Prelim Bits 10-12-2022 | UPSC Daily Current Affairs

Singapore Declaration

The International Labour Organisation (ILO) adopted a declaration which urges countries to ensure labour protection.

- The 17th Asia and the Pacific Regional Meeting (APRM) of the International Labour Organization (ILO) held at Singapore.
- The 17th APRM focused on discussing concrete steps to drive job-rich growth that is inclusive and transformative.
- The meeting set 10-point priorities of national action for the member countries to deal with the issue of dwindling wages of workers, inflation and unemployment.
- This Singapore Declaration agreed that social dialogue is essential to address labour market challenges and finding solutions in crisis situations.
- The declaration urged the Governments –
    1. To facilitate the transition to peace, security and decent work in situations of crisis such as the COVID-19 pandemic, natural disasters, and economic uncertainty.
    2. To strengthen governance frameworks and respect for freedom of association to protect the rights of migrant workers.
    3. To ensure labour protection for all through the promotion of freedom of association and the effective recognition of the right to collective bargaining throughout the regions.
    4. To develop and implement inclusive labour market programmes and policies that support life transitions and demographic shifts.
    5. To recognise the impact of climate change and develop through tripartite committees' national plans for a just transition.

> *The 16th Asia and the Pacific Regional Meeting of ILO was held at Bali, Indonesia in December 2016.*

References

1. The Hindu - Promote freedom of association: ILO Declaration
2. ILO - The Singapore Statement

Conjugal Rights

The State of Punjab has furthered the cause of right to life and personal liberty of prisoners by allowing conjugal visits for inmates.

- Conjugal rights are rights created by marriage, i.e. right of the husband or the wife to the company of their spouse.
- The law recognises these rights both
    1. In personal laws dealing with marriage, divorce etc., and
    2. In criminal law requiring payment of maintenance and alimony to a spouse.

Conjugal rights of prisoners

- In case of Prisoners, conjugal visits refer to the concept of allowing a prisoner to spend some time in privacy with his spouse within the precincts of a jail.
- It is expected that conjugal visits can have positive impacts in the form of psychological health benefits for prisoners, preservation of marital ties.
- It also have positive impacts by the reduction in the rates of homosexuality and sexual aggression within prisons.

> ***Previous observations of High Courts on conjugal rights***
>
> *In the case of Jasvir Singh vs State of Punjab, the High Court held that this right to conjugality is available to prisoners under Article 21, subject to restrictions.*
>
> *In the case of Meharaj vs State (2022), the Madras HC observed that there have to be differential standards in enforcement of Article 21 for law abiders and law violators.*

Punjab Model of Conjugal Visits

- The state guidelines clarifies that conjugal rights of the prisoners are privilege than a right and provides few rules for it.
- The average time for conjugal visits shall be two hours, allowed once every two months.
- The visiting spouse will have to furnish a proof of marriage and medical certificates declaring that he or she is free from HIV or any other sexually transmitted disease, COVID-19 or any other infectious disease.
- Conjugal visits will not be extended to high risk prisoners, terrorists, child abuse and sexual offenders, death row convicts, prisoners who suffer from HIV etc.

References

1. The Hindu - The debate around conjugal visits for prisoners

Right of women to family properties

The Supreme Court asks the Government to re-examine provisions in the Hindu Succession Act which denies tribal women equal rights to family property.

- The Hindu Succession Act, 1956 deals with the succession and inheritance of property.
- The act also includes intestate or unwilled (testamentary) succession.
- The Hindu Succession Act of 1956 guarantees equal shares for male and female heirs.
- **Female heirs** - If a male dies intestate, leaving behind a female heir, the property

would devolve according to the provisions of this Act and not the rule of survivorship.
- Under Section 6 of the Act (2005 Amendment), daughters are coparceners by birth and have the same and equal rights as sons irrespective of their marital status and financial position.
- She has all the rights to inherit coparcenary property like a son and would also have to fulfil the liabilities.

The term 'daughter' includes a natural or adopted daughter (legitimate), but not a stepdaughter or illegitimate daughter.

- **Applicability of the Act**
  1. Any person who is Hindu by religion or any of its forms or developments, including a Virashaiva, Lingayat, or a Brahmo, Prarthna or Arya Samaj follower.
  2. Any person who is a Buddhist, Sikh, or Jain by religion.
  3. Any other person who is not a Muslim, Christian, Parsi, Jew, unless it is proved that such person would not be governed by Hindu law or custom.
- **Exclusion of Scheduled Tribes** - The section 2(2) of the Hindu Succession Act of 1956, says that the provisions of the act is not applicable to Scheduled Tribe members (Scheduled Tribes as per the Article 342 of the Constitution).

References

1. The Hindu - Supreme Court asks government to consider amending Hindu Succession Act
2. Hindustan times - Hindu Succession Act

Share Buyback

The parent company of Paytm has decided on a proposal for buyback of its shares.

- Share buyback is when a listed company buys its own shares from the existing shareholders.
- Share buyback is also called as share repurchase.
- The process reduces the number of outstanding shares in the open market over a period of time.
- A company can buy back its shares from shareholders in 2 ways
  1. Through a tender offer on a proportionate basis or
  2. From the open market via book-building process, stock exchanges, or from the odd-lot holders.
- The maximum limit of any buy-back is 25% or less of the aggregate of paid-up capital and free reserves of a company.
- **Eligibility to participate in buyback**
  1. The share had to be held in the Demat form.
  2. The shareholder needs to hold the shares of the company, (which has announced the buyback) before the record date declared in the announcement.

- **Reasons for buyback**
    1. A company reduces the number of shares in the market by share repurchase and increases the value of the remaining shares.
    2. Increases the promoter shareholding, which can act as a safeguard against any threat of hostile corporate takeover.
- **Benefits of Share buyback**
    1. The company pays the tax and shareholders are exempted from paying tax on the income generated in the share buyback.
    2. Acts as a gateway of exit for uninterested shareholders. When the company offers a higher price than the market price, these shareholders can surrender their shares and exit.

References

1. Indian Express - Paytm share buyback

IUCN Red list new entries

Three medicinal plant species found in the Himalayas have made it to IUCN Red List of Threatened Species following an assessment.

Meizotropis pellita

- This perennial shrub is commonly known as Patwa.
- **Distribution** – restricted distribution. Endemic to Uttarakhand.
- **Threats** - deforestation, habitat fragmentation and forest fires.
- **Significance** -The essential oil extracted from its leaves possesses strong antioxidants and can be a promising natural substitute for synthetic antioxidants in pharmaceutical industries.
- **IUCN status** - Critically Endangered

Fritillaria cirrhosa

- *Fritillaria cirrhosa* (Himalayan fritillary) is a perennial bulbous herb.
- **Characteristics** - The species has long generation length and poor germination potential.
- **Threats** - Extensive harvesting pressure and illegal trade.
- **Significance** – The species has high trade value and pharmaceutical properties.
- In China, the species is used for the treatment of bronchial disorders and pneumonia.
- The plant is also a strong cough suppressant and source of expectorant drugs in traditional Chinese medicine.
- **IUCN Status** - Vulnerable

Dactylorhiza hatagirea

- *Dactylorhiza hatagirea* (Salampanja) is a perennial tuberous species
- **Distribution -** Endemic to the Hindu Kush and Himalayan ranges of Afghanistan, Bhutan, China, India, Nepal, and Pakistan.
- **Threats** - Habitat loss, livestock grazing, deforestation, and climate change.

- **Significance** - It is extensively used in Ayurveda, Siddha, Unani and other alternative systems of medicine to cure dysentery, gastritis, chronic fever, cough and stomach aches.
- **IUCN Status** - Endangered

References

1. The Hindu - Three Himalayan medicinal plants enter IUCN Red List
2. India Biodiversity Portal

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