

**SOCIAL ISSUES**

**DOWRY SYSTEM IN INDIA**

**CONTEXT :** Recently, the Allahabad High Court, while allowing two criminal revisions pertaining to a dowry case, took cognisance of the misuse of Section 498A of the Indian Penal Code (IPC), proposed certain safeguards and directed the State authorities of Uttar Pradesh to take the necessary steps for their implementation in a given time period.

**Developments**

- The High Court expressed its concern over the growing tendency of dowry victims to rope in the husband and all his family members using general and sweeping allegations.
- The directions, inter alia, include constitution of a family welfare committee in each district under the District Legal Services Authority (DLSA), handing over the first information report to such a committee immediately after its registration, and no arrest to be made by the police during this “cooling period” of two months.
- The High Court specifically mentioned in its judgement of taking guidance from the judgement of the Supreme Court of India in Social Action Forum for Manav Adhikar vs Union of India (2018).

**Dowry System In India**

- Dowry, commonly known as ‘dahej’ is any gift that the groom’s side asks from bride’s side directly or indirectly.
- If any such demand is a precondition to marriage, then it is considered as dowry.
- This practice is common in cultures that are strongly patrilineal, patrilocal and have male-biased inheritance laws.
- As per the Dowry Prohibition Act, 1961, dowry has been defined as “any property or valuable security given or agreed to be given either directly or indirectly, by one party to a marriage to the other party to the marriage, or by the parent of either party to a marriage or by any other person, to either party to the marriage or to any other person, at or before or any time after the marriage”.

**Reasons for Dowry**

- Social structure- The patriarchal nature of society which treat women as subordinate sex that is dependent on men for social and economic needs, thus dowry is seen as compensation for it.
- Tradition- As people believe they are adhering to social practice as a matter of choice than being forced to.
- Social security: Dowry is considered as a social security by girl’s parents to prevent any ill treatment to the bride.
- Lack of awareness: Less awareness among people about dowry related laws and regulations

**Impact of dowry system**

**On bride’s family**

- Financial burden that increases with the status of groom.
- Matter of prestige as more spending means higher position of bride’s family.
- Female infanticide and undernourishment.

**On bride**

- Objectification of women
- Considers herself as a liability on her family.
- Psychological burden and so, not able to call off marriage in case of marital issues.
- Dowry Death

**On society**

- Suicides, domestic violence and subordinate status of women.
- Indian society looked down by others due to such evil practices.

**Legal Status in India**

The payment of dowry has long been prohibited under specific Indian laws including the Dowry Prohibited under specific Indian law including:

- **Dowry Prohibition Act, 1961-** To prohibit giving or taking of dowry.
  - Anyone who violates this law is punishable with imprisonment for a term not less than five years, and fine of not less than Rs 15,000, or an amount of the value of such dowry, whichever is more.
- **Section 304-B of the IPC**
  - It is about the Dowry death of a woman subjected to cruelty or harassment by her husband or any relative of her husband.
- **Section 498-A of the IPC** (offence of cruelty)

- Against the husband or his relative if the wife commits suicide within a period of seven years from the date of her marriage.
- **Section 174 of CrPC** was also amended to secure Post Mortem in case of suicide or death of a woman within seven years of her marriage.
- **Section 113A** has been introduced in the Evidence Act, 1872 raising a presumption of cruelty as defined under Section.

#### **SC's Observations**

- In **Vishaka vs State of Rajasthan (1997)**, the Supreme Court issued directions to enforce fundamental rights in the absence of law in certain cases of sexual harassment at the workplace.
- The **Supreme Court** said not just laws but people had to also change from within and learn to treat a woman with respect for the social evil of dowry to be vanquished once and for all.
- It requested the Law Commission of India to take a "fresh look" to bring "more teeth" to the law against dowry.

#### **Way forward**

- Education and independence is one powerful and valuable gift that can lead to women empowerment.
- Accepting dowry should be made a social stigma, and all generations should be addressed. For this, social consciousness about the ill effects of the dowry system needs to be aroused.
- The police must strictly enforce the Supreme Court's directions issued in **Arvesh Kumar vs State of Bihar (2014)** and ensure that there is sufficient reason and credible material against the accused person to necessitate arrest.
- The investigating officers must be imparted rigorous training with regard to the principles stated by the Court relating to arrest. At the same time, wrong-doers need to be punished departmentally.
- The legislature may deliberate upon and make section 498A of IPC bailable.
- Limitations of political solution to social problems should be recognised as no law can be enforced without the wholehearted cooperation of the people.

#### **PRELIMS**

#### **1. Australia seeks to Revitalize Indo-Pacific Ties**

India is one of **Australia's closest security partners** and the government is focused on revitalizing Australia's Historically deep engagement with our partners across the **Indo-Pacific**. Deputy Prime Minister and Defense Minister of Australia ahead of visit to India. This is the first high-level visit from **Australia** after the formation of a new government.

#### **About**

- India is one of Australia's closest security partners and the government is focused on revitalising Australia's historically deep engagement with our partners across the Indo-Pacific.
- Australia stands ready to work closer with India in support of an open, inclusive and resilient Indo-Pacific.
- On concerns for Indo Pacific: The rules-based international order that has brought peace and prosperity to the Indo-Pacific for decades is experiencing pressure, as we face shifts in the geostrategic order.

#### **India-Australia Defense cooperation**

- Defence and security cooperation between India and Australia has significantly expanded in the last few years both at bilateral as well as multilateral levels.
- In 2014, both sides decided to extend defence cooperation to cover research, development and industry engagement and agreed to hold regular meetings at the level of the Defence Minister conduct regular maritime exercises and convene regular service-to-service talks
- The first-ever Bilateral Maritime Exercise, AUSINDEX, was conducted in Visakhapatnam (Bay of Bengal) in September 2015.
- In 2018, the Indian Air Force participated for the first time in the Exercise Pitch Black in Australia.
- INS Sahyadri participated in Kakadu, the biennial exercise of the Australian Navy held in 2018, in which 27 nations participated.
- The 4<sup>th</sup> edition of AUSTRAHIND (Special Forces of Army Exercise) was held in September 2019.
- The India-Australia defence relationship now encompasses almost every major function of the military:
  - Strategic dialogues, coordination, and information exchanges.
  - Military exercises involving ground, air, and maritime forces.
  - Exchanges and training.
  - Defense scientific and technological cooperation.
- India and Australia are also members of the recently formed Quad, also comprising the US, and Japan, to further enhance cooperation and develop partnerships across several issues of common concern.

**Recent initiatives were taken by both countries**

- India and Australia have increased interoperability in the maritime domain in recent months.
- Both sides have signed a 'Joint Guidance for Navy to Navy Relationship Document'.
  - Close cooperation in regional and multilateral fora like the Indian Ocean Naval Symposium (IONS), Western Pacific Naval Symposium (WPNS), Indian Ocean Rim Association (IORA) and ASEAN are some of the highlights of the document.
  - The document is aligned to the '2020 Comprehensive Strategic Partnership' agreed by Prime Ministers of India and Australia.
- Expanding bilateral defence relations, India and Australia signed a Mutual Logistics Support Agreement.
- Australia has also deployed a Liaison Officer at the Indian Navy's Information Fusion Centre for Indian Ocean Region (IFC-IOR) as part of joint maritime efforts.
- India and Australia also have to deal with the disruption in people to people contacts because of the COVID-19 pandemic.
- The Defence Ministry's flagship engagement activity 'Indo-Pacific Endeavour 2022' returns to India this year amid the 75th anniversary of India's independence.

**2. 12th Ministerial Conference of the World Trade Organization**

Recently, the World Trade Organization's 12th Ministerial Conference was held in Geneva, Switzerland.

**Major Outcomes of 12th Ministerial Conference Meeting**

- **Curtailing harmful fishing subsidies:**
  - The WTO passed a multilateral agreement that would curb 'harmful' subsidies on illegal, unreported and unregulated fishing for the next four years, to better protect global fish stocks.
  - There would be no limitation on subsidies granted or maintained by developing or least-developed countries for fishing within their exclusive economic zones (EEZ).
  - **India's role:**
    - India and other developing countries successfully pushed to remove a section of the proposal that would threaten some subsidies which would assist small-scale artisanal fishing.
    - So, artisanal and traditional farmers would not face any restrictions under this agreement.
- **Global Food Security:**
  - Members agreed to a binding decision to exempt food purchased by the UN's World Food Programme (WFP) for humanitarian purposes, from any export restrictions.
  - WTO members issued a declaration on the importance of trade in global food security and that they would avoid bans on food exports.
  - This declaration was issued in light of the global food shortages and rising prices caused by the war between Ukraine and Russia.
  - However, countries would be allowed to restrict food supplies to ensure domestic food security needs.
- **E-commerce transactions:**
  - India asked the WTO to review the extension of the moratorium on custom duties on e-commerce transactions, which include digitally-traded goods and services.
  - All the members agreed to continue the moratorium on custom duties on electronic transmission (ET) until the subsequent Ministerial Conference or until March 31, 2024, depending on whichever comes first.
  - ETs consist of online deliveries such as music, e-books, films, software and video games.
  - They differ from other cross-border e-commerce since they are ordered online but not delivered physically.
- **Covid-19 vaccine production:**
  - WTO members agreed to temporarily waive intellectual property patents on Covid-19 vaccines without the consent of the patent holder for 5 years so that they can more easily manufacture them domestically.

**Issues/Criticisms**

- **Fishing subsidies:**
  - Since 2001, member states have been negotiating to ban subsidies that promote overfishing.
  - Critics argued that this agreement would only restrict and not eradicate subsidies on illegal fishing.
- **E-commerce transactions:**
  - Developing countries faced the brunt of the financial consequences of this moratorium.

- From 2017-2020, developing countries lost a potential tariff revenue of around \$50 billion on imports from only 49 digital products.
- **Covid-19 vaccine production:**
  - Critics argue that The current agreement is a watered-down version of the original proposal made by India and South Africa in 2020.
  - They had wanted broader intellectual property waivers on vaccines, treatments and tests.
  - It was also criticised for not covering all medical tools like diagnostics and treatments.

### **India's Concerns**

- A permanent solution on public stockholding of food grains was not discussed at the MC12.
  - This issue is vitally important for India as it had to secure its rights to continue its food subsidy programme, notwithstanding the restrictions imposed by the agreement on agriculture.
- Another critical issue for India is that it is not allowed to export food grains from publicly held stocks.
  - As India's exports of food grains have increased, several WTO members have questioned whether grains from the publicly held food stocks are being exported.
  - But the MC12 did not enable India to address its concerns.
- India had asked the WTO to review the extension of the moratorium on custom duties on e-commerce transactions, which include digitally-traded goods and services.

### **3. Revamping of Banks Board Bureau**

The Ministry of Finance is planning to bring more representatives from the insurance sector into the Banks Board Bureau (BBB), in a bid to expand and relaunch the body.

#### **Objectives and need behind the move**

- The move to revamp BBB comes after a Delhi High Court bench in 2021 pushed the same, saying that the body was not competent enough to recommend appointments to select general managers and directors at PSU general insurers.
- There is also a case pending in the Delhi HC, where a PSU insurer executive has challenged the appointment of the chairman and managing director of United India Insurance selected by BBB.
  - Amid these issues, appointments by the BBB have been suspended.
  - The BBB is now practically non-functional.
- Therefore, the government is looking to expand the body and to rename it and give it a fresh mandate for appointments.
- The move aims to empower the body to recommend people for public sector insurers and fasten hiring at the top level of state-owned financial institutions.

#### **Major changes**

- The union finance ministry is planning to identify new members, restructure the bureau, and recommend new names to the Appointments Committee of the Cabinet (ACC).
- The restructured BBB, which will have a remit over a wider set of financial institutions, may also get a new name
- After revamp, the board will be able to recommend full-time appointments at financial institutions, where currently the executives are given additional roles through interim arrangements.

#### **About Banks Board Bureau**

- It is an Autonomous Body of Government of India.
- It was set up in 2016 by the government with the aim to select executive directors and managing directors and chief executives of PSBs and financial institutions.
  - The board has been recommending appointments for directors, chairpersons, and MDs for PSU general insurers firms since 2018.
- It is committed to improving the Governance and Boards of public sector financial institutions.
  - The Secretariat of the Bureau currently comprises Secretary and four officers.

### **ANSWER WRITING**

**Q. The aviation sector has seen steady growth in the last few years; however it continues to face multiple challenges. Comment. (150 words)**

#### **Introduction**

The civil aviation industry in India has emerged as one of the fastest-growing industries in India. It has undergone a huge transformation following the liberalization of the aviation industry in India. According to the Directorate General of Civil Aviation, India's air passenger traffic has grown from 14 million in 2000-01 to 140 million in 2017. Despite such meteoric rise, airlines in India are still finding it difficult to sustain operations due to various structural issues.

## Body

Problems afflicting the aviation sector in India:

- **Policy paralysis:** The successive governments did not come up with a long-term vision for the airline industry. The airline industry has been left to fend for itself and serve the elite class in select metros.
- **High Taxes:** High Taxes on aviation turbine fuel and Maintenance, repair and overhaul (MRO).
- **Rupee depreciation:** Since airlines pay in dollar terms for service utility, rupee depreciation, and exchange rate fluctuations reduce their profitability.
- **Price-sensitive market:** India is a price-sensitive market where competing airlines find it difficult to hike ticket prices.
- **The sustainability of the Udan scheme:** UDAN has spurred a host of regional airlines to come up and existing operators to enter regional flying. The Udan scheme is funded by a levy on passengers flying metro routes. The funds collected are then used to subsidize Udan routes. Recent indications are that if all Udan routes that have been bid are flown, there is likely to be a funding deficit.
- The Centre allows 100% FDI in airlines but has capped it at 49% if a foreign carrier wants to invest in an Indian firm. Aviation is a highly capital-intensive business and FDI curbs prevent it from acquiring new technology and best practices.
- Archaic rules like the Route Dispersal Guidelines (RDG) that mandate airlines to fly a certain percentage of flights in smaller, unprofitable air routes drive up costs and introduces inefficiencies.

## Conclusion

As India positions itself to lead and play a dominant role globally, its aviation sector cannot be overlooked. Especially as this sector acts as a growth multiplier including economic output, jobs, and trade – all enabled via better connectivity. But for this growth to materialize sustainably, policy interventions are necessary, the National Civil Aviation Policy, 2016 was a right step in this direction but the aviation sector needs more reforms in existing rules for addressing the prevalent issues.

## QUIZ

1. Vishakha vs the state of Rajasthan case dealt with which of the following?
  - a. Prevention of domestic violence against women
  - b. Sexual violence against women at workplace**
  - c. Ban on the practice of female infanticide
  - d. Promotion of educational and employment opportunities for women
2. Consider the following statements regarding Deep Space Optical Communications (DSOC):
  1. It encodes data in electrons at electromagnetic wavelengths in order to communicate between a probe in deep space and Earth.
  2. Using light instead of the radio allows the spacecraft to communicate more data in a given amount of time.

Which of the above statement(s) is/are incorrect?

  - a. 1 only**
  - b. 2 only
  - c. Both 1 and 2
  - d. Neither 1 nor 2
3. Consider the following statements regarding the Gaia space mission:
  1. The Gaia space mission is a joint collaboration of NASA and the European Space Agency.
  2. The objective of the mission is to make a three-dimensional map of stars throughout the milky way galaxy.
  3. The spacecraft is placed in the opposite direction of the sun, in an orbit around the gravitational parking point in space, the Lagrange 2.

Which of the above statement(s) is/are correct?

  - a. 1 and 2 only
  - b. 2 and 3 only**
  - c. 1 and 3 only
  - d. 1, 2 and 3
4. The election of President is to be conducted in India. Who among the following are included in the electoral college of the President.
  1. Elected members of Lok Sabha
  2. Elected members of Rajya Sabha
  3. Elected members of State Legislative Assemblies
  4. Elected members of State Legislative Council
  5. Elected members of Legislative Assemblies of Delhi and Puducherry

Select the correct answer from the following

- (a) 1,2,3 and 4 only  
(b) **1,2,3 and 5 only**  
(c) 1,3 and 5 only  
(d) All of the above
5. Consider the following statements regarding The World Trade Organization's Ministerial Conference (WTO MC):
1. It is the top decision-making body of the WTO and meets every year.
  2. Relaxing Patent Regulation to achieve global vaccines equity and ensuring Food Security were among the focus points of the 12th MC held in June 2022.
  3. The countries in the 12th WTO MC agreed to extend the current moratorium on not imposing customs duties on electronic transmission (ET) until MC13.
- Which of the statements given above is/are correct?
- (a) 1 and 2 only  
(b) **2 and 3 only**  
(c) 1 and 3 only  
(d) All of the above
6. A rare species of dragonfly has been recently spotted in Kerala. With reference to dragonflies, consider the following statements:
1. It is mostly found near freshwater habitats throughout most of the world.
  2. Most species of dragonflies live in the tropics and particularly in the rainforests.
  3. They feed on insects that are vectors to life-threatening diseases like Malaria and Dengue.
- Which of the statements given above is/are correct?
- (a) 1 and 2 only  
(b) 2 and 3 only  
(c) 1 and 3 only  
(d) **All of the above**
7. Consider the following statements regarding the United Nations Security Council (UNSC):
1. It is one of the six principal organs of the United Nation (UN).
  2. It comprises 5 permanent members and 10 non-permanent members.
  3. The UNSC is the only UN body with the authority to issue binding resolutions on member states.
- Which of the statements given above is/are not correct?
- (a) 1 and 2 only  
(b) 2 and 3 only  
(c) 1 and 3 only  
(d) **None of the above**
8. Consider the following statements regarding Bioplastic:
1. It is made from plants like maize, wheat or sugarcane instead of petroleum.
  2. The net greenhouse gas balance of bioplastics is assumed to be zero.
- Which of the statements given above is/are correct?
- (a) 1 only  
(b) 2 only  
(c) **Both 1 and 2**  
(d) Neither 1 nor 2
9. Which of the following was included in the Spirit of Quad statement released by member countries?
1. Shared vision for a Free and Open Indo-Pacific
  2. Vision for rules-based maritime order in the East and South China Sea
- (a) 1 only  
(b) 2 only  
(c) **Both 1 and 2**  
(d) Neither 1 nor 2
10. Consider the following statements about Banks Board Bureau.
1. Banks Board Bureau is a self-governing autonomous body of the Central Government.
  2. It is an advisory authority comprising eminent professionals and officials to improve the management of Public sector banks.
  3. Banks Board Bureau headquarter is at the Central Office of Reserve Bank of India, Mumbai and started its functioning on April 1, 2016.
- Which of the statements given above is/are correct?
- (a) 1 and 2 only      (b) 2 and 3 only      (c) 1 and 3 only      (d) **All of the above**