger presence in 3 more Odisha forests

- The Odisha government has confirmed the presence of tigers in three more forests in the State.
- Movement of the Royal Bengal tigers has been captured by closed-circuit television cameras installed at the Hemgiri forest in Sundargarh and Debrigarh sanctuaries in Sambalpur districts, while indirect evidence such as people hearing tiger roars and cattle killing by big cats have been collected from the Muniguda forest in Rayagada district.
- The Similipal Tiger Reserve in Mayurbhanj and the Satkosia Tiger Reserve in Angul district are two known habitats of the big cat in the State.
- According to a tiger census conducted by the State government in 2016, there were around 40 tigers in Similipal.
- It is believed that the Sunabeda sanctuary in Nuapada district has four big cats. Neither movement of tigers has been captured on camera, nor has any formal tiger census been conducted there.
- Sunabeda has been a stronghold of the outlawed CPI(Maoist) because of which the tiger census at the sanctuary has been postponed in the past.
- The government is planning to propose identification and development of Debrigarh and Sunabeda as two new tiger reserves in the State.
- At present, the State government is focusing on increasing the tiger population in Satkosia reserve. As part of its strategy, six tigers (three pairs) were to be brought from Madhya Pradesh.
- Two felines have already been released in Satkosia, but resistance from local population in buffer villages has delayed the transportation and release of the other tigers.



INTERNATIONAL & BILATERAL

India to gift MiG-23 to Russia

- A highlight on the sidelines of the upcoming India-Russia bilateral summit is likely to be the gifting of three MiG-21 fighter jets to Russia. Russian President Vladimir Putin will be in New Delhi on October 4 and 5 for the annual summit with Prime Minister Narendra Modi.
- “Three MiG-21s are scheduled to be handed over to Russians based on a request from their Defence Minister to our Defence Minister. They comprise one Type 75 aircraft and two Type 77 aircraft,” an official source said.
- The aircraft to be gifted are in flight-worthy condition and the cost of crating and transportation will be borne by the Russians.
- This will be major symbolic gesture to showcase the all-weather friendship and deep strategic partnership between India and Russia, which has been put to test in recent times due to changing geopolitical conditions.
- The MiG-21, a product of the Soviet Union, was designed by the Mikoyan-Gurevich Design Bureau in the 1950s. It made first flight in 1956 and entered service in 1959. However, Russia stopped producing the aircraft in 1985, while India continued operating the upgraded variants.
- India inducted the MiG-21s in 1963 and got full technology transfer and rights to license-build the aircraft in the country. It is the first supersonic fighter aircraft of the Indian Air Force. The IAF still has about 120 MiG-21s in service which will all be phased out of service by 2021-22.

International Sanitation Convention

- PM Modi addressed an international sanitation convention on the fourth anniversary of the cleanliness mission.
- He said – India was taking the lead on the UN’s Sustainable Development Goal on sanitation and was on course to fulfil its commitments 11 years early.
- More than 94% of rural households across the country have now been declared open defecation free in comparison to just 39% when the mission was launched four years ago.
- Modi also said that the membership of the International Solar Alliance (ISA) — so far restricted to countries between the Tropics of Cancer and Capricorn — would be expanded to include all member countries of the United Nations.
- He urged world leaders to move towards a future of ‘one world, one sun, one grid’ in which countries around the world would share electricity so that none is without it.
- About Sustainable Development Goals (Fast Recap)
- 17 SDGs were adopted by UN member nations in 2015. The deadline to meet them is 2030.

How to remember all 17 Goals?

I Can HELP

Yes, “I Can HELP” is your answer

➤ I ²	<ul style="list-style-type: none"> ➤ Industry, Innovation and Infrastructure ➤ 2. Inequality 	<ul style="list-style-type: none"> ➤ E³ ➤ 10. Education ➤ 11. Equality ➤ 12. Economic Growth, Decent Work
➤ Can ⁵	<ul style="list-style-type: none"> ➤ Clean water and Sanitation ➤ Clean Energy ➤ Climate Change ➤ Cities and Communities ➤ 7. Consumption and Production 	<ul style="list-style-type: none"> ➤ L² ➤ 13. Life below water ➤ 14. Life on land
➤ H ²	<ul style="list-style-type: none"> ➤ 8. Hunger ➤ 9. Health 	<ul style="list-style-type: none"> ➤ P³ ➤ 15. Poverty ➤ 16. Peace and Justice ➤ 17. Partnerships for the Goals

PM Narendra Modi conferred UNEP Champions of Earth Award 2018

Prime Minister Narendra Modi was conferred with United Nation’s Champions of the Earth Award by UN Secretary General Antonio Guterres at ceremony in Delhi. He is among the six winners who received this award. PM Modi was jointly awarded this award along with French President Emmanuel Macron under the ‘Political Leadership’ category for their work in championing International Solar Alliance (ISA) and promoting new areas of cooperation on environmental action.

Champions of Earth Award

It is UN’s highest environmental recognition celebrating exceptional figures from public and private sectors and from civil society, whose actions have had transformative positive impact on the environment. It was established

in 2005 by United Nations Environment Programme (UN Environment). This award programme is successor to UNEP's Global 500 Roll of Honour.

Past laureates include: Afroz Shah, who led world's largest beach cleanup (2016), Rwandan President Paul Kagame (2016), Ocean Cleanup CEO Boyan Slat (2014), scientist-explorer Bertrand Piccard, developer of Google Earth Brian McClendon (2013), and former US Vice-President Al Gore (2007).

International Solar Alliance

The International Solar Alliance (ISA) is an alliance of more than 121 countries, most of them being sunshine countries, which lie either completely or partly between the Tropic of Cancer and the Tropic of Capricorn. The primary objective of the alliance is to work for efficient exploitation of solar energy to reduce dependence on fossil fuels. This initiative was first proposed by Indian Prime Minister Narendra Modi in a speech in November 2015 at Wembley Stadium, in which he referred to sunshine countries as Suryaputra ("Sons of the Sun").

Objective: The focus is on solar power utilization. The launching of such an alliance in Paris also sends a strong signal to the global communities about the sincerity of the developing nations towards their concern about climate change and to switch to a low-carbon growth path. India has pledged a target of installing 100GW by 2022 and reduction in emission intensity by 33–35% by 2030 to let solar energy reach to the most unconnected villages and communities and also towards creating a clean planet. India's pledge to the Paris summit offered to bring 40% of its electricity generation capacity (not actual production) from non-fossil sources (renewable, large hydro, and nuclear) by 2030.

Future targets: ISA, a joint initiative of India and France launched in 2015 to galvanise 121 potential member countries to increase their solar footprint, is aimed to mobilise \$1 trillion (US\$ 1000 billion) to generate 1,000 gw of solar energy by 2030.

ECONOMY

SATAT initiative

- SATAT is an initiative aimed at providing a Sustainable Alternative Towards Affordable Transportation (SATAT) as a developmental effort that would benefit both vehicle-users as well as farmers and entrepreneurs.
- It is a joint initiative of IndianOil, BPCL and HPCL to turn waste into green energy.
- Petroleum Ministry with PSU Oil Marketing Companies inviting Expression of Interest (Eoi) from potential entrepreneurs to set up Compressed Bio-Gas (CBG) production plants and make available CBG in the market for use in automotive fuels.
- Benefits of Compressed Bio-Gas (CBG)
- There are multiple benefits from converting agricultural residue, cattle dung and municipal solid waste into CBG on a commercial scale:
 - Responsible waste management, reduction in carbon emissions and pollution
 - Additional revenue source for farmers
 - Boost to entrepreneurship, rural economy and employment
 - Support to national commitments in achieving climate change goals
 - Reduction in import of natural gas and crude oil
 - Buffer against crude oil/gas price fluctuations
- The Government of India had launched the GOBAR-DHAN (Galvanising Organic Bio-Agro Resources) scheme earlier this year to convert cattle dung and solid waste in farms to CBG and compost. The scheme envisages implementation of 700 bio-gas units in different states of the country in 2018-19.
- Significance of Scheme
- It will be hugely beneficial for country as India is home to highest cattle population in world which produces around 3 million tonnes of dung. It will encourage farmers to consider dung and other waste not just as waste but as source of income
- It will provide many benefits to rural people by keeping villages clean and sanitized, improving livestock health and increasing farm yields. Under it, biogas generation will help to increase self-reliance in energy utilized for cooking and lighting.
- It will augment income of farmers and cattle herders. It will create new opportunities for jobs linked to waste collection, transportation, biogas sales etc.
- It will also provide stable fuel supply in market for oil companies and accessible credit in market through government schemes and banks for entrepreneurs.