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TARGET 2018

POLITY & INTERNATIONAL RELATIONS - I

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POLITY

1. RIGHTS ISSUES

Preventive Detention Laws

- SC had recently struck down the detention of a man who had allegedly sold spurious chilli seeds in Telangana.
- **Article 22** of the constitution has provisions for Protection against Arrest and Detention.
- It includes protection against both punitive and preventive detention.
- Punitive detention is punishment for illegal acts done whereas preventive detention is to prevent possible commitment of crime.
- Several States have a law popularly known as the '**Goondas Act**' aimed at preventing the dangerous activities of specified kinds of offenders.
- It confers extraordinary discretionary powers on the executive to detain persons without bail.
- The grounds of preventive detention are
 - i. Foreign affairs or Security of India,
 - ii. maintenance of public order,
 - iii. Security of State
 - iv. Maintenance of supplies and essential services and defence.
- At the first instance, a person may be taken for preventive custody for 3 months.
- The approval of **Advisory board** is necessary for extending the period beyond 3 months and it can be extended up to one year.
- Courts can review the grounds and adherence to the prescribed procedure.
- The protection against preventive detention is available to both **Citizens as well as aliens**.

CBFC Vs Freedom of Expression

- CBFC has refused to clear a documentary on Amartya Sen called "The Argumentative Indian".
- SC in many cases has made it clear that a film or a drama or a novel or a book is a creation of art.
- **Article 19** of the constitution guarantees an artist his own freedom to express himself in a manner which is not prohibited in law.
- Freedom of speech and expression under Article 19 is sacrosanct and the said right should not be ordinarily interfered with.
- The State can impose reasonable restrictions only on the grounds of Sovereignty and Integrity of India, Security of the State, friendly relations with foreign states, public order, decency or morality, contempt of court, defamation and incitement to an offence.
- However, the Supreme Court observed in *S. Rangarajan vs. Jagjivan Ram*, that a mere threat to public order cannot be a ground to suppress freedom of expression.
- CBFC is a **statutory body** under Ministry of Information and Broadcasting, regulating the public exhibition of films under the provisions of the Cinematograph Act 1952.
- Films can be publicly exhibited in India only after they have been certified by the Central Board of Film Certification.
- The Board consists of non-official members and a Chairman (all of whom are appointed by Central Government).



- It functions with headquarters at Mumbai and has nine Regional offices.
- The organisation is set up to certify rather than censoring a movie.

Right to Privacy

- The Supreme Court recently pronounced its verdict upholding right to privacy as a fundamental right in Justice **K. S. Puttaswamy (retd.) vs Union of India** case.
- It declared that privacy is intrinsic to life and liberty and thereby a part of the **Article-21** of the fundamental rights.
- The court also clarified that it is **not an absolute right** and subject to restrictions.
- The verdict explicitly overruled the Emergency era judgment in **ADM Jabalpur v Shukla case**, which had ruled that Article 21 could be suspended during Emergency.
- It implicitly overrules the 2013 judgment of the Supreme Court that upheld the validity of **IPC Section 377**, which criminalises homosexuality.
- It revives the question of **Passive Euthanasia** since right to refuse life prolonging medical treatment is another aspect that falls within the zone of the right of privacy.
- Passive Euthanasia is pending re-consideration before a Bench of five judges and this verdict is bound to influence that case.
- The immediate trigger for the privacy case being taken up was **Aadhar** & the verdict will significantly limits the stand that the union government in final hearing of the validity of the Aadhaar Act.
- It will have a bearing on matters like consumption of **beef and alcohol**.
- **Article 21** of the constitution declares that no person shall be deprived of his life or personal liberty except according to procedure established by law.
- SC in various cases has included inferred rights under Article 21 such as Right to live with human dignity, Right to livelihood, Right to health, Right to free legal aid, Right to information etc.,
- Article 21 is available to both citizens and foreigners.

Right to Language

- The language data of the census are not made public by the government since 1961 census.
- The data is important for those who belong to the linguistically minority communities and helps them to take necessary action to preserve their language.
- The data will help the government to identify the needs of various regions so that it can provide supportive materials to impart education to children in their mother tongue.
- **Article 350-A in Part 17** of the constitution provides for facilities for instruction in mother-tongue at the primary stage to children belonging to linguistic minority groups.
- **Article 350-B** provides for Special Officer for linguistic minorities to be appointed by the President.
- It is the duty of the officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution.
- The information related to language data is handled by the **Home Ministry**.

Article 32

- West Bengal Government has recently approached the Supreme Court against the centre's move to make Aadhaar mandatory for availing benefits of welfare schemes.
- The State had filed this writ petition under Article 32 of the constitution.
- Article 32 of the constitution confers citizens the right to approach the Supreme Court for enforcement of their fundamental rights.
- The Supreme Court shall have power to issue directions or orders or writs.
- In this case, SC does not take up the petition of West Bengal government saying the Article 32 can only be used by individuals to approach the SC against State actions which violate their fundamental rights.
- SC added that the Article cannot be agitated by a state against the centre or vice versa.



Article 35A

- The Supreme Court is hearing a PIL petition challenging the constitutional validity of Article 35A.
- It allows the Jammu and Kashmir legislature to define the list of ‘**permanent residents**’ of the state, who-
 1. are eligible to vote
 2. can work for the state government
 3. can own land, buy property
 4. can secure public employment and college admissions, etc.
- Non-permanent residents are denied all these rights.
- It was added to the constitution through the Constitution (Application to Jammu and Kashmir) Order, 1954, a presidential order not yet ratified by the Parliament.
- The Presidential Order was issued under **Article 370** (Part 21) of the Constitution.
- Article 370(1)(d) allows the President to make certain “exceptions and modifications” to the Constitution for the benefit of ‘State subjects’ of Jammu and Kashmir.
- It is being challenged that the provision was “unconstitutional” and approved without any debate in the parliament.
- It is also being challenged on the ground of gender discrimination.
- According to this article, a male resident will not lose the right of being a permanent resident even after marriage to a woman from outside.
- But a woman from outside the state shall become a permanent resident on marrying a male permanent resident of the state.
- The court has finally indicated that the validity of Articles 35A and 370 may ultimately be decided by a Constitution Bench.

Article 370

- Article 370 of Indian constitution grants special autonomous status to the state of Jammu and Kashmir.
- This provides Temporary, Transitional and Special Provisions to J&K.
- The State's Constituent Assembly was empowered to recommend the articles of the Indian constitution to be applied to the state or to repeal the Article 370 altogether.
- Special status is guaranteed by the Constitution of India through an Act passed by the two-third majority in both houses of the Parliament.

Compensation for Damage of Religious Shrines

- The Gujarat High Court ordered the state government to give monetary compensation to all religious places damaged in 2002 post-Godhra communal riots.
- The Supreme Court has reversed the HC order stating that it would violate Article 27 (Part III) of the Constitution.
- **Article 27** forbids the state from compelling a person to pay taxes for promotion or maintenance of any particular religion or religious denomination.
- Thus using substantial part of the tax-payers money for paying damages to destroyed religious structures would violate Article 27 of the Constitution.

SC verdict on Triple Talaq issue

- Supreme Court has invalidated the triple talaq practise by calling it arbitrary and unconstitutional.
- In the 3-2 majority judgement, minority judges have argued that talaq as a personal law practise was an integral part of Article 25 (Freedom of Religion).
- **Article 25** provides Freedom of Conscience and Free profession, practice and propagation of Religion.
- The right is available to citizens as well as foreigners.
- It is subjected to restrictions such as public order, morality, health and other provisions relating to fundamental rights.
- However, a section of the Muslim Personal Law (Shariat) Application Act of 1937 has already recognised triple talaq as a **statutory right** and not a fundamental right.
- This makes triple talaq outside the ambit of Article 25.



- Hence it was made clear that instant talaq was no longer a personal law and it comes under Article 13.
- **Article 13** mandates that any law, framed before or after the Constitution, should not be violative of the fundamental rights.
- Majority judges have argued that instant talaq is violative of **Article 14**, which guarantees equality before law and equal protection of laws.
- Equality before law – Absence of any special privileges in favour of any person and equal subjection of all persons to the ordinary law of the land
- Equality protection of laws – Similar application of the same laws to all persons who are similarly situated and the like should be treated alike without any discrimination.

Euthanasia and Living Will

- **Passive euthanasia** - It refers to the withdrawal of medical treatment with the deliberate intention to hasten a terminally ill-patient's death.
- The Supreme Court, in a landmark verdict in Aruna Shanbaug's case in 2011, recognised passive euthanasia but **ruled out active euthanasia**.
- The SC further laid down comprehensive guidelines on passive euthanasia, which was to be followed until a law was enacted in this regard.
- Subsequently government drafted "Management of Patients with Terminal Illness – Withdrawal of Medical Life Support Bill".
- It has provisions allowing passive euthanasia as recommended by the law commission which specifies certain categories of people.
- These include those in persistent vegetative state (PVS), in irreversible coma, or of unsound mind, who lack the mental faculties to take decisions.
- The matter of passive euthanasia is again now pending re-consideration before a Bench of five judges.
- **Living Will** - It refers to an advance written directive of the concerned person to physicians for end-of-life medical care i.e. not to provide life support.
- A Constitution Bench is hearing a petition filed by NGO Common Cause on the issue of living wills.
- The court has indicated that it may lay down comprehensive guidelines on operationalising the idea of living wills but the government is against allowing living will.
- It has legal complication as an earlier verdict from the judiciary has noted that right to life under Article 21 does not include the right to die.
- Thus permitting living will would contravene this legal stand.

Right to Information

- Right to Information is an implicit right under **Article 21** of the constitution.
- Right to Information Act (RTI) was enacted in 2005 which mandates timely response to citizen requests for government information by public authorities as well as union and state governments.
- The act defines "Public Authority" under section 2(h) of the act,
- As any authority or body or institution of self-government established or constituted
 1. By Constitution or by any law made by the parliament or state legislature.
 2. By notification issued or order made by the Central Government or a State Government.
- Bodies owned, controlled or substantially financed by the Central Government or a State Government.
- Non-Government organisations substantially financed **directly or indirectly** by the Central Government or a State Government.
- RTI specifies information is required to be published within 120 days of the notification of the Act in respect of the items listed therein.
- Listed items are like the particulars of the organisation, its function and duties, norms set for discharge of functions, etc.



- The information can be in any form, including records, documents, opinions, press releases, circulars, contracts, etc. or can be data material held in any electronic form.
- RTI Act prescribes a maximum of 30 days for disposal of applications.
- It specifies for one CPIO (Central Public Information officer) for each department, who could forward the RTI applications to the right persons within the department.
- Section 8 of the RTI Act exempts 'information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence'.

Recent Conflicts with regards to RTI

- **RTI & NHPC** - In 2000, the J&K government signed MoUs with the Central government transferring seven hydro power projects to NHPC for funding, execution and operation.
- The NHPC is not publicising details of negotiations.
- Even Chief Information Commission (CIC) has denied access to information on J&K Hydel projects' negotiations.
- **RTI & BCCI** - In another case, CIC in its order has urged CoA (Committee of administrators) running BCCI to bring BCCI under RTI.
- **RTI & Defence Ministry** - Defence ministry at various instances failed to address the requests made under RTI act. CIC advised the Ministry of Defence (MoD) to ensure correctness and accountability in defence procurements.
- The government has proposed amendments to the RTI Act that would allow the withdrawal of an application in case of the applicant's death.
- **RTI & CBI** - Delhi High Court has ruled that CBI is not fully exempted from Right to Information (RTI) act.
- When a RTI activist sought information pertaining to corruption in several top offices from the CBI, it declined to share it. It has been denying information citing Section 24 of the RTI Act.
- **Section 24 of the act** says that provisions of revealing information to the public will not apply to intelligence and security organisations, which include IB, RAW, NIA, CBI and the Enforcement Directorate.
- However, the act clearly states that the information pertaining to the allegations of corruption and human rights violations will not fall under Section 24 of the RTI act.
- It can be denied only if they fell under Section 8(1) of the RTI Act which gives 10 grounds on which information can be denied.

Central Information Commission

- The Central Information Commission has been constituted under the Right to Information Act, 2005.
- The jurisdiction of the Commission extends over all Central Public Authorities.
- The Commission includes 1 Chief Information Commissioner and not more than 10 Information Commissioners who are appointed by the President of India.
- The Commission has certain powers and functions related to adjudication in second appeal for giving information; direction for record keeping, suo motu disclosures receiving and enquiring into a complaint on inability to file RTI etc.
- The decisions of the Commission are final and binding.

Hague Convention and Child Abduction

- Hague convention is an international treaty to ensure the return of a child who has been abducted from the country of their habitual residence.
- This is to address the issue of custody of children caught in transnational marital discord.
- Under the Convention, contracting countries must establish a central authority to trace unlawfully removed children and secure their return to the country of habitual residence.
- This is irrespective of the country's own laws on the issue and applies to children under the age of 16.
- Despite repeated recommendations from courts and Law Commission, Indian government is **reluctant to ratify the convention**.



- US Congress recently passed International Child Abduction Return Act of 2017 that seeks to punish countries that do not adhere to US court orders on the return of abducted children.

UN Convention against Torture

- Law Commission of India has recommended the Centre to ratify the United Nations Convention Against Torture and proposed Prevention of Torture Bill, 2017.
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the “Torture Convention”) was adopted by UNGA in 1984.
- The Convention entered into force in 1987 after it had been ratified by 20 States.
- India has signed the convention in 1997 but yet to ratify it.
- India is among the only nine countries worldwide which are yet to ratify this crucial convention.
- It requires amendment to Criminal Procedure Code, 1973, and the Indian Evidence Act, 1872 to accommodate provisions regarding compensation and burden of proof.
- Some of the key provisions are,
 - i. Prohibition against torture shall be absolute and be upheld even in a state of War.
 - ii. Each State party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture and consider it as a criminal offence within the legal system.
 - iii. Each State party shall ensure to victims of torture an enforceable right to fair and adequate compensation
 - iv. No expel or extradition of a person to a State where there are substantial grounds for danger and being subjected to torture.
 - v. State shall ensure that that an individual who alleges that he has been subjected to torture will have his case examined by the competent authorities.
 - vi. State shall take a person suspected of the offence of torture into custody and initiate investigation or extradite that person.

2. PARLIAMENT, STATE LEGISLATURE AND JUDICIARY

Concerns with Parliamentary Sessions

- There are various concerns with commencement of parliamentary sessions, shortening of sessions.
- The period during which the House meets to conduct its business is called a session.
- In India, the parliament conducts three sessions in a year -
 1. Budget session - February to May
 2. Monsoon session - July to September
 3. Winter session - November to December
- According to **Article 85** of the constitution, President shall summon each House of the parliament on the aid and advice of the Council of Ministers.
- There should not be more than a six-month gap between two following sessions.
- Similar provisions exist for State legislatures, in reference to the Governor of the State.

Privileges of the Legislature

- The Karnataka assembly Speaker ordered the imprisonment of two journalists for breach of privileges of legislature.
- **Article 105** pertains to the powers, privileges, etc, of Parliament, its members and committees.
- **Article 194** protects the privileges and powers of the houses of legislature, their members and committees in the states.
- These sections protect the freedom of speech of parliamentarians and legislators; insulate them against litigation over matters that occur in these houses.
- It also gives powers to parliament and state legislatures to define the powers, privileges and immunities of a house, its members and committees.

- There are no clearly laid out rules on what constitutes breach of privilege and what punishment it entails.

Anti-Defection law and TN Assembly

- 18 MLAs in Tamil Nadu were disqualified by the Tamil Nadu Assembly Speaker.
- **Tenth Schedule of the Constitution** has provisions relating to disqualification of the members of Parliament and State Legislature on the ground of defection.
- It prescribes two conditions under which a member of a political party may be disqualified –
 - Voluntarily giving up their membership
 - When a whip is disobeyed
- The Speaker's decision under the Tenth Schedule of the Constitution is subject to judicial review.
- This schedule was added by the 52nd Amendment Act of 1985.

Power Tussle in Union Territories

- There was a tussle between Puducherry LG and CM over powers designated to the two authorities.
- Every UT is administered by the President through an "Administrator" appointed by him.
- The "Administrator" of the UT has powers similar to that of the Governor but he is just a representative of the President and not the constitutional head of the state.
- The administrator may be designated as Lieutenant Governor, Chief Commissioner or Administrator.
- The powers and functions of Administrator are defined under Article 239 and 239A of the Constitution.
- Article 239 also says that the President may appoint the Governor of a State as the administrator with such designator as he may specify.
- Article 239A provides power to the parliament to create local legislatures or Council of Ministers or both for certain Union Territories.
- In accordance with Article 239A, the union territories of Puducherry and Delhi are provided with legislative assembly and council of ministers headed by a Chief Minister.
- The remaining 5 UTs do not have such institutions.
- However, creation of legislatures does not end the supreme power with the parliament to create laws for Union Territories on subjects of State List.
- The legislature of Puducherry can make laws on State List and Concurrent List. The Delhi Government can also make laws on those two lists except public order, police and land related subjects.
- Any such law which gives effect to Article 239A will not be considered as the constitution amendment act.
- Article 239AA provides special provisions with respect to Delhi, which was added through 69th constitutional amendment act, 1991.

Demand for Separate State

- Gorkha Janmukti Morcha (GJM) is a political party which campaigns for the creation of a separate state Gorkhaland within India, out of districts in the north of West Bengal.



- **Article 3** of the constitution authorises the parliament
 - i. to form a new state by separation of territory from any state or by uniting two or more states or parts of states or by uniting any territory to a part of any state.
 - ii. Increase or diminish the area of any State.
 - iii. Alter the boundaries and name of any State.
- A bill for the creation of new state under article 3 should be introduced in the parliament only with the prior recommendation of the President.
- The president has to refer the bill to the state legislature concerned for expressing its views within a specific period. However, the president is not bound by its views.
- In order to resolve the problem of separate statehood demand, Article 244 A can be invoked with a constitutional amendment.
- **Article 244** (Part X) of the constitution deals with administration of scheduled areas and tribal areas in the fifth schedule states – Assam, Meghalaya, Tripura and Mizoram.
- It provides for creation of an autonomous state for certain tribal areas in the state with its own legislature and council of ministers.
- By a small constitutional amendment, the applicability of this article can be extended to West Bengal even other states.
- This will enable the establishment of an Autonomous State of Gorkhaland, with a legislature and council of ministers within the existing state of West Bengal without bifurcating it.

West Bengal to Bangla

- West Bengal cabinet has approved changing State's name to Bangla.
- The state had earlier proposed that West Bengal be named Bangla in Bengali, Bangal in Hindi and Bengal in English.
- But the Centre rejected the proposal of having 3 names in 3 different languages and state is compelled to have –Bangal as the new name.
- According to the Article 3, the power of changing the name of the State lies with the Centre.

Karnataka State Flag

- Karnataka's culture department has recently notified the setting up of a committee to examine the feasibility and legal issues around the demand for state flag.
- Karnataka already has an unofficial state flag since the mid-1960s when pro-Kannada groups were agitating against the screening of non-Kannada films in the state.
- There is **no provision in the Constitution** for a state flag.
- Home Ministry stated that legally, there is no provision either for providing or prohibiting a separate flag for any state.
- It also said that if such a flag is created it would only represent the people and not the state

Kapu Agitation in Andhra Pradesh

- The farming community of Kapus in Andhra Pradesh started agitations for their inclusion in notified Backward Classes.
- **Manjunatha commission** set up the state government looked into the demands for quota by the Kapus and other communities.
- Their inclusion will enable them to get reservation in government jobs and educational institutions.
- **Article 16(4)** of the constitution enables the State government to provide reservation in appointments or posts in favour of any backward class of citizens who are not adequately represented in the services under the State.
- Article 16 under part III of the constitution provides for equality of opportunity of all citizens in matters of employment.
- No citizen can be discriminated for any employment under the state on the grounds of only religion, race, caste, sex, and descent, place of birth or residence.



- It is applicable only to citizens and not to foreigners.
- There are three exceptions to this rule of equality of opportunity,
 1. Parliament can prescribe residence as a condition for certain employment in a State, UT or local authority.
 2. The State can provide for reservation in appointments or posts in favour of any socially and educationally backward class.
 3. A law can provide that incumbent of an office related to religious institutions should belong to the particular religion.

OBC Categorization

- The Mandal commission in its recommendation in 1980 had suggested 27% reservations at the central level, for a list of the backward classes.
- This category was subsequently termed “Other Backward Classes” and clubbed together nearly 5,000 castes.
- The first central OBC list was a compromise between the list of OBCs in the Mandal Report and the various existing state lists.
- The Centre has since expanded the list, often including newer castes to meet political exigencies.
- The President has recently appointed a Commission to examine the sub-categorisation of Other Backward Classes.
- The commission is formed in exercise of the powers conferred to the President under the **Article 340** of the Constitution.
- The five-member panel will be headed by retired Chief Justice of the Delhi High Court G. Rohini.
- Sub-categorisation of OBC is done to ensure that the more backward among the communities can access the benefits of reservation.
- The terms of reference of the commission are
- Examine the extent of inequitable distribution of benefits of reservation among the castes or communities included in the broad category of OBC.
- To work out the mechanism for sub- categorisation of OBC with reference to such classes included in the Central list.
- **Article 340** - Appointment of a Commission to investigate the conditions of backward classes.

Job quota for poor among forward communities

- The Kerala government has decided to provide job quota for the economically backward among the Forward Communities (FCs) in the State.
- 10% reservation will be rolled out in appointments to the boards of five public-run bodies or Devaswom boards, which administer about 3,000 Hindu temples.
- The government has increased the quota for members of Other Backward Castes (OBC) from 14% to 17% and Scheduled Caste-Scheduled Tribe (SC-ST) communities from 10% to 12%.
- It would not require a constitutional amendment. Because,
 1. There are certain sectors where reservation for economically weaker sections can be introduced without constitutional changes. Devasom department is one such sector.
 2. Devasom department did not have reservation to minority communities.
- But when the same has to be implemented in the nation, there has to be a constitutional amendment.
- **Article 15** of the constitution has to be amended.
- The State has held that it would exert pressure on the Centre for a constitutional amendment to implement the quota in other sectors.

Senior Advocate designation

- Supreme Court has laid down guidelines for designating lawyers in the Supreme Court and High Courts as senior advocates.



- 'Senior advocate' is a designation that can be conferred on lawyers in the Supreme Court or high courts. It is a recognition of their superior ability and their standing at the bar.
- Previously, the judges of the SC and HC had the sole discretion of according this status to advocates. Different courts have evolved different criteria.
- Now, applications will be vetted by a permanent committee known as the Committee for Designation of Senior Advocates.
- Members - It will have 5 members and a permanent secretariat.
- The committee will consist of the Chief Justice of India, two senior-most judges of the SC/HC, Attorney General of India or 'Advocate General of State'.
- Additionally a person from the Bar will be nominated by the above mentioned members as a 5th member.
- Assessment - The committee will compile all the relevant candidate information and examine his case.
- Officially, there are no specific advantages of the status of "Senior Advocate".

Fast Track Courts

- On the recommendation of 14th Finance Commission, a scheme for setting up of Fast Track Courts (FTC) was rolled out by the central government.
- They were established to expeditiously dispose of long pending cases in the Sessions Courts and long pending cases of undertrial prisoners.
- It is the primary responsibility of the State Governments to establish these courts in consultation with the concerned High Courts.
- Department of Justice (Ministry of Law and Justice) is monitoring the Scheme and Ministry of Finance release funds directly to state governments to establish Fast track courts.
- Maharashtra state is going to setup 24 fast track courts and the first 3 courts will be set up in Mumbai and Thane to deal with heinous crimes like rape and murder.
- U.P is first on the list of beneficiary states to get funds from Central government for setting up of FTC, followed by Maharashtra.

National Judicial Pay Commission

- National Judicial Pay Commission was formed to evolve the principles which would govern pay structure and other emoluments of Judicial Officers belonging to the Subordinate Judiciary.
- It will give its recommendation to State governments within the period of 18 months after its constitution.
- It aims at making the pay scales and conditions of service of Judicial Officers uniform throughout the country.
- Cabinet has recently approved the appointment of second national judicial pay commission headed by former Supreme Court judge.

3. CONSTITUTIONAL AND NON-CONSTITUTIONAL BODIES

Tribunals

- The Law Commission of India in its recent report highlighted the issues with tribunals in India and has also made recommendations in this regard.
- Tribunals are administrative bodies discharging quasi-judicial functions.
- The 42nd constitution amendment act, 1976 added a new part XIV-A with two articles 323 A and A-323B for setting up of tribunals.
- **Article 323 A** empowers the parliament to provide for the establishment of Administrative Tribunals.
- In accordance with A- 323 A, parliament has enacted "Administrative Tribunals Act, 1985", which authorised central government to establish Central Administrative Tribunal (CAT) and state government to establish State Administrative Tribunal (SAT).
- Administrative Tribunals deals with disputes relating to recruitment and conditions of service of persons appointed to public services.
- They are not bound by the procedure laid down in the civil procedure code, 1908.

- It is guided by the principle of natural justice.
- The appeal against the orders of the tribunals can be made in High court. It is not possible for the aggrieved public servant to directly approach Supreme Court.
- **Article 323 B** authorises both parliament and state legislature to establish tribunals for adjudicating matters other than public service matters.

Inter-State Council

- The **Article 263** of the Constitution provides for the establishment of an Inter-State Council.
- It is the constitutional body but the President can establish it if at any time that it appears to him that the public interest would be served by its establishment. Thus it is not permanent.
- It is mandated to inquire into and advise upon disputes which may arise between states, investigate and discuss subjects of common interest.
- Its advice are advisory and not binding on the government.
- The Council has been recently reconstituted with Prime Minister as its chairman and six Union ministers and all chief ministers as members.
- According to the notification, Union Ministers of Home, External affairs, Finance, Road Transport, Social Justice and Empowerment and Defence are the members.
- Chief Ministers of all states and Union territories having legislative assemblies will also be members of the council.
- In another notification, the government **reconstituted the standing committee** of the Inter-State Council with the chairmanship of Home Minister Rajnath Singh.
- The standing committee will have consultation and recommend matters for consideration of the council, process all matters pertaining to Centre-state relations before they are taken up for consideration in the council.
- It will also monitor the implementation of decisions taken on the recommendations of the council and consider any other matter referred to it by the council.
- The standing committee may, if necessary, invite experts and persons eminent in specific fields to have the benefit of their views while deliberating upon the related subjects.

Finance Commission

- Union Cabinet has approved the setting up of the 15th Finance Commission, headed by N.K.Singh.
- Finance Commission is a quasi-judicial constitutional body which will decide on the distribution of tax proceeds among centre, states and local bodies.
- The setting up of the finance commission for every 5 years is a Constitutional obligation under **Article 280 (1)** of the Constitution.
- It consists of a Chairman and four other members.
- They hold office for such period as specified by the president in his order.
- They are eligible for reappointment
- As per Article 280 of the Constitution, the commission is required to make recommendations on the distribution of the net proceeds of taxes between the centre and the states.



- It also suggests the principles which should govern the grants in aid of the revenues of the states out of the consolidated fund of India.
- The recommendations of the 14th Finance Commission are valid from 2015 to 2020.
- The recommendations of the 15th Finance Commission will be implemented in the period 2020 to 2025.
- The 14th Finance Commission had raised the untied share of states in net central taxes to 42% from 32% after ending discretionary resource transfers from the centre to the states

4. ELECTIONS

Directly Elected Village Sarpanch

- Maharashtra cabinet has recently approved a proposal for direct election of the village sarpanch, the chairperson of the gram panchayat, who was earlier elected indirectly by elected representatives.
- The 73rd and 74th amendments aimed at creating a 3rd tier in administration called “local bodies”.
- 73rd amendment act provides for 3 tier system of panchayati raj in every state, that is panchayats at the village, intermediate and district levels.
- All the members of panchayats at 3 levels are elected directly by the people.
- The chairperson of panchayats at intermediate and district level are elected directly.
- Whereas the chairperson at village level shall be elected in such a manner as the state legislature determines.
- 74th amendment act provides for 3 types of municipalities in every state,
 1. Nagar panchayat – Transition area (area in transition from a rural to urban)
 2. Municipal council – smaller urban area
 3. Municipal Corporation – Larger urban area.
- All the members of these three municipalities are elected.
- The manner of election of the **chairperson of a municipality** shall be determined by the State legislature.
- The chairperson of the Municipal Corporation (Mayor) is elected either directly by people or indirectly by the members of the legislatures according to the State legislature’s decision.

Electoral Offence – Paid News

- Election Commission has disqualified a minister in the Madhya Pradesh government from membership of any State legislature and contesting polls for the next three years for filing wrong accounts of election expenditure.
- EC’s order cites the issue of “paid news.”
- The Minister had paid for favourable coverage in newspapers during the course of the elections but had failed to mention expenses incurred for the same.
- Paid news is **not an electoral offence yet**, but there is a case to make it one.
- The EC has recommended that the Representation of the People Act, 1951, be amended to make the publishing or abetting the publishing, of paid news to further a candidate’s prospects or prejudicially affect another’s an electoral offence.

Delimitation of Constituencies

- Delimitation literally means the act of fixing the boundaries of constituencies.
- **Article 82** provides for the readjustment of seats in the House of the people to the States and the division of each State into territorial constituencies after every census.



- **Article 170** provides for the composition of Legislative Assemblies.
- The Constitution was amended in 2001 to freeze the delimitation of constituencies till 2026.
- Later, delimitation of territories was done based on the 2001 census.
- However, the total number of seats in the Assemblies and Parliament decided as per the 1971 Census was not changed.
- This had led to a situation where many states have a representation in the parliament that is disproportionate to their population.
- Union Home Ministry has recently proposed an increase in the number of seats in the Sikkim Assembly from 32 to 40.
- **Article 371(f)** has special provision with respect to the state of Sikkim which provides for number of seats in legislative assembly should not be less than 30.
- It also allows the government to increase the number of seats in the assembly without constituting a fresh delimitation commission.

Delimitation Commission of India

- It is a statutory body established under Delimitation Act.
- Under **Article 82** of the Constitution, Parliament enacts a Delimitation Act after every census which establishes a delimitation commission.
- The main task of the commission is redrawing the boundaries of the various assembly and Lok Sabha constituencies to ensure an equitable population distribution.
- Delimitation commissions have been set up four times in the past under Delimitation Commission Acts of 1952, 1962, 1972 and 2002.
- The copies of its orders are laid before the House of the People and the State Legislative Assembly concerned, but no modifications are permissible.
- Decisions made the body cannot be question by any court of law.
- J&K state government constitutes delimitation commission under its state constitution.

Gujarat Rajya Sabha Election – Disqualification

- Two votes cast in Gujarat Rajya Sabha election were invalidated, when two electors cast their ballots and showed it.
- As per the Conduct of Election Rules 1961 Rajya Sabha elections call for a ballot-in-secret.
- Rule 39A mandates that the elector cannot declare his ballot to anyone with an exception in Rule 39AA.
- Rule 39AA mandates that an elector belonging to a political party must declare his vote only to the party agent, if the political party has issued a whip regarding the vote.
- Any deviation results in the invalidation of the ballot by the presiding officer.
- In **Kuldip Nayar v.s Union of India, 2006 case**, the petitioner has challenged the open ballot provision allowing elector to show his/her vote to authorised party agent – open ballot system.
- The petitioner has said that this provision of open ballot system violates the “Principle of secrecy”.
- However, the court has refused to strike down this provision saying that the provision had been brought in on basis of need to avoid cross voting and wipe out evils of corruption and to maintain integrity of democratic set-up.

NOTA in Rajya Sabha Election

- NOTA is generally restricted to direct elections. But recently, SC allowed the use of NOTA in elections to three Rajya Sabha seats in Gujarat.
- General elections to the Lok Sabha are conducted with secret ballots and are based on the first-past-the-post principle.
- Unlike this, Rajya Sabha elections uses open ballot system and follow a proportional representation system based on the single transferable vote.

NOTA

- None of the above is a ballot option in some jurisdictions or organizations, designed to allow the voter to indicate disapproval of all of the candidates in a voting system.
- The idea behind the use of NOTA is to allow the voter to register a –protest/ vote if none of the candidates is acceptable to her for whatever reason.
- The candidate with the highest number of votes polled is declared elected irrespective of the NOTA total.



- Open ballot system is when the MLAs have to show their ballot paper to an authorised party agent before putting it in ballot box.
- If an MLA chooses NOTA in RS election, the vote is rendered would be ineffective.
- Anti-defection law provisions do not apply for RS elections, and a defiant MLA is not disqualified from membership of the House.
- So the presence of the NOTA option allows the possibility of a protest vote against the party high command for choosing candidates who are not agreeable, without having to choose candidates from opposition.

Proxy Voting

- Cabinet has recently cleared a proposal to extend proxy voting to Overseas Indians and NRIs by amending electoral laws.
- Presently, under section 20A of RPA, NRIs and overseas Indians are free to cast their votes in constituencies where they are registered and requires NRIs to be physically present in their respective constituencies at the time of elections.
- Proxy voting is a form of voting whereby a member may delegate his or her voting power to a representative, to enable a vote in absence.
- Allowing Proxy Voting requires the amendment of Representation of the People Act.
- After the amendment, proxy voting would also be allowed as other means to cast their votes in assembly and Lok Sabha elections from overseas.
- Currently, only service personnel are permitted to vote through proxy.
- However, the facility for NRIs will not be the same as that enjoyed by service personnel.
- Voters in the armed forces can nominate their relatives as permanent proxy to vote on their behalf. But NRIs cannot nominate one proxy for all polls.
- Voters in the armed forces can cast their vote through post as well but this is not permitted for NRIs.

Selection of Election Commissioners

- SC issued a direction to the centre to constitute a 'neutral and independent selection committee' to recommend names for the post of Chief Election Commissioner and Election Commissioners.
- SC also heard a petition pointing out the vagueness in the procedure for removal of Election Commissioners.
- At present, the Election Commission of India (ECI) is a constitutional three-member body, with one Chief Election Commissioner (CEC) and two Election Commissioners (EC).
- Under **Article 324(2)** of the Constitution of India, they are appointed by the President of India based on the recommendation of PM and Council of Ministers.
- According to Article 324, the appointment shall be done as per the law made by the Parliament in this regard. However, no such law has yet been made. It leaves the appointment solely to the executives.
- CEC and EC have tenure of six years or hold office till the age of 65 years and receive salary and other allowances similar to the Judge of the Supreme Court of India.
- If the CEC and other ECs differ in opinion on any matter, such matter shall be decided by according to the opinion of the majority.
- Though they are appointed in a similar manner with equal tenure and salary, their removal process varies.
- According to the Article 324 (5), CEC can be removed only by the order of the President, just like a judge of the Supreme Court.
- But the provision is silent about the procedure for the removal of EC and only provides that ECs cannot be removed except on the recommendation of CEC.

Cooperative Societies' Polls

- Rajasthan has become the first state in the country to lay down the minimum educational qualifications for contesting elections to village cooperative societies and various other cooperative bodies.
- The educational qualifications will range from Class V to Class VIII for members of governing boards of diary societies and various other cooperative societies.

- A co-operative society shall be formed under the Co-operative Societies Act, 1912 or under the relevant state co-operative society's law.
- The elections to various posts in the societies after a certain level would be conducted through the state cooperative election authority.

5. IPC AND CRPC IN NEWS

Section 124a of IPC

- Section 124a, commonly known as **Sedition law** made words or any visible representation that attempts to bring hatred or contempt, or excite "disaffection" towards the government punishable by law.
- They shall be charged with cognizable and non-bailable offence with punishment upto imprisonment for life & fine or imprisonment for 3 years & fine or with fine alone.
- The expression "disaffection" includes disloyalty and all feelings of enmity.
- It was introduced in the 1870s, originally to deal with increasing Wahabi activities that posed a challenge to the colonial government.
- The section has been misused in recent times to suppress even minor dissent.
- **Non-bailable offence** – The police cannot release anyone on bail and so the arrested person has to make an application for bail before a magistrate or court.

Sec 498A of IPC

- SC recently gave its verdict on section 498A of the Indian Penal Code (IPC) which deals with **domestic violence**.
- It made the husband or relative of husband of a woman subjecting her to "cruelty" punishable by law with imprisonment of 3 years and fine.
- The word cruelty denotes any wilful conduct which drives the woman to commit suicide or cause grave injury or danger to life or unlawful demanding any property.
- SC has passed a directive to police and magistrates that there would be no automatic arrests or coercive actions arising out of complaints lodged.
- Instead actions should follow only after ascertaining the validity of the complaints.
- The verification of the complaints shall be carried out by a special police officer and a district-level Family Welfare Committee.
- The verification of the complaints shall be carried out by a special police officer and a district-level Family Welfare Committee comprising three members.
- The court has assured that grave physical injury or death of the aggrieved person would be exceptions to this directive.
- Mental torture, emotional or sexual violence are not recognised as exceptions.
- This might also encourage women to shy away from lodging complaints to protect the honour of the family.

Section 375 of IPC

- Section 375 of the IPC **dealing with rape** holds an exception that sexual intercourse by a man with his own wife, the wife not being under 15 years of age, is not rape.
- The Supreme Court in its recent judgement has struck down the above exception.
- The **Justice Verma committee** had also recommended removing the exception.
- Now a case can be registered against the husband on the girl's complaint, if she is below 18 years.

- It is in line with various other laws such as Criminal Law Amendment Act, 2013, Protection of Children from Sexual Offences Act, 2012, Prohibition of Child Marriage Act, 2006 and Juvenile Justice Act, 2015 which defines children as those below 18 years.
- However, it has restricted itself to the reading of Sec 375, IPC, but the larger issue of marital rape of women above 18 years is still unaddressed.
- **Government's stance** – The centre's stance was in support of the exception, as marriage of minors is an old custom still practised by many social groups.

Section 354D of IPC

- Section 354D of the Indian Penal Code pertains **stalking as a bailable offence**.
- As of now, the first offence of stalking is “bailable”, implying that the accused need not be produced before a court for seeking bail but can be relieved from a police station itself.
- Any subsequent offence of stalking is “non-bailable”, meaning court will have the discretion to grant bail to an accused.
- The **Justice Verma Committee** had recommended that stalking be introduced as a non-bailable offence with one to three years in jail as punishment.
- A Criminal Law Amendment Ordinance also wanted every offence of stalking be considered as non-bailable.

Section 377 of IPC

- Section 377 of the Indian Penal Code dating back to 1860, **criminalises sexual activities** “against the order of nature”.
- This arguably included homosexual sexual activities but wasn't restricted to it.
- The section was decriminalized with respect to sex between consenting adults by the High Court of Delhi in 2009.
- That judgement was overturned by the Supreme Court in **Suresh Kumar vs NAZ foundation** in 2013, virtually denying LGBT the right to choice and sexual orientation.
- In **Puttaswamy Vs Union of India** case in 2017, SC has ruled that right to privacy as a fundamental right.
- The judgement implicitly overrules the 2013 judgment of the Supreme Court that upheld the validity of IPC Section 377.
- Thus, SC has recently referred the petition to strike down section 377 to a larger bench.

Section 77 of IPC

- Section 77 of the IPC **exempts judges from criminal proceedings** for something said or done during judicial duties.
- The government can however initiate criminal proceedings against a sitting or former judge of a superior court if it can produce material evidence to show that a judgment was passed after taking a bribe.

Section 153(A) of IPC

- A former DG of Kerala police was arrested recently on charges of promoting communal enmity.
- The case was booked under Sec 153(A) of IPC, which deals with Hate Speech.
- The section defines hate speech as promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.

Section 95 and 96 of CrPC

- Section 95 of Criminal Procedure Code authorises state governments to **ban and forfeit books** if it appears that they might violate certain provisions of the Indian Penal Code (such as sedition, hurting of religious sentiments etc.)



- Section 96 of the CrPC allows persons aggrieved by the State government order to approach the High Court for relief.
- These provisions have its roots in colonial law.
- Karnataka government has invoked this provision to ban Maate Mahadevi's book "Basava Vachana Deepthi" as the contents were thought to hurt religious sentiments of 'Veera Shaivas'.
- Supreme Court recently upheld the ban on the book.

6. ACTS & BILLS

6.1 Committee of Administrators

- The Supreme Court in January 2017 appointed a four-member Committee of Administrators (CoA) led by former Comptroller and Auditor General of India Vinod Rai.
- They were appointed to temporarily govern and reform cricket which was plagued by conflicts of interest and lapses in ethics.
- The SC had made the ruling on the basis of Justice R.M. Lodha Committee's recommendations.
- The Board of Control for Cricket in India (BCCI) is the national governing body for cricket in India.
- The board was formed in December 1928 as a society, registered under the Tamil Nadu Societies Registration Act.
- It is a consortium of state cricket associations and the state associations select their representatives who in turn elect the BCCI officials.

6.2 Issues with Finance bill 2017

- Finance Bill 2017 was passed as a money bill and so Rajya Sabha cannot make any decisions on the bill.
- It is a bulk bill of 40 amendments to different laws, such as variety of existing taxation laws, use of Aadhaar, income tax returns and raids, caps in cash transaction.
- It laid the foundations for the merger of several tribunals.
- There used to be 26 tribunals but now they are down to 19.
- The Competition Appellate Tribunal (COMPAT) will be merged with the National Company Law Tribunal.
- The Telecom Dispute Appellate Tribunal will also do the work of the Cyber Law Appellate Tribunal.
- The tribunal relating to the Employees' Provident Fund will be subsumed in the Industrial Tribunal.
- The qualifications, tenure, conditions of service, removal and emoluments of the chairpersons and members of these tribunals will all be under the control of the Centre.
- There's no clear rationale behind this replacement, and seems to be rather arbitrary.
- The amendments make the independence of the tribunals questionable.
- Adjudicatory bodies under different laws cannot be abolished by a money bill.
- The doctrine of separation of powers has been violated and the independence of judicial bodies compromised by the Finance Act.

6.3 Shakti

- Scheme for Harnessing and Allocating Koyala (Coal) Transparently in India (Shakti) is a policy formulated by the Union Government to **allocate coal to power plants without LoAs**.
- This is likely to benefit 20,000 MW private-sector thermal capacities with **power purchase agreements (PPAs)**.

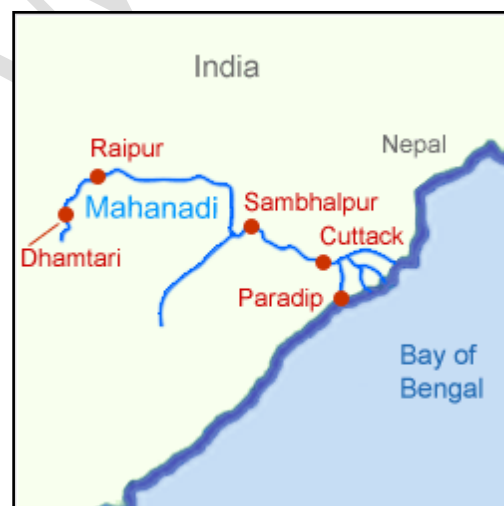
- The new policy will lead to gradual phasing out of the old one and is expected to bring 30,000 MW of locked capacity into generation.
- It also seeks to alleviate the stress that certain power units are under due to unavailability of linkages.

6.4 Inter-State River Water Disputes (Amendment) Bill 2017

- The Union government recently introduced Inter-State River Water Disputes (Amendment) Bill 2017.
- **Permanent body** - The bill proposes a permanent Inter-State River Water Disputes Tribunal (ISRWDT).
- In the current arrangement, tribunals are formed when a river water dispute arises.
- **Time bound** - The entire process is restricted to five-and-half years, taking into account all extensions, there is almost no limit on extensions in the current arrangement.
- **Specialized committee** - The bill provides for a DRC (Disputes Resolution Committee) to enable negotiated settlements.
- This is to avoid disputes advancing to the next stage of legal adjudication.
- **Data repository** - The other much touted provision for a data bank and information system.

6.5 Mahanadi River Water Dispute

- Sharing of Mahanadi river water has been a bone of contention between the states of Odisha and Chhattisgarh.
- Odisha is now increasingly showing its resentment to the centre for not intervening and resolving the water dispute.
- Odisha is arguing that **Chhattisgarh has been constructing dams and weirs (small dams)** upstream the Mahanadi river.
- Odisha says this would affect the flow of the river downstream and affect drinking water supply and adversely affect the interests of the farmers.



6.6 Admiralty Act, 2017

- Admiralty (Jurisdiction and Settlement of Maritime Claims), Bill, 2017 was recently passed by the Rajya Sabha. Lok Sabha has passed the bill earlier.
- Admiralty laws are those laws that deal with cases of accidents in navigable waters or involve contracts related to commerce on such waters.
- The Bill repeals laws such as the Admiralty Court Act, 1861, the Colonial Courts of Admiralty Act, 1890.
- **Admiralty jurisdiction** - The jurisdiction of maritime claims will vest with respective High Courts and will extend up to the territorial waters of their respective jurisdictions.
- The central government may extend the jurisdiction of these High Courts.
- **Maritime claims** - The High Courts may exercise jurisdiction on maritime claims arising out of conditions including –
 1. disputes regarding ownership of a vessel,
 2. disputes between co-owners of a vessel regarding employment or earnings of the vessel etc.
- **Priority of maritime claims** - Among admiralty proceeding, highest priority will be given to maritime claims, followed by mortgages on the vessel, and all other claims.
- **Arrest of vessel** - The courts may order for the arrest of any vessel within their jurisdiction for providing security against a maritime claim, which is the subject of a proceeding.



6.7 Partial Lifting of AFSPA

- The Union Home Ministry is set to give up its power to impose the 'disturbed areas' tag on Assam and Manipur.
- This effectively means it will be the States' decision to either continue the Armed Forces (Special Powers) Act (AFSPA) or revoke it.
- The AFSPA gives powers to the Army and Central forces deployed in "**disturbed areas**" to kill anyone acting in contravention of law.
- It also has the provision of arrest and search any premises without a warrant and provides cover to forces from prosecution and legal suits without the Centre's sanction.
- It is effective in the whole of J&K, Nagaland, Assam and Manipur (excluding the seven Assembly constituencies of Imphal).
- In Arunachal Pradesh, it is in force in Tirap, Longding and Changlang districts bordering Assam.
- The Act, which was also imposed in Punjab, was withdrawn fully in 1997.
- In Tripura it was imposed in 1997 and withdrawn in 2015.
- It is not in force in Meghalaya (except 20 km area along Assam border) and Mizoram.

6.8 Amendments to Ancient Monuments Act

- Central government is planning to introduce amendments to "Ancient Monuments and Archaeological Sites and Remains Act, 1958".
- Ancient Monuments and Archaeological Sites and Remains Rules of 1959 for the first time noted a prohibited zone around protected sites.
- In 2010, the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act was passed.
- This legislation brought the prohibited and regulated zones around monuments within the ambit of the Act itself.
- A designated prohibited area means that at least within a 100-m radius of the monument, no new construction is allowed.
- In the proposed amendment the government is planning to dilute the 100 m prohibited area around nationally protected monuments.
- It aims to allow the Central government to construct within that area all kinds of structures.

6.9 Issues with MPT Act, 1971

- A Malformed baby was born to woman whose abortion plea was denied.
- The Medical Termination of Pregnancy Act, 1971, allows abortion **only up to 20 weeks** by medical practitioners for the following conditions –
 1. the continuance of the pregnancy would involve a risk to the life of the pregnant woman or of grave injury of physical or mental health, or
 2. there is a substantial risk that if the child were born, it would suffer from such physical or mental abnormalities as to be seriously handicapped.
- Beyond the time period, courts should be approached.
- Even pregnant rape victims cannot abort after 20 weeks, compelling them to move court.
- Foetal abnormalities show up only by 18 weeks.

- So just a two-week window after that is too small for the would-be parents to take the difficult call on whether to keep their baby.
- Even for the medical practitioner, this window is too small to exhaust all possible options before advising the patient.
- So it is essential to change the MTP law.

6.10 Whistle blowers Protection Act

- Whistleblower protect Bill was passed in 2014.
- The 2014 law defines a whistleblower as any government official, common man or non-governmental organisation that exposes corruption in the government.
- WBP law, 2014 affords protection against victimisation of the who renders assistance in an inquiry.
- The amendment Bill introduced in 2015 seeks to remove immunity provided to whistle-blowers from prosecution under the draconian Official Secrets Act (OSA) for disclosures made under the WBP law.
- It proposes that, complaints by whistle-blowers containing information which would prejudicially affect the sovereignty, integrity, security or economic interests of the state shall not be inquired into.
- It also states that, certain categories of information cannot form part of the disclosure made by a whistleblower, unless the information has been obtained under the RTI Act.
- This includes what relates to commercial confidence, trade secrets which would harm the competitive position of a third party and information held in a fiduciary capacity.

6.11 The Citizenship (Amendment) Bill, 2016

- The Citizenship Act, 1955 prohibits illegal migrants from acquiring Indian citizenship.
- The Bill amends the Act to make illegal migrants who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, eligible for citizenship.
- The Act mandates the applicants of citizenship by naturalisation to have resided in India during the last 12 months, and for 11 of the previous 14 years.
- The Bill relaxes this requirement to 6 years for persons belonging to the same 6 religions and 3 countries.
- The Bill also provides that the registration of Overseas Citizen of India (OCI) cardholders may be cancelled if they violate any law.
- Eligibility for citizenship is based on religion. This may violate Article 14 of the Constitution which guarantees right to equality.
- The Bill allows cancellation of OCI registration for violation of any law. This is a wide ground that may cover a range of violations, including minor offences (eg. parking in a no parking zone).

6.12 Dynamic Pricing Policy

- The dynamic' daily pricing for petrol and diesel 'was introduced in India.
- This means that the prices of these transport fuels are changed daily by the Oil Marketing Companies (OMCs) based on the movement of international crude oil prices.
- Prior to this, the revision in fuel prices happened on a **fortnightly basis**.
- It is part of an effort to remove the burden off subsidies on the exchequer & the OMCs.
- But with a business requirement of stocking for a much longer period than a day, daily fuel prices left the retailers worried about their fixed profit margins.



6.13 Supreme Court's order on NFSA

- The Centre has been asked by the Supreme Court to ensure that States implement key aspects of the National Food Security Act (NFSA) 2013.
- NFSA empowers the common person in securing subsidised food.
- It mandates providing of highly subsidised food grains to targeted households with a ceiling of 75% of the population in rural areas and 50% in urban areas.
- The beneficiaries are chosen by the State governments.
- Sections 14, 15 and 16 of the act require the setting up of a grievance redress mechanism and a State Food Commission (SFC).
- SFC has the responsibility to monitor the implementation of the law.
- But they have been done only in name.
- In the Swaraj Abhiyan Case, the court pointed out the SFC in Haryana and said that it has been sitting “jobless” and “without proper infrastructure”.
- This was due to the state government's lacklustre response to the NFSA.
- The judgment also listed nine other States — Madhya Pradesh, Karnataka, Andhra Pradesh, Telangana, Maharashtra, Gujarat, Jharkhand, Bihar and Chhattisgarh.
- These states also responded poorly to NFSA by lack of proper implementation.

6.14 Central Road Fund (Amendment) Bill

- The government has proposed to make amendments to the Central Road Fund Act, 2000.
- The Central Road Fund Act pertains to the CR Fund, which is made up of cess on petrol and high-speed diesel.
- The cess is at present in the rate of Rs.6/litre.
- The amendment seeks to allocate 2.5% of CRF proceeds for funding the waterways project.
- The National Waterways (NWs) Act, 2016 aimed at developing and maintaining the existing 5 NWs and 106 new NWs across the country.
- However, the implementation is not in full swing with challenges in funding for the infrastructure such as jetties, terminals, and navigational channels.

6.15 Gratuity Amendment Bill

- The Union Cabinet has given approval to the introduction of the Payment of Gratuity (Amendment) Bill, 2017.
- Gratuity is a sum of money paid to an employee at the end of a period of employment.
- The Payment of Gratuity Act, 1972 applies to establishments employing 10 or more persons.
- It considers the inflation and wage increase even in case of employees engaged in private sector.
- Under the Act, the maximum amount of gratuity payable to an employee cannot exceed Rs 10 lakh. The Bill removes the existing ceiling and states that the ceiling may be notified by the central government.
- The gratuity will be completely tax free if the bill approved by the cabinet gets passed in the parliament.

6.16 Criminal Laws (Rajasthan Amendment) Ordinance, 2017

- Rajasthan government has recently promulgated an ordinance to shield judges and bureaucrats facing corruption charges.
- It is also sought to be made into a law.
- It protects serving and former judges, magistrates and public servants from being investigated for on-duty action, without government's prior sanction.
- It provides 180 days immunity to the officers.

- If there is no decision on the sanction request after this stipulated time period, it will automatically mean that sanction has been granted.
- In addition, it prevents the media from reporting on accusations on such persons till the sanction for probe is obtained.
- Violating this clause would call for two years imprisonment.

6.17 Haj Subsidy

- Union government has decided to phase out the Haj subsidy as early as 2018.
- Haj subsidy is not a direct subsidy to individual pilgrims.
- It is rather a subsidy to the airlines flying the Haj pilgrims.
- Pilgrims pay the Haj Committee of India (HCoI) a fixed amount for the airfare, and this amount is decided every year by the government.
- The balance fare payable to the airlines is paid by the Ministry of Civil Aviation as a subsidy.
- In the lines of these, there have been requests by Muslims, including some Muslim MPs, to withdraw the subsidy as it was against Islam, despite being beneficial.

6.18 The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act

- The Madras High Court has directed the Central and the State governments to ensure the implementation of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
- The Bill prohibits the employment of manual scavengers, the manual cleaning of sewers and septic tanks without protective equipment, and the construction of insanitary latrines.
- It seeks to rehabilitate manual scavengers and provide for their alternative employment.
- Each local authority, cantonment board and railway authority is responsible for surveying insanitary latrines within its jurisdiction. They shall also construct a number of sanitary community latrines.
- The District Magistrate and the local authority shall be the implementing authorities.
- Offences under the Bill shall be cognizable and non-bailable, and may be tried summarily.
- The existing law prohibiting manual scavenging was enacted under the State List. There could be an argument for Parliament's jurisdiction to enact this Bill as this regulates conditions of work, and is thus a Concurrent List item.
- Neither the state nor the centre is mandated under the Bill to provide financial assistance.

6.19 Maharashtra Social Boycott Bill

- President has given his assent to the Maharashtra social boycott bill making Maharashtra the first state in the country to formulate a law to punish social boycott.
- A social boycott is an act of voluntary and intentional abstention from dealing with a person, organization, as an expression of protest, usually for social, political reasons.
- The objective of the bill is to uproot social evils in the name of caste panchayats.
- Punishment for an offence includes a fine of up to Rs 5 lakh and imprisonment of up to seven years or both.
- Social boycott will be treated as a crime.
- There is a provision for victims or any member of the victim's family to file a complaint either with the police or directly to the magistrate.
- Earlier social boycott was not clearly defined in existing laws, which often saw perpetrators using loopholes to escape punishment.
- A monitoring mechanism has been provided through social boycott prohibition officers.
- Speedy trial within six months of filing of the charge sheet.



7. COMMITTEES AND RECOMMENDATIONS

COMMITTEE	AREA OF FOCUS
Srikrishna Committee	1. Data Protection 2. To review the institutionalization of arbitration mechanism
Kotak Panel (Constituted by SEBI)	Corporate Governance
T. K. Viswanathan committee	Cyber Crime (Especially online hate speech)
Dalwai committee	Doubling Farmers' Income
Naresh Chandra Committee	Defence Reform
R Ramanujam Committee	Repealing of obsolete central laws
Tadon committee	Review the status of educational institutions
Kamakoti committee	Artificial Intelligence
Anil Kakodkar Committee	Rail safety fund
Kelkar committee	Resolution of PPP contract disputes
Rina Mitra Committee	Curb the misuse of free movement along the Myanmar border.
Subramanyam Committee	Defence reforms; It proposed the creation of the post of "Chief of Defence Staff – CDS".
Ramadorai Committee	Household Finance
Shekatkar Committee	Reforms in Indian Army, Navy and Air Force for enhancing combat compatibility
Ratan Watal Committee	1. Review of Autonomous Bodies (ABs) 2. Digital Payments
Khosla Committee	To resolve the disputes in sharing the Narmada waters between Gujarat and Madhya Pradesh
Amitabh Kant Committee Chandra Babu Naidu Committee	To push cashless transactions
Aravind Subramaniam Committee	To tackle the shortage of pulses
Aravind Panagriya	To fast track the bullet train projects
Madhukar Gupta	To strengthen India-Pakistan border protection
Rangarajan committee	Management of public expenditure
Chitale committee	Desiltation of Ganga

INTERNATIONAL RELATIONS

8. INDIA & ITS NEIGHBORHOOD

Doklam Stand-off

- Doklam plateau is a 269-sq km plateau in Bhutan, which overlooks the strategic Chumbi Valley.
- The plateau is claimed by China.
- Bhutan has a written agreement with China that pending the final resolution of the boundary issue, peace and tranquility should be maintained.
- Now China is allegedly constructing road in the disputed territory.
- Indian troops are deployed alongside Royal Bhutan Army to patrol its frontiers against China.
- China accused Indian border guards of crossing into its territory to stop the construction of the road.
- This has raised concerns which subsequently resulted in military stand-off between India and China.
- After around two months, both India and China announced withdrawal of all their troops, following diplomatic negotiations.



Significance of Pangong Tso

- A series of clashes between Indian and Chinese army personnel are reported near Pangong Tso Lake.



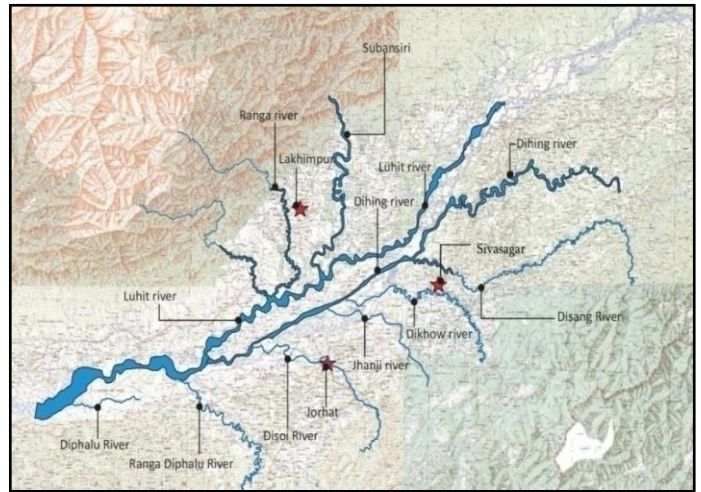
Pangong Tso

- Pangong Tso is a long narrow, deep, landlocked lake situated at a height of more than 14,000 ft in the Ladakh, Himalayas.
- The 135 km-long lake sprawls over 604 sq km in the shape of a boomerang, and is 6 km wide at its broadest point.
- The western end of Pangong Tso lies 54 km to the southeast of Leh.
- The brackish water lake freezes over in winter, and becomes ideal for ice skating and polo

- The Line of Actual Control (LAC) cuts through the lake, but India and China do not agree on its exact location.
- In 1999, when the Army unit from the area was moved to Kargil for Operation Vijay, China took the opportunity to build 5 km of road inside Indian Territory along the lake's bank.
- From one of these roads, Chinese positions physically overlook Indian positions on the northern tip of the Pangong Lake.
- As things stand, a 45 km-long western portion of the lake is in Indian control, while the rest is under China's control.
- Most of the clashes between the two armies occur in the disputed portion of the lake.

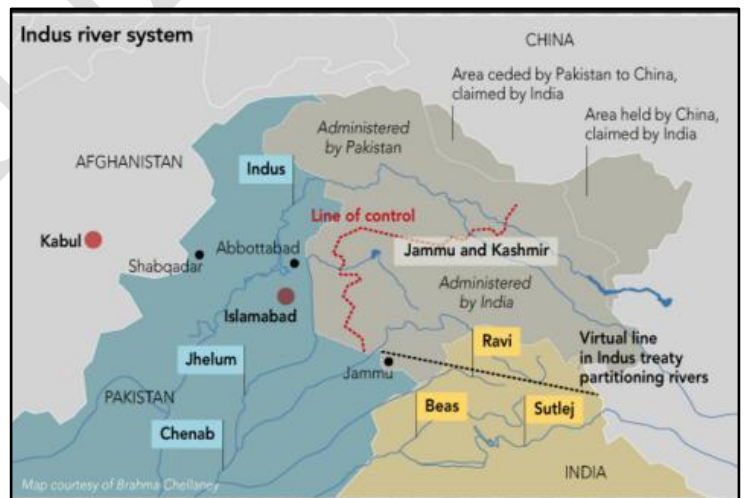
Worries about Brahmaputra

- The Brahmaputra, called the Yarlung Tsangpo in China, originates in Tibet and flows downstream into India's northeast.
- China plans to build a 1,000-km tunnel to divert water from the Brahmaputra in Tibet to the dry Xinjiang region.
- The plan involves diverting water from Sangri county in Tibet to the Taklamakan desert in Xinjiang.
- This has created worries about Brahmaputra getting dried up, especially in Assam.
- Out of the total length of the Brahmaputra of 2,880 km, 1,625 km is in Tibet flowing as Yarlung Tsangpo.
- 918 km is in India and known as Siang, Dihang and Brahmaputra.
- The rest 337 km in Bangladesh has the name Jamuna till it merges into Padma near Goalando.
- As a trans-Himalayan tributary, Yarlung is substantially fed by snow and glacial melts, in addition to rainfall.
- In 2010, China had assured India that it had no plans of building dams in Tibet after New Delhi expressed concerns.



Indus Water Talks

- The latest round of talks between India and Pakistan on the Indus Waters Treaty has ended without any agreement.
- The Treaty was signed in 1960 between India and Pakistan and was brokered by the World Bank.
- The treaty administers how river Indus and its tributaries that flow in both the countries will be utilised.
- According to the treaty, **Beas, Ravi and Sutlej** are to be governed by India, while, **Indus, Chenab and Jhelum** are to be taken care by Pakistan.
- However, since Indus flows from India, the country is allowed to use 20% of its water for irrigation, power generation and transport purposes.
- A Permanent Indus Commission was set up as a bilateral commission to implement and manage the Treaty.
- The Commission solves disputes arising over water sharing.
- The Treaty also provides arbitration mechanism to solve disputes amicably.
- The recent talks were on the Ratle and Kishanganga hydroelectric projects.
- In August 2017, the World Bank allowed India to construct the dam.
- Pakistan alleged that the construction of the dam was not in line with the Indus Water Treaty.
- The agreement has not been reached at the conclusion of the meetings.



- The World Bank will continue to work with both countries to resolve the issues in an amicable manner and in line with the Treaty provisions.
- Both countries and the World Bank appreciated the discussions and reconfirmed their commitment to the preservation of the Treaty.

Diamer-Bhasha Dam Project

- The project was first announced in 2006.
- It is a \$14 billion dam project on Indus river in Pakistan-occupied Kashmir (PoK).
- The project is on Indus river in Gilgit-Baltistan in PoK.
- It is expected to generate a power output of 4,500 MW.
- It will also supply drinking water to Peshawar in addition to mitigating the danger of floods in Nowshera
- World Bank declined to fund the project as Pakistan refused to seek anNoC from India.
- ADB rejected considering the volume of funds required.
- China had offered to bring Diamer-Bhasha dam project under the China-Pakistan Economic Corridor (CPEC).
- The decision was taken considering the fact that currently no mega hydel project was included in the CPEC.
- India is both against the project and CPEC as it runs through PoK, which is a disputed territory between India and Pakistan.



Cross LoC Trade with Pakistan

- Cross LoC trade across Uri-Muzaffarabad route resumed recently, after it was stopped over 2 weeks ago due to seizure of drugs from a truck.
- With increasing border tensions, trade across the Poonch-Rawalakot route has been stopped since July.
- To ease tensions between India & Pakistan, to promote peace & economic activity in the state of J&K, cross-LoC trade was started in 2008.
- Through not very voluminous in nature, it helped connect the regions of J&K on both sides of the border.
- The trade is through barter exchange & has by far been a successful initiative.
- The present ruling party of J&K, had promised to support this trade.
- The Line of Control is under the operational control of the Army.
- The J & K shares both the Line of Control and International Border with Pakistan.
- Punjab, Rajasthan and Gujarat shares only the International Border with Pakistan.



Pant-Mirza Agreement

- It is an agreement between India and Pakistan under the “Bilateral Protocol on Visits to Religious Shrines”, signed in 1974.
- It facilitates visits by nationals of India and Pakistan to mutually agreed list of religious shrines in each other’s country.



- Under the Protocol, it is the obligation of the concerned country to make every effort to ensure that the places of worship in the agreed list of shrines are properly maintained and their sanctity preserved.
- Shrines of Hazrat Moinuddin Chishti (Ajmer), Hazrat Nizamuddin Auliya (Delhi), Hazrat Amir Khusro (Delhi), Hazrat Mujaddid Alf Sani (Sirhind Sharif) and Hazrat Khwaja Alaaddin Ali Ahmed Sabir (Kalyar Sharif) in India are included under the protocol.
- Shadani Darbar (Hyat Pitafi), Shri Katasraj Dham (Lahore), Gurudwaras of Shri Nankana Sahib (Rawalpindi), Shri Panja Sahib (Rawalpindi) and Shri Dera Sahib (Lahore) in Pakistan are included.

Joint Interpretative Notes

- The Cabinet gave its approval for the Joint Interpretative Notes (JIN) on the Agreement between India and Bangladesh.
- The JIN includes interpretative notes to be jointly adopted for many clauses.
- It includes the definition of investor, definition of investment, exclusion of taxation measures, Fair and Equitable Treatment, National Treatment and Most Favoured Nation treatment.
- It also includes the interpretations of expropriation, essential security interests and Settlement of Disputes between an Investor and a Contracting Party.
- The JIN would impart clarity to the interpretation of the existing Bilateral Trade and Promotion Agreement (BIPA).
- It will ensure to ensure smooth implementation of the investment promotion and protection pact.

Sri Lanka Fisheries Act

- Sri Lanka recently passed amendments to Fisheries and Aquatic Resources Act.
- It banned the fishing practice of bottom-trawling in their waters.
- Bottom-trawling is a fishing practice, which involves trawlers dragging weighted nets along the sea floor.
- It is known to cause great depletion of fishery resources.
- Ever since Sri Lanka's civil war ended in 2009, fishermen of Sri Lanka's Tamil-majority north have been trying to start fishing.
- For decades, they had been denied access to the sea by the armed forces and the LTTE.
- They began rebuilding their lives with very limited resources and huge loans.
- They are confronting the challenge of bottom-trawlers, originating from Tamil Nadu and trespassing into their waters.
- Sri Lankan fishermen want an immediate end to incursions by Indian trawlers, and those from Tamil Nadu insist on a three-year phase-out period.
- The development could directly impact a section of fishermen from Tamil Nadu, who engage in bottom-trawling.
- The Central and State governments plan to provide 500 deep sea fishing boats with long lines and gill nets this year, as part of a plan to replace 2,000 trawlers in three years.
- A Joint Working Group set up by both countries last year is in place.
- Ultimately, the solution lies in the transition from trawling to deep sea fishing.

Delaying Constitutional Reform in Sri Lanka

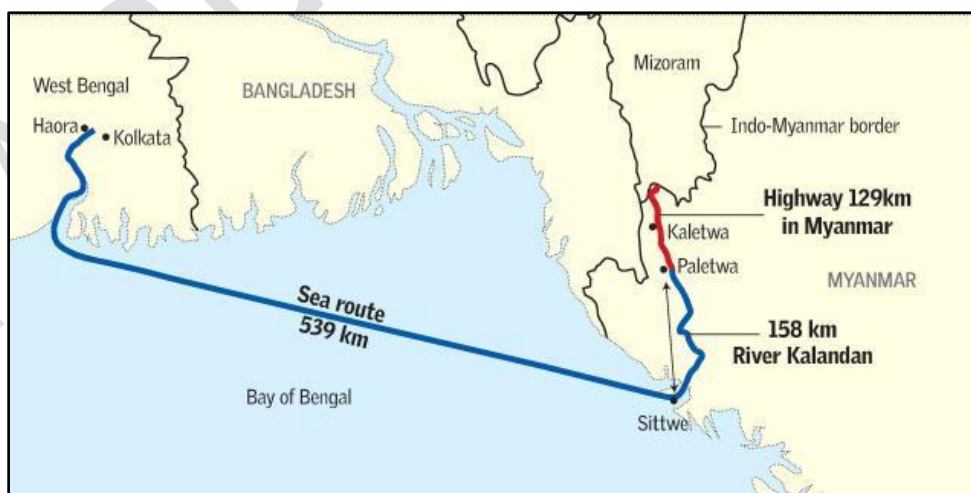
- An interim report of the Sri Lankan Assembly's Standing Committee on constitutional reform was released recently.
- It is neither a final report nor a constitutional draft, but a statement of the various positions of groups in Parliament which reflects the rising opposition within the government for constitutional reforms.

- The constitutional reform process envisages an undivided and indivisible country, with the province as the unit for devolution of power.
- It introduces the concept of ‘subsidiarity’.
- Under this, functions that can be performed by the lowest tier of government should be vested in it.
- The report also provides for the creation of a second parliamentary chamber representing the provinces.
- The report commits that the controversial terms ‘unitary’ and ‘federal’ be avoided.
- Instead, Sinhala and Tamil terms that suggest an undivided country be used to describe the republic.
- Besides, the electoral system solely based on proportional representation is proposed to be changed.
- A mixed method under which 60% of parliamentary members to be elected under the first-past-the-post system is to be introduced.
- Complying with earlier demands, the reforms aim at abolishing the executive presidency.
- The government has promised that the pre-eminent status given to Buddhism will remain as such. This assurance may help overcome opposition from the majority.

India-Myanmar Joint Trade Committee Meeting

- The 6th India – Myanmar Joint Trade Committee (JTC) Meeting was held recently at New Delhi.
- India sought the cooperation of the Myanmar side in actively pursuing **enhanced road, sea and air connectivity** between the two countries.
- Highlighting the progress made by India in various components of the **Kaladan Multimodal Transport Project**, India sought the cooperation of the Myanmar to speed up the work.
- The Kaladan Multi-Modal Transit Transport Project is a project that will connect the eastern Indian seaport of Kolkata with Sittwe seaport in Myanmar by sea.

- It will then link Sittwe seaport to Paletwa in Myanmar via Kaladan river boat route and then from Paletwa on to Mizoram by road transport.



- India also called for swift negotiation of a Motor Vehicle Agreement bilaterally which would facilitate seamless movement of cargo vehicles.

- **Border Haats** -India sought the cooperation of Myanmar side in quick finalisation of the Mode of Operation (MoO) for making the Border Haats functional on the ‘India-Myanmar border’.
- It was noted that 10 points spread across 4 states viz., Arunachal Pradesh, Mizoram, Nagaland and Manipur, have been identified for operationalising Border Haats.
- Myanmar is India’s gateway to South East Asia and ASEAN with which India is seeking greater economic integration through ‘Act East’ Policy.
- Myanmar shares a long land border of over 1600 Kms with India as well as a maritime boundary in the Bay of Bengal.

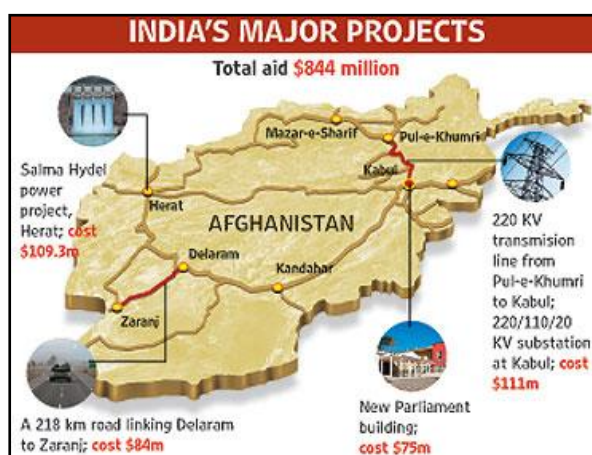
Rohingyas conflict

- Myanmar has recently increased military deployment in the northern Rakhine area as part of its counter-insurgency efforts against Rohingyas.
- The Rohingya are an ethnic Muslim group in the majority Buddhist country
- They reside predominantly in Rakhine state and speak a Bengali dialect.
- They are not recognised by the Myanmar government as an official ethnic group and are therefore denied citizenship.
- While it is claimed that there were no Rohingyas in Myanmar before the British brought 'Bengalis' to Burma, there is sufficient evidence to show for the Rohingyas' pre-existence.
- They are often said to be the world's most persecuted minority.
- In the past ten months alone, nearly 100,000 more Rohingyas have been displaced.
- The fundamental reason is the violation of the human rights of the Rohingyas.
- They suffer "mass atrocities" perpetrated by security forces in the northern part of Rakhine state.
- There has been no effective international pressure to roll back such policies.
- Neighbouring countries like Bangladesh, India and Indonesia have raised the issue with Myanmar only when the refugees became economically burdensome.



The Afghan connect

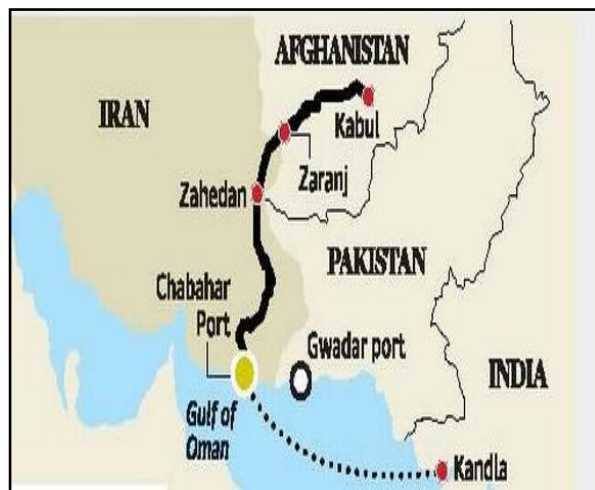
- The India-Afghanistan air corridor has been hit by a shortage of cargo planes.
- Afghanistan is a land-locked country & trade connectivity through road has to pass through an unwelcoming Pakistan.
- The air corridor project was proposed during the 'Heart of Asia' summit in Amritsar in December 2016.
- It was inaugurated few months ago & the political commitment shown by both sides was remarkable.
- The Afghan government also heavily subsidises the transit for its traders.
- Currently, it is fruits season in Afghanistan.
- The lack of a secured provider for chartered flights in Afghanistan had caused recent disruptions.
- On the Indian side, traders worry about clearing the perishable goods quickly through Indian customs as the process is yet to be streamlined.
- Due to this, tonnes of perishable produce are not being able to make it to their destined markets in time.



India - Afghan Connectivity

- Iran's key strategic port of Chabahar became operational with the maiden shipment of wheat from India to Afghanistan recently.

- This is a major push for India's Afghan outreach bypassing Pakistan for the first time under the 2016 Indo-Afghan-Iran trilateral pact.
- India is also constructing a railway line between Chabahar and Zahedan to connect the port to rest of the Iranian railway network.
- It is further to be linked with Delaram-Zaranj road, built by India in Afghanistan that connects at Afghan-Iran border via rail through Zahedan.
- The port, through Zahedan railway network, could also be linked with the International North South Transport Corridor connecting India with Russia.



SASEC Road Connectivity Program

- **South Asian Sub-Regional Economic Cooperation (SASEC) Road Connectivity Investment Program** aims at upgradation of road infrastructure in **Bangladesh, Bhutan, Nepal and India (BBIN)**.
- The project corridor is also a part of the Asian Highway No. 01 (AH01) and acts as India's Gateway to the East.
- The project is developed with **Asian Development Bank's** loan assistance.
- As part of this program, union cabinet recently approved the widening and upgrading of Imphal- Moreh section of NH 39 in Manipur.
- **South Asia Subregional Economic Cooperation (SASEC)** was set up in 2001 including Bangladesh, Bhutan, India, Maldives, Myanmar, Nepal and Sri Lanka.
- Asian Development Bank (ADB) serves as the Secretariat for the SASEC member countries.
- It aims to promote regional prosperity by improving cross-border connectivity, boosting trade among member countries, and strengthening regional economic cooperation.

9. BILATERAL RELATIONS

Xiamen Declaration

- Xiamen Declaration of BRICS forum was recently adopted.
- It explicitly called out several Pakistan-based terror organisations and expressed concern on the security situation in the Afghanistan-Pakistan region.
- It also referred to violence caused by the Taliban, Al-Qaida and its affiliates, including the Eastern Turkestan Islamic Movement Haqqani network, Lashkar-e-Taiba, Jaish-e-Mohammad, Tehrik-i-Taliban Pakistan etc.
- The Chinese government, as is evident from the inclusion of the Uighur-focused Eastern Turkestan Islamic Movement in the above list, is concerned about growing Islamist activity in its western provinces.
- India-China saw the importance of building durable security architecture for their increasingly fraught relationship.
- It is also a sign that relations between the India-China have not been harmed by the doklam stand-off.



Beijing Declaration on Education

- Recently, 5th Meeting of BRICS Ministers of Education was held in Beijing, China.

- It adopted Beijing declaration on Education which calls for achieving Sustainable Development Goal 4 **(SDG4)-Education 2030.**
- SDG4 - “Ensure inclusive and equitable, quality education and promote life-long learning opportunities for all”.
- BRICS Ministers of Education meeting had adopted Brasilia declaration in 2015, Moscow declaration in 2015 and New Delhi Declaration in 2016.

Brasilia Declaration

- The Brasilia declaration is also known for the creation of **IBSA** (India, Brazil, and South Africa) forum in 2003.
- Global High-Level Conference on **Road Safety** hosted by Brazil and WHO adopted Brasilia Declaration on Road Safety.
- The member countries have agreed to reduce the number of accidents and deaths to half by the year 2020.
- **India is a signatory** to this declaration.

Bali Declaration

- Indian parliamentary delegation refused to be a part of the Bali declaration adopted recently in Indonesia.
- The declaration was adopted at the ‘World Parliamentary Forum on Sustainable Development’, in Indonesia.
- It went on to “call on all parties to contribute to the restoration of stability and security, exercise maximum self-restraint from using violent means”.
- It claimed to respect the human rights of all people in Rakhine State regardless of their faith and ethnicity.
- The declaration adopted carried “inappropriate” reference to the violence in Rakhine State from where 1,25,000 Rohingya have fled to Bangladesh.
- India is of the view that the purpose of convening the parliamentary forum was to arrive at a mutual consensus for implementation of SDGs.
- The proposed reference to the violence in Rakhine State in the declaration was considered as not consensus-based and inappropriate.
- India objected forum’s view on Myanmar, as never before country specific issues have been included in the declaration, because doing so dilutes the objective of these forums.

India and Quadrilateral Partnership

- India plans to join Quadrilateral Partnership.
- The “quadrilateral partnership” or “Concert of Democracies”, is a counterpoise to authoritarian China.
- It involves India, Australia, Japan and the US cooperating in defence and commerce in the Asia-Pacific.
- It first gained traction in 2007, when the navies of the four countries trained together in Exercise Malabar.
- In 2008, the quadrilateral fell victim to domestic politics after Australia elected China-friendly leader.
- Now Japan’s Prime Minister, has again mooted a coming together of the four countries.
- This time to “counteract” Belt and Road Initiative and its growing assertiveness in the South China Sea.

Malabar 2017

- Malabar 2017 recently held in the Bay of Bengal.
- Malabar is an **annual military exercise** between the navies of India, Japan and the U.S. held alternately in the Indian and Pacific Oceans.
- It is a platform to **improve interoperability between the navies.**
- It began in 1992 as a bilateral exercise between India and the U.S.
- Then it got permanently expanded into a trilateral format with the inclusion of Japan in 2015.



- This year invited Australian military personnel to attend Malabar 2017 as “observers”.
- The 10-day games will have two phases, an initial harbour phase in Chennai and a sea phase later which will be held across the Bay of Bengal and the northern Indian Ocean.
- In a first this year, all three countries fielded carriers (India - INS Vikramaditya) for the exercises.
- This year is also witnessing the largest participation to date with 16 ships, 2 submarines and over 95 aircraft taking part from the three countries.

Specially Designated Global Terrorist

- The US administration has declared Hizbul Mujahideen chief Syed Salahuddin a ‘Specially Designated Global Terrorist’.
- He is a Kashmiri militant and **currently the chief of HizbulMujahideen (HM)**, one of several homegrown militant groups that have been operating from the Valley for decades.
- He is also the head of an alliance of anti-India militant groups, the United Jihad Council, that works to annex the Indian state of Jammu and Kashmir to Pakistan.
- SDGT tag categorisation is aimed at disrupting the financial support network for terrorists and terrorist organisations.
- It deters donations or contributions to designated individuals or entities.
- The designation also authorises US government to block the assets of foreign individuals and entities that commit or pose a significant risk of committing acts of terrorism.
- It also **increases public awareness** and knowledge of individuals or entities linked to terrorism.
- It is different from UN designation, which is recognised by all countries and is considered a **non-partisan global sanction**.
- Whereas, the US designation is limited only to the United States.
- India had sought the UNSC’s global terrorist designation for Syed Salahuddin but the move was blocked by China.

Major Defence Partner

- The U.S. recognises India as a major defence partner.
- India is not a treaty partner of the US i.e not a formal alliance partner with close cooperation with Washington e.g Japan and Australia.
- It is also not a part of the NATO. e.g Britain.
- But this move brings India at par with that of these closest allies of U.S and ensures enduring cooperation into the future.
- Procurement of weapons’ systems, spares for those that are already in the Indian inventory and the transfer of technology are expected to get smoother.
- Challenges like maritime security and the spread of terrorism are growing in Southeast Asia.
- So by empowering countries in the region U.S can maintain peace and stability in the region and address its own interests.

India EU Free Trade Agreement

- The European Commission negotiated an FTA with Singapore from 2010 to 2013 covering a wide range of issues including the investor-state dispute settlement (ISDS) mechanism.
- The ISDS provision gives investors a choice between bringing a dispute against a host state before the national court of the country where the investment has been made and submitting the dispute to international arbitration.
- The European Commission and the EU member states disagreed as to who had the competence to ratify the FTA.

- European Court of Justice (ECJ) is the highest court in the EU in matters of EU.
- It decided that EU had the exclusive competence over almost all aspects of the FTA except non-direct foreign investment and the ISDS mechanism.
- In other words, for agreements containing non-direct foreign investment and/or ISDS provisions, EU member states enjoy mixed competence to approve such treaties.
- The court held that since the ISDS provision allowed the removal of the disputes from the jurisdiction of the courts of an EU member state, it could not be done without the consent of the member states.

India - Japan Nuclear Deal

- Japan's Parliament, the Diet, had recently approved the India-Japan civil nuclear energy deal.
- Japanese PM believes that nuclear exports are key to kick-starting the Japanese economy.
- 2008 waiver it received from the Nuclear Suppliers' Group so far has had limited tangible benefits for the country's power industry.
- This deal represents hope that it might finally begin paying off.
- It is also a necessity for enabling India's bilateral nuclear deals with other countries.
- Key elements of certain reactors like the AP 1000 and EPR, including safety components and domes, are a near-Japanese monopoly.

India & South Korea - CEPA

- India has decided to upgrade its existing trade pact with South Korea.
- The domestic industry has flagged concerns over the agreement.
- Comprehensive Economic Partnership Agreement (CEPA) was a trade deal signed between India & South Korea in 2009.
- The CEPA has increased bilateral trade volumes by over 50%.
- Many Korean companies have penetrated deep into the Indian consumer goods market and have directly benefitted from CEPA.
- Recently in a review meeting, both countries have decided to upgrade the CEPA at the earliest.
- This has angering domestic exporters, who claim the pact has disproportionately helped Korean exporters.
- The Duty free import facility for gold from South Korea was found to be misused by round tripping.
- The Directorate General of Foreign Trade had to withdraw the zero-duty import facility to plug the same.

WTO - Public Stockholding

- The G33, including India, has proposed for an amendment in the Agreement on Agriculture of the WTO, in regard to public stockholding.
- Public stockholding (PSH) is a policy tool used by governments to procure, stockpile and distribute food when needed. Ex: MSP scheme.
- Governments purchasing at prices higher than market prices are considered to be subsidising their farmers, under WTO rules.
- Current rules suggest a fixed subsidy of 10% for food procurement from farmers to feed the poor.
- Also, the methodology for subsidy calculation is based on a price index of 1986-88, and that does not account for inflation.
- Currently, public distribution programmes of developing countries are included under trade-distorting Amber Box measures that attracts reduction commitments.
- The G33 countries are thus demanding that these programmes for food security purposes be exempted from subsidy reduction commitments of WTO.



- It suggested incorporating a new annexure to categorise foodgrains procured specifically for public distribution purposes.
- It demanded that PSH programmes be included in the list of Green Box subsidies that are exempted from reduction commitments.
- But there is opposition from the US, the EU, Australia, Canada, Brazil, among others to provide unlimited market price support under the banner of 'public stockholding for food security'.

India and ICAN

- International Campaign to Abolish Nuclear Weapons (ICAN) was awarded the 2017 Nobel Peace Prize for its efforts on nuclear prohibition.
- ICAN was launched in 2007.
- It is a global civil society coalition which constitutes 468 partner organizations from around 100 countries.
- Earlier this year, ICAN came up with an international treaty that was negotiated and concluded at the United Nations.
- The treaty will come into effect only when 50 nations have ratified it; so far, only a handful have done so.
- When it comes into force, it will be binding only on those who have ratified it.
- Notably, none of the nine nuclear powers, including India and Pakistan, associated themselves with the treaty or the related negotiations at the UN.
- Many of them view the possession of nuclear weapons as deterrents to war.
- Officially, India holds up its commitment to a nuclear weapons-free world.
- However, it stayed away from the treaty citing the Conference of Disarmament (CD) as the right forum to negotiate a "step-by-step process" to achieve a nuclear weapons-free world.
- CD is a forum established in 1979.
- It is to negotiate multilateral arms control and disarmament agreements.
- It is a forum used by its member states (around 65), to negotiate the Biological Weapons Convention and the Chemical Weapons Convention.
- While the conference is not formally a UN organization, it is linked to it through a personal representative of the UNSG.
- The CD works by consensus, and nuclear powers, including India and Pakistan, assemble there mainly to block each other.

India - UNSC Permanent Seat

- U.S. Permanent Representative to the UN has recently hinted of US's support for India's permanent membership in the UN Security Council.
- UNSC is one of the six principal organs of the United Nations formed in 1945.
- Currently there are five permanent members with veto power in the UNSC - China, France, Russia, UK and US.
- Despite drastic changes in geopolitics and international relations the Council has not been reformed yet.
- The demands for reform of the UNSC is based on five key issues:
 1. Categories of membership (permanent, non-permanent).
 2. The question of the veto held by the five permanent members.
 3. Regional representation.
 4. The size of an enlarged Council and its working methods.
 5. The relationship between Security Council and General Assembly.

- Notably, any reform of the Security Council would require the agreement of at least two-thirds of UN member states.
- Importantly, the agreement of all the permanent members of the UNSC enjoying the veto right is also required.
- The G4 nations comprises of Brazil, Germany, India, and Japan.
- These four countries support each other's bids for permanent seats on the United Nations Security Council.
- Alternatively, Uniting for Consensus (UfC) is a movement, nicknamed the Coffee Club, to oppose the possible expansion of permanent seats.
- Italy, Pakistan, Mexico, Spain, Argentina, Turkey, Canada, South Korea and Egypt are members to it.

India's law on Antarctica

- India is drafting new legislation on Antarctica.
- In future, Antarctica might see more tourists, over-exploited fisheries, disputes and crime.
- India is also expanding its infrastructure development in Antarctica.
- Dakshin Gangotri, the first Indian base established in 1984, has weakened and become just a supply base.
- The government is rebuilding its station, Maitri, to make it bigger and long lasting.
- Keeping this in mind, India is drafting a dedicated Antarctica policy and a law.
- India also acceded to the Antarctica Treaty.
- So it is expected to have a clear policy on the consequences of its activities in the region.
- Ministry of Earth Sciences is tasked with drafting the law.
- Countries like South Africa and Australia already have specific laws.
- **Signing a treaty** - It is a means of authentication and expresses just the willingness of the signatory state to continue the treaty-making process.
- **Ratification** - It indicates the state's consent to be bound to a treaty if the parties intended to show their consent by such an act.
- **Accession** - It is the act whereby a state accepts the offer to become a party to a treaty already negotiated and signed by other states.
- It has the same legal effect as ratification except that it occurs after the treaty has entered into force.

Antarctic Treaty

- The treaty is framed to ensure that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene of international conflict.
- It prohibits military activity, except in support of science.
- It also prohibits nuclear explosions and the disposal of nuclear waste.
- It promotes scientific research and the exchange of data and suspends all territorial claims.

India and France - Indian Ocean Region

- India and France have decided to strengthen cooperation in the Indian Ocean Region (IOR).
- With a colonial inheritance, France has a considerable influence through overseas territories in the Western Indian Ocean and South Pacific.
- Its military facilities in the Indo-Pacific include those in the Reunion Island, Djibouti and the United Arab Emirates.
- France also has a variety of coordination mechanisms in the Pacific with the United States, Japan, Australia, Britain and New Zealand.
- In addition, it plays a lead role in the Indian Ocean Commission (IOC).
- IOC is an intergovernmental organization that brings together the island states of Mauritius, Seychelles, Madagascar, Comoros and the French territory of Reunion.

- India and France have long held partnerships in traditional areas of high-technology and defence cooperation and recently, climate change.
- Further, India needs to intensify the exchange of maritime intelligence, negotiate agreements to share naval infrastructure facilities and put in place logistical support arrangements.

India – EFTA pact

- Switzerland is pressing for early Free Trade Agreement (FTA) between India and European Free Trade Association (EFTA).
- The agreement is expected to promote economic ties between the countries.
- EFTA comprises of Switzerland, Norway, Iceland and Liechtenstein.
- It is officially negotiating a free trade pact known as Trade and Economic Partnership Agreement (TEPA), with India since October 2008.
- Under an FTA, trading partners give market access to each other with a view to promoting bilateral trade in goods and services, besides investments.

India and Lithuania

- Cabinet has approved signing of an extradition treaty between India and Lithuania.
- The treaty provides a mutual legal framework for seeking deportation of terrorists, economic offenders and other criminals.

Extradition Treaty Vs Arrangement

- An extradition treaty is a mutually agreed text signed and ratified by two Governments.
- The arrangement is made in the absence of an extradition treaty on the assurance of reciprocity including under an international convention.
- In the arrangement, two countries consider any international convention as the legal basis for extradition in respect of any offence to which the convention applies.
- It does not cover all offences.
- For e.g India has signed extradition arrangement with Italy - Both are States Parties to the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.
- This Convention has been notified under the Extradition Act by the Government of India.
- Thus the legal basis for extradition will be based on this convention.

US- India Strategic Partnership Forum (USISPF)

- USISPF is a new representative body set up to further enhances business relations between the two countries.
- The non-profit corporation aims to promote bilateral trade and will work closely together with businesses and government leaders to achieve economic growth, job creation, innovation, inclusion and entrepreneurship

Karnataka–Finland Innovation Corridor

- Karnataka Department of Information Technology (IT) entered into a MoU with Finland to establish Karnataka- Finland Innovation corridor.
- The corridor offers a virtual platform facilitating the exchange of information and expertise in the fields of science, research, innovation and skill development.
- It envisions organising joint projects, such as start-up incubation programmes, research programmes, events, competitions and exposure visits.

India and ASEAN Cooperation

- Philippines recently hosted the Association of Southeast Asian Nations (ASEAN) and East Asia summits (EAS).
- Notably, 2017 also marks the 50th anniversary of ASEAN.
- Regional Comprehensive Economic Partnership (RCEP) leader's meeting and the ASEAN Business and Investment Summit were also held.
- Indian PM joined these meetings, and underscored India's commitment to deepening ties with the ASEAN states and the wider Indo-Pacific region.
- The Association of Southeast Asian Nations (ASEAN) was established in 1967 in Bangkok, Thailand.
- It came in with the signing of the ASEAN Declaration (Bangkok Declaration) by the founding members namely Indonesia, Malaysia, Philippines, Singapore and Thailand.
- Brunei Darussalam, Viet Nam, Lao PDR, Myanmar, and Cambodia joined in the course of time.
- ASEAN is currently India's fourth largest trading partner, accounting for 10.2% of India's total trade.
- India is ASEAN's seventh largest trading partner and its service-based economy complements the manufacturing-based ASEAN.



10. INTERNATIONAL ISSUES

Asia Africa Growth Corridor (AAGC)

- An annual meeting of the African Development Bank (AfDB) held recently in Gandhinagar, Gujarat.
- Prime Minister released a vision document on the "Asia Africa Growth Corridor (AAGC)".
- AAGC is a study jointly produced by three research institutions of India and Japan in consultation with other Asian and African think tanks.
- It envisages closer engagement between India and Africa for "sustainable and innovative development".
- It will be anchored to four pillars -
 1. Development and cooperation projects;
 2. Quality infrastructure and institutional connectivity;
 3. Enhancing capacities and skills and
 4. People-to-people partnership.
- It will accord priority to development projects in health and pharmaceuticals, agriculture and agro-processing, disaster management, and skill enhancement.
- It will have special focus on Africa, India and South Asia, Southeast Asia, East Asia and Oceania.

United Nations Economic and Social Council

- The India got re-elected for another three-year term on the Economic and Social Council (ECOSOC), as its current term is set to expire this year.
- It is one of the 6 principal organs of the United Nations.

- It guides sustainable development policies and coordinates the activities of several UN units and organisations working development and social and economic issues.
- The Council's 54 member Governments are elected by the General Assembly for overlapping three-year terms.
- Seats on the Council are allotted based on geographical representation.
- 11 of them are allotted to Asian states.
- For the nations to be the elected, it needs two-thirds majority of UN General Assembly votes.
- India secured 183 of the 188 votes to serve again.
- NeeruChadha was also elected a judge of the International Tribunal for the Law of the Sea in a measure of its influence at the UN.

Macedonia Greece Controversy

- Macedonian Foreign Minister formally requested the government of Greece for help in Macedonia's bid to join the North Atlantic Treaty Organisation (NATO) and EU.
- Greece was stonewalling all efforts by Macedonia to join the two organisations for a long time.
- In 2004, the Republic of Macedonia had submitted its application for membership of the EU.
- The EU accepted the application in 2005.
- But Greece objected saying Macedonia's name implied a territorial claim on the northernmost Greek province of the same name.
- Membership negotiations cannot start until all EU governments agree, in the form of a **unanimous decision by the EU Council**, on a framework or mandate for negotiations with the candidate country.
- Over the past three decades, Greece has been accusing Macedonia neighbour of "cultural theft".
- Macedonia seceded from Yugoslavia and became a sovereign state by a popular referendum held in 1991.
- Greece immediately demanded from the international community not to recognize the country under its name Macedonia.
- Greece alleges that -
 1. The Macedonians should not be recognized as Macedonians because the Macedonians have been of Greek nationality since 2000 BC.
 2. Those Macedonians whose language belongs to the Slavic family of languages, must not call themselves Macedonians because 4000 years ago, the Macedonians spoke Greek and still speak nothing but Greek.
 3. Macedonia has no right to call itself by this name because Macedonia has always been and still is a region of Greece.
- In the early 1990s, Greece blockaded Macedonia's southern border, in part to protest Macedonia's use of the symbol - Vergina Sun in their national flag.
- Greece even lodged a claim for trademark protection of the Vergina Sun as an official state emblem.



U.S withdrew from Paris Agreement

- U.S formally withdrew from the 2015 Paris climate agreement.

- The new U.S administration is of the view that the Paris agreement as a deal is aimed to disadvantage and impoverish the US.
- U.S said that it would cost the US \$3tn in lost GDP and 6.5 million jobs while rival economies like China and India were treated more favourably.
- The 'domino effect' might force a few other countries to follow suit.
- US payments to the UN Green Climate Fund, which helps developing countries cope with the effects of climate change, will stop.
- During 2010-15, the US significantly increased its climate-related spending and outward investment in developing countries.
- It committed nearly \$15.6 billion on bilateral programmes for promoting clean energy, sustainable infrastructure and land use.
- This by itself is a threat to keeping global warming within safe levels.
- U.S. is also not likely to fulfil its obligation to provide support for the implementation of NDCs by other countries.
- Therefore, not just the U.S., but other countries too may fail without the means to implement their proposals.

US decertifying The Iran Deal

- U.S. President has announced his refusal to certify for continuing the sanctions waiver for Iran, under the Joint Comprehensive Plan of Action (JCPOA).
- JCPOA is an international agreement on the nuclear program of Iran reached between Iran, the P5+1 (the 5 permanent members of the UNSC plus Germany) and the EU.
- Under the agreement, Iran agreed to eliminate its stockpile of medium-enriched uranium, cut its stockpile of low-enriched uranium by 98%, and reduce by about two-thirds the number of its gas centrifuges for 13 years.
- In return, Iran will receive relief from U.S., European Union, and United Nations Security Council nuclear-related economic sanctions.
- US administration has notably two obligations with regard to the Iran nuclear deal.
- **One**, certifying every 90 days, confirming i) Iran's full compliance with the deal, ii) U.S's national security interests in continuing with the sanctions waiver.
- This falls under the US's domestic law namely Iran Nuclear Agreement Review Act (INARA).
- This obligation was rolled out with the objective to constrain the US presidential authority to waive sanctions on Iran.
- **Two**, renewing every 120 days, the lifting of the U.S.'s secondary nuclear sanctions under JCPOA.
- secondary sanctions are imposed on a third country that does business with the offending country.
- This is part of the international law.
- The Trump's recent decision only decertifies the 90 days clause and does not re-impose the nuclear-related sanctions that were waived.
- It will also not necessarily withdraw the US from the agreement.



U.S leaves UNESCO

- U.S has recently announced its withdrawal from the U.N. Educational, Scientific and Cultural Organisation (UNESCO).
- UNESCO, which designates world heritage spots, accorded recognition in 2011 to Palestine as its 195th member.
- UNESCO is the first U.N. agency to do so.
- This triggered controversies over the historical status of the region's religious symbols.
- And this is also a continuing issue of contention between the already divided Palestinian Authority and Israel.
- The 2012 elevation to a non-member observer status at the UN came as a boost for Palestinians demanding separate statehood.
- The US had long had stronger ties with Israel and supported its settlements in Palestine.
- Also, U.S. laws bar funding to any UN agency that recognises the Palestinian state.
- Accordingly, the US had stopped funding the UNESCO since its 2011 decision.
- It also opposed to the admission of Palestine to world bodies until the question of its UN membership was resolved.
- Notably, UNESCO declared a contested shrine in Hebron city as an endangered Palestinian heritage site.
- These events triggered U.S' exit.

UNESCO

- It is a global development agency with missions that include promoting sex education, literacy, clean water and equality for women.
- It is responsible for promoting peace, social justice, human rights and international security through International cooperation on educational, science and cultural programs.
- It has 195 member states and is based in Paris, France.
- It is known for its **World Heritage Mission** which encourages world countries to protect Natural and Cultural Heritage sites.
- It publishes **Global Education Monitoring report** and Gender Parity Index.
- It also leads the initiative of **Man and Biosphere Programme** for protecting Biosphere reserves across the world.

Revocation of DACA

- U.S. President Donald Trump has decided to revoke the DACA policy that protects the children of immigrants.
- Deferred Action for Childhood Arrivals (DACA) policy is an Obama-era executive action designed to protect those who arrived in the U.S. as children accompanying their undocumented migrant parents.
- Obama administration's viewed that as long as such childhood arrivals integrated lawfully and productively into American society, there could be no reasonable argument to send them back.
- On the contrary, Mr. Trump had promised to crack down on all forms of undocumented immigration and hence called for DACA's revocation.
- Consequently, nearly 800,000 people in the U.S. now face the possibility of losing their jobs, driver's licences and university seats and even deportation.

Qatar Crisis

- The recent diplomatic crisis in Qatar is de-escalating.
- It was following a news published by the Qatar News Agency (QNA).
- It said that the emir of Qatar called Hezbollah a legitimate resistance movement and called Iran a "big power in the stabilisation of the region" and said that there was "no wisdom in harbouring hostility toward Iran".

OPEC

- Organization of the Petroleum Exporting Countries is an intergovernmental organization of 14 nations.
- It was founded in 1960 in Baghdad, Iraq by the first five members (Iran, Iraq, Kuwait, Saudi Arabia, Venezuela).
- It is headquartered in Vienna, Austria.

- However, Qatar's government communications office claimed that QNA had been hacked.
- Subsequently several gulf countries including Saudi Arabia, UAE, Bahrain, Egypt severed diplomatic relations with Qatar.
- The broad reason was that the emirate poses a threat to their national security and they have accused the Gulf state of supporting terrorism.
- Saudi Arabia, UAE, Bahrain, and Egypt had listed 13 demands and warned that there would be serious consequences if Qatar failed to yield.
- However, following the international scrutiny, the countries have **softened their stand**, signaling that it might be enough if Qatar were to accede to 'Six Principles'.
- Qatar's **sole land border is with Saudi Arabia** to the south, with the rest of its territory surrounded by the Persian Gulf.
- An arm of the Persian Gulf separates Qatar from the nearby island country of Bahrain.



North Korea Missile Test

- North Korea tested another intercontinental ballistic missile (ICBM) that appears to have the range to hit major US cities.
- If the claims are true, Pyongyang may be even further advanced in its missile program than was previously thought.
- It now has major US cities like Los Angeles, Denver and Chicago well within its range.
- It even has the ability to reach as far as New York City and Boston.
- South Korea's joint chiefs of staff said they estimate that the ICBM is more advanced than one launched earlier this July.
- But the test cannot determine how heavy a payload the missile was carrying in its warhead. The heavier the payload, the shorter the range.
- It shows the US' sanctions are not changing North Korea's activities.
- To the north, the country is bordered by China and by Russia. It is bordered to the south by South Korea, with the heavily fortified Korean Demilitarized Zone (DMZ) separating the two.



Guam Crisis

- North Korea has threatened to launch a nuclear attack on Guam Island, a US territory.
- Guam is an island located in the Micronesia region of the Pacific.
- It is America's most western territory but it is not a state.
- It has a seat in the US House of Representatives, who does not have a vote on the final passage of legislation.



- U.S. citizens in Guam vote in a straw poll in the U.S. Presidential general election, but the poll has no real effect.
- It is a vital US military outpost and host to strategic bombers and at least 6, 000 US service members.
- American military bases, including the sprawling Andersen Air Force Base and the Naval Base Guam, occupy nearly 30% of the island.
- Japanese soldiers take part in joint military exercises between the US, Japan, France and UK on Naval Base Guam.
- The training operation may be one reason why North Korea specifically threatened the island.

Humanitarian Crisis in Yemen

- Apart from civil war, Yemen is facing new challenges of humanitarian crisis including the recent outbreak of cholera.
- The Yemeni Civil War is an ongoing conflict that began in 2015 between two factions claiming to constitute the Yemeni government.
- Houthi forces, loyal to the former President, have clashed with forces loyal to the current government.
- The Houthi forces captured the Yemen capital Sana.
- A coalition led by Saudi Arabia launched military operations by using airstrikes to restore the Yemeni government which is overthrown by Houthi.
- According to the UN, from March 2015 to March 2017, 16,200 people have been killed in Yemen, including 10,000 civilians.
- Millions were displaced since 2015.
- Yemen also saw largest outbreak of Cholera in a single year.
- Yemen is a member of Organisation of the Islamic Cooperation but not a member of Gulf Co-operation Council.
- It shares its boundary with Saudi Arabia and Oman.
- Socotra Island is a part of Yemen's territory.



Fatah Hamas Conflict

- Hamas decided to dissolve the Gaza administrative committee and hold talks with Fatah.
- Fatah is the largest faction of the multi-party Palestine Liberation Organization (PLO) closely identified with the leadership of its founder Yasser Arafat.
- Hamas is a Palestinian Sunni-Islamic fundamentalist organization.
- In the 2006 parliamentary election, Fatah lost its majority in the Palestinian parliament to Hamas.
- This led to a conflict between Fatah and Hamas, with Fatah retaining control of the Palestinian National Authority in the West Bank, while Hamas dominated Gaza.



- Both organizations are Sunni Muslim and are pledged to restore to Islamic rule the whole of Palestine.
- Their fundamental disagreement is over the strategy for achieving this common purpose, i.e Fatah believes more in peaceful process, whereas Hamas wants to resort to violence.

TPP without the US

- The US has come out of the Trans-Pacific Partnership (TPP) after Trump's election.
- The other countries in the group are now discussing on the ways to rework the deal, overcoming the initial hesitation and uncertainties.
- The TPP seemed more like a **leaderless** grouping after the US withdrawal.
- The anticipated **economic impact** with the loss of the US **market** hampered the progress of the deal.
- Ex: Countries like Vietnam and Malaysia lost the benefit of preferential access to the US and other North American markets with US withdrawal.
- Being a prominent actor in the regional affairs, the American withdrawal could have a significant impact on the **geopolitical effect** of the partnership.



Catalonia's Cry for Secession

- A referendum was recently conducted in Catalonia following the long-standing demand for independence.
- Catalonia is an autonomous community of Spain in the north-east end of the Iberian Peninsula.
- It has four provinces: Barcelona, Girona, Lleida, and Tarragona.
- Catalonia was historically an autonomous region of the Iberian peninsula, which encompasses Spain and Portugal.
- However, its autonomy was never recognised despite having its own language, laws, and customs.
- Many sovereigns tried to impose the Spanish language and laws in order to culturally unify the kingdom.
- This fuelled Catalan separatism which was crushed under the dictatorship of General Francisco Franco.
- However, calls for complete independence continued to grow.
- This is further amplified by economic crisis with rising unemployment and spiralling inflation.
- Separatists feel that the wealth from Barcelona region is being diverted disproportionately to other provinces.
- The Catalan parliament recently conducted referendum and subsequently declared independence.
- The Spanish constitutional court has swiftly declared the law illegal.
- Subsequently, the union government invoked Article 155.
- This conferred the union extraordinary powers to suspend provincial self-governance and approved direct rule in Catalonia.



Kurdistan Independence Vote

- Iraqi Kurds have planned to go ahead with a proposed referendum on seceding from Iraq.
- Kurds constitute the fourth largest ethnic group in West Asia but don't have a nation of their own.
- They are scattered in various countries and are a considerable minority in Turkey, Iran, Iraq and Syria.
- They have historically been oppressed by their respective governments which has fueled the desire for establishing a Kurdish nation that encompasses the Kurdish regions different countries.
- In Turkey, Kurdish rebels are involved in a civil war for secession, while in Syria they have already established a regional government.
- Currently, Iraqi Kurds are planning a referendum on secession.



Six days War

- The Six-Day war was the third in the long line of Arab-Israeli wars that started in 1948.
- It began on June 5, 1967 resulting in a massive reorganisation of territories in the middle-east.
- Both Israel and Palestine were dissatisfied by British rule in the British Mandate of Palestine, revolted in the late 30s and 40s.
- Once Israel was carved out of the territory, Egypt, Jordan, Syria and Iraq tried to invade the area.
- Israel fought against a combined force of Egypt, Jordan, Syria.
- The war spanned only six days during which Israel almost destroyed Egypt's air force and captured new territory.

Burundi Pulls out of ICC

- Burundi has become the first country to officially quit the International Criminal Court (ICC).
- A UN commission investigating violence under the President had reported large-scale incidents of sexual abuse, torture, forced disappearances and executions.
- Hence it had called for the ICC's intervention.
- Burundi feels that the ICC has shown itself to be a political instrument and "weapon used by the west to enslave" other states.
- It is also seen as a move to defend its "sovereignty and national pride".
- As most ICC investigation involves African governments, there is a popular perception that the institution is biased.



International Criminal Court

- ICC is an intergovernmental organization and international tribunal that sits in The Hague in the Netherlands established under Rome Statute.
- It began functioning in 2002, the date that the Rome Statute entered into force.
- The ICC has the jurisdiction to prosecute individuals for the crimes of genocide, crimes against humanity, and war crimes.
- States which become party to the Rome Statute by signing and subsequently ratifying it, become member states of the ICC.
- Withdrawal of Burundi brings the membership down by 1 to 122. Gambia and South Africa were also threatening to pull out.
- United Nations Security Council or individual states may also refer situations to the Court.

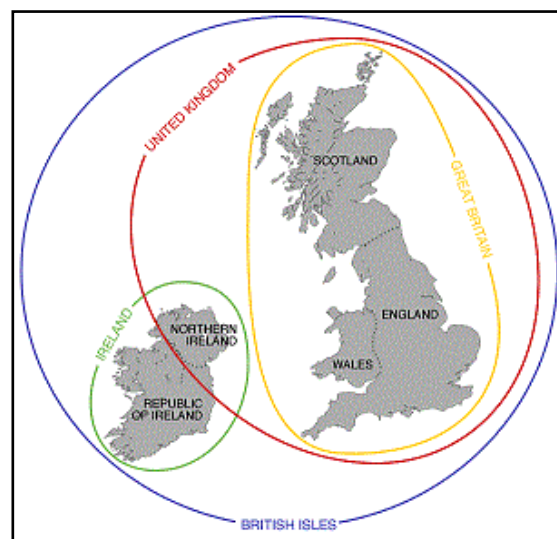
- While Russia had withdrawn its signature to the initial statute last year, it was never a member of ICC as it never ratified the statute.
- USA, Israel, UAE and several other countries are also signatories to the 'Rome Statute' but haven't ratified it as yet.

Balfore Declaration of 1917

- It is now 100 years since the Balfour declaration of 1917.
- The Zionist movement to make Palestine a home for Jews gained momentum after mass exodus of Jews from Russia.
- The movement was headed by Weizmann and he lobbied hard to gain support of powerful Jewish men from worldwide.
- He drafted a 'declaration a demands' in mid-1917 and British Foreign Secretary '**Arthur Balfour**' was courted to move a Zionist statement in the cabinet.
- It was made during World War I (1914-1918) and was included in the terms of the British Mandate for Palestine after the dissolution of the Ottoman Empire.
- In late 1917, the Britain cabinet finally declared complete support for the Zionist demands and promised help for the same, which gave birth to Balfour declaration.
- The Balfour Declaration was a public pledge by Britain in 1917 declaring its aim to establish "a national home for the Jewish people" in Palestine.
- It added that the civil and religious rights of existing non-Jewish communities in Palestine shall be protected.
- It also vouched for protecting the rights of the Jewish people and the political status enjoyed by them in any other country.
- The declaration, however, meant that Palestine would come under British occupation and that the Palestinian Arabs who lived there would not gain independence.

Ireland's Impact on Brexit

- Tension over Northern Ireland's border issues is hampering Brexit talks.
- Ireland is an island that lies to the west of the British mainland and has two separate politically independent territories.
- Northern Ireland which is about 1/6th of the total island is a part of the UK and is administered as a relatively autonomous region.
- The rest of the island forms the 'Republic of Ireland' and is an independent sovereign nation since 1922.
- Both the Republic of Ireland and UK (thereby Northern Ireland) became members of the European Economic Community (EEC) in 1973.
- EEC later evolved to become the EU and also to a great extent helped to ease the tensions between the Unionists & Nationalists.
- As Britain is set to leave the EU, it will also be exiting the single market and customs union.
- Hence, the future relationship between Republican Ireland and Northern Ireland is currently a challenging puzzle to solve.



Warsaw Convention

- It refers to an international agreement that defines the rules and regulations that govern civil aviation.

- It defines the potential liability that an international carrier faces with regards to the air transport of people and luggage of various kinds.
- It helps provide a common framework for dispute resolution between parties belonging to different countries.
- **Montreal Convention** is a multilateral treaty adopted by member states of International Civil Aviation Organisation (ICAO).
- It amended important provisions of the Warsaw Convention's regime concerning compensation for the victims of air disasters.

Sahara Forest Project

- Jordan has launched “Sahara Forest Project” to turn its sand dunes into farming land to produce food using sun and seawater.
- The project is funded by Norway and the European Union.
- It will use solar panels to provide power and include outdoor planting space, two saltwater-cooled greenhouses, a water desalination unit and salt ponds for salt production.
- Jordan is a water poor country that is 90% desert, located on the east bank of Jordan River in West Asia.
- It is bordered by Saudi Arabia to the east and south; Iraq to the northeast; Syria to the north; Israel, Palestine and the **Dead Sea** to the west; and the **Red Sea** in its extreme south-west.



Codex Alimentarius Commission (CAC)

- CAC is an international food standards setting body.
- It facilitates evolving a common standardization process for global trade and availability.
- Codex Alimentarius (Food code) is a collection of internationally recognized standards, codes of practice, guidelines, and other recommendations relating to foods, food production, and food safety.
- CAC has recently adopted three Codex standards for black, white and green pepper, cumin and thyme owing to India's efforts to benchmark global spices trade.
- With the adoption of codex standards, spices have been included for the first time as commodities that will have such universal standards.
- It will benefit the trade from universal agreement to identify good quality spices.

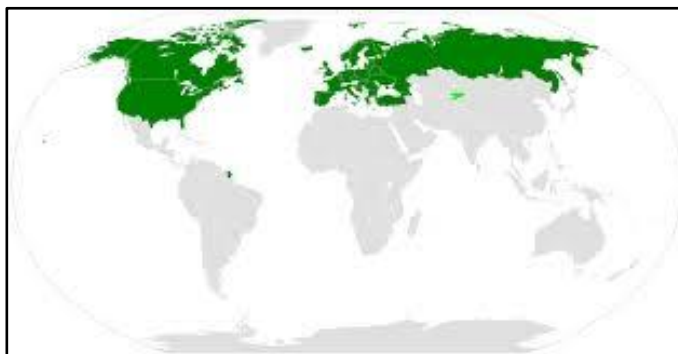
World Petroleum Congress

- World Petroleum Congress is widely recognized as the `Olympics` of the oil and gas industry.
- The congress is organised tri-annually and various countries in World Petroleum Council bid to host the session in their country.
- Turkey has won the bid to host 22nd World Petroleum Congress – 2017.
- It attracts Ministers, CEOs of Oil and Gas MNCs, experts and academics from the hydrocarbon sectors, and provides an ideal forum to showcase the potential of hydrocarbon sector in various countries.
- **World Petroleum council** – It is a non-advocacy, non-political organisation with charitable status in the U.K. and has accreditation as a Non-Governmental Organization from the United Nations.

- The WPC is dedicated to the promotion of sustainable management and use of world's petroleum resources for the benefit of all.

Open Skies Treaty

- The Treaty on Open Skies establishes a regime of **unarmed aerial observation flights** over the territories of its signatories.
- The Treaty is designed to enhance mutual understanding and confidence by giving all participants, a direct role in gathering information through aerial imaging on military forces and activities of concern to them.



- The treaty is one of the most wide-ranging international arms control efforts to date to promote openness and transparency in military forces and activities.
- Currently, it has 34 member states. Russia and U.S. are signatories to the treaty.

Open Skies Agreement

- The national civil aviation policy of 2016 allows countries covered under such agreements an unlimited number of flights to the six metro airports in Delhi, Mumbai, Hyderabad, Kolkata, Bengaluru and Chennai.
- Recently, India has finalised an Open Skies Agreement with Japan, allowing designated airlines of both signatory countries to operate freely.
- In 2003, India had signed an open skies agreement with the 10-member ASEAN.
- India had signed the agreement with US (2005), Jamaica, Guyana, Czech Republic, Finland, Spain, Sri Lanka (2016) and with Greece (2017).

SITA

- Supporting Indian Trade and Investment for Africa (SITA) is a project of the International Trade Centre which aims to catalyze at least \$80 million worth investment by 2020 between East African Countries and India.
- It covers five East African countries such as Ethiopia, Kenya, Rwanda, Uganda and the United Republic of Rwanda.
- Though Indian SMEs interested in exploring opportunities in African markets, they are not aware of the new geographies, political and socio economic situations, investment climate, regulatory framework.
- SITA helps bridge this gap through awareness building workshops and seminars. It also disseminates sector-focused information.

International Law Meet

- The International Institute of Law was founded in 1873 in Belgium by international lawyers
- The institute selects 132 lawyers from different countries to act independently towards international legal measures.
- Recently, its 78th session of global level meeting was held in India.
- It is the **first time** that **India is hosting** this global legal meeting.
- Some of the topics discussed at the session were judicial review of the decisions of the U.N. Security Council, the legal issues concerning international migration and international investment disputes.
- The institute was awarded the Nobel Peace Prize in 1904 for its efforts to promote settlement of disputes among States through peaceful means.



India top remittance-receiving country

- According to a recent UN report, Indians working across the globe sent home USD 62.7 billion last year, making India the top remittance-receiving country surpassing China
- In the decade between 2007 and 2016, India surpassed China to become the top receiving country for remittances.
- The top 10 sending countries account for almost half of annual flows, led by the US, Saudi Arabia and Russia.

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IAS PARLIAMENT