

2020



drishti

# CURRENT AFFAIRS

**POLITY AND NATION**

17<sup>th</sup> February - 22<sup>nd</sup> February



BusinessLine



## 1. Central Administrative Tribunal

### Why in News?

Recently, the All India Conference of the Central Administrative Tribunal was held in New Delhi.

- Apart from central services issues, the CAT will soon have jurisdiction to handle disputes and other issues related to the non-central services in the Union Territory of Jammu and Kashmir.

### Central Administrative Tribunal

- The **42nd Constitutional Amendment Act (1976)** introduced a new **Part XIV-A** in the Constitution consisting of Articles 323-A and 323-B.
  - It empowered the Parliament and the State Legislatures to create separate Tribunals for adjudication of disputes in certain specific areas.
  - **Article 323 A** empowers the Parliament to provide for the establishment of administrative tribunals for the adjudication of disputes relating to recruitment and conditions of service of persons appointed to public services of the Centre, the states, local bodies, public corporations and other public authorities.
  - **Article 323 B** authorises the Parliament and the state legislatures to provide for the establishment of tribunals for the adjudication of disputes relating to the following matters:

a. Taxation	e. Ceiling on urban property
b. Foreign exchange, import and export	f. Elections to Parliament and state legislatures
c. Industrial and labour	g. Food stuffs
d. Land reforms	h. Rent and tenancy rights
- **Establishment:** Parliament enacted Administrative Tribunals Act, 1985 providing for the establishment of Administrative Tribunals, both at the Centre and State levels.
- The aim is the speedy resolution of disputes pertaining to service matters of civil servants.
- **Membership:**
  - The CAT is a multi-member body consisting of a chairman and members.
  - The members have been given the status of judges of High Courts.
  - They are drawn from both judicial and administrative streams and are appointed by the President.
- **Jurisdiction:**

- The CAT exercises **original jurisdiction** in relation to **recruitment and all service matters of public servants** covered by it.
- Its jurisdiction extends to the all-India services, the Central civil services, civil posts under the Centre and civilian employees of defence services.
- However, the members of the defence forces, officers and servants of the Supreme Court and the secretarial staff of the Parliament are not covered by it.
- **Term of Office:**
  - They hold office for a term of five years or until they attain the age of 65 years, in case of chairman and 62 years in case of members, whichever is earlier.
  - The appointment of Members in CAT is made on the basis of recommendations of a high powered selection committee chaired by a **Sitting Judge of the Supreme Court** who is nominated by the Chief Justice of India.
- **Appeal against the order of CAT:**
  - Originally, appeals against the orders of the CAT could be made only in the Supreme Court and not in the high courts.
  - However, in the Chandra Kumar case (1997), the Supreme Court declared this restriction on the jurisdiction of the high courts as unconstitutional, holding that judicial review is a part of the basic structure of the Constitution.

## **2. Assisted Reproductive Technology Regulation Bill**

### **Why in News?**

The Union Cabinet approved the Assisted Reproductive Technology Regulation Bill, 2020.

- It will monitor medical procedures used to assist people to achieve pregnancy.

### **Key Features of the Bill**

- The Bill will regulate the **Assisted Reproductive Technology (ART)** services in the country.
- It establishes ART banks to promote ethical practices.
- **Pre-Genetic Implantation Testing Mandatory:**
  - The test allows doctors to test embryos for any possible abnormal chromosomes before they are transferred to the uterus.
  - This is **to avoid any genetic diseases** in the population born through these technologies.
- **A National Board** which will lay down a code of conduct to be observed by those operating ART clinics.

- The Board will also formulate minimum standards for laboratory and diagnostic equipment and practices to be followed by human resources employed by clinics and banks.
- The States and Union Territories will also have to form State Boards and State authorities.
- **National Registry and Registration Authority:**
  - It will maintain a Central database and assist the National Board in its functioning.
- **Stringent punishment for those**
  - Practicing sex selection
  - Sale of human embryos or gametes
  - Operating rackets
- **Assisted Reproductive Technology (ART)**
  - ART is used to treat infertility.
  - It includes medical procedures used primarily to address fertility.
  - ART involves procedures such as In vitro Fertilization (IVF), cryopreservation of gametes or embryos, and/or the use of fertility medication.
  - It includes surrogacy as well.

### **In vitro Fertilization (IVF)**

- In vitro Fertilization(IVF) is one of the more widely known types of Assisted Reproductive Technology (ART).
- The opposite to 'In-vitro' is 'In-vivo', which comes from the latin word 'within the living'.
- In vivo refers to experimentation being done in a living organism.
- In vitro means outside the body.
  - Fertilization means the sperm has attached to and entered the egg.
- During IVF, mature eggs are collected (retrieved) from the ovaries and fertilized by sperm in a lab.
  - Then the fertilized egg (embryo) or eggs (embryos) are transferred to a uterus.

### **Significance**

- India has one of the highest growths in the number ART centres and ART cycles performed every year.
- It has become one of the major centres of this global fertility industry, with reproductive medical tourism becoming a significant activity.
  - This has also introduced a plethora of legal, ethical and social issues.
- The bill makes provisions for safe and ethical practice of assisted reproductive technology services in the country.
- The Bill will ensure confidentiality of intending couples and protect the rights of the child born through ART.



drishti

### **3. Women Eligible for Permanent Commission**

#### **Why in News?**

Recently, the Supreme Court has ruled that the Short Service Commission (SSC) women officers are eligible for the permanent commission and command posts in the Army irrespective of their years of service.

- The court ordered the government to implement its judgment in three months.
- The verdict came on a nearly 10-year-old appeal filed by the government against the 2010 decision of the Delhi High Court to grant SSC women officers permanent commission.

#### **Highlights of the Judgement**

- All Serving Women Officers will be eligible for the Permanent Commission (PC).
  - The court has done away with all discrimination on the basis of years of service for grant of PC in 10 streams of combat support arms and services, bringing them on a par with male officers.
- Women are eligible for command posts in non-combat areas since “an absolute bar on women seeking criteria or command appointments would not go with the guarantee of equality under Article 14”.
- SC’s stand on Combat Role
  - The exclusion of women from combat operations was not examined by the court as it was not contested in the appeal.
- **Court’s observations:**
  - **Reflects Poorly on Women:**
    - The note had shown women officers in a poor light, saying isolation and hardships would eat into their resolve and that they would have to heed to the call of pregnancy, childbirth and family.
    - It had mentioned that women ran the risk of capture by enemy and taken prisoner of war.
  - **Patriarchal Notion:**
    - The court held that the note reflected the age-old patriarchal notion that domestic obligations rested only with women.
  - **Sex Stereotype:**
    - The court also dismissed the point that women are physiologically weaker than men as a “sex stereotype”.
  - **Offence to dignity of Indian Army:**
    - The court noted that challenging abilities of women on the ground of gender is an offence not only to their dignity as women but to the dignity of the members of the Indian Army

– men and women – who serve as equal citizens in a common mission.

- **Implication of Judgement**

- The women officers will be eligible to occupy all command appointments, at par with male officers.
- After implementation of the judgement, a woman can rise to the rank of colonel and above based on merit, like their male counterparts.

### **Short Service Commission (SSC) scheme**

- Under the SSC scheme, women were commissioned into the Army for a period of 10 years, extendable up to 14 years.
- Women were, however, restricted to roles in specified streams such as Army Education Corps, Corps of Signals, Intelligence Corps, and Corps of Engineers.
- These specified streams excluded combat arms such as infantry and armoured corps.
- While male SSC officers could opt for permanent commission at the end of 10 years of service, this option was not available to women officers.
  - Women officers were kept out of any command appointment, and could not qualify for government pension, which starts only after 20 years of service as an officer.
- However, in the February 2019 policy statement, the Government endorsed the permanent commission for SSC women officers in 10 streams of the ‘Combat Support Arms’ and ‘Services’ sections.
- But it was said that the women officers would not be offered any command appointments, and would serve only in staff posts.

## **4. 22<sup>nd</sup> Law Commission of India**

### **Why in News?**

- The Union Cabinet has **approved the 22<sup>nd</sup> Law Commission of India for a period of three years.**

### **Key Points**

- **The 22<sup>nd</sup> Law Commission of India shall, inter-alia:**
  - Identify laws which are no longer needed or relevant and can be immediately repealed;
  - Examine the existing laws in the light of Directive Principles of State Policy and suggest ways of improvement and reform;
  - Suggest such legislations as might be necessary to implement the Directive Principles and to attain the objectives set out in the Preamble of the Constitution;



- Consider and convey to the Government its views on any subject relating to law and judicial administration that may be specifically referred to it by the Ministry of Law and Justice;
- Consider the requests for providing research to any foreign countries as may be referred to it Ministry of Law and Justice;
- Take all such measures as may be necessary to harness law and the legal process in the service of the poor;
- Revise the Central Acts of general importance so as to simplify them and remove anomalies, ambiguities and inequities.
- **The 22nd Law Commission will consist of:**
  - a) A full-time Chairperson;
  - b) Four full-time Members (including Member-Secretary)
  - c) Secretary, Department of Legal Affairs as ex-officio Member;
  - d) Secretary, Legislative Department as ex officio Member; and
  - e) Not more than five part-time Members.

### **Law Commission of India**

- It is an **executive, non-statutory body** and **non-permanent** established by the Government of India from time to time.
- The Commission was **originally constituted in 1955** and is **reconstituted every three years**.
  - The first Law Commission was established during the British Raj era in 1834 by the Charter Act of 1833 and was chaired by Lord Macaulay.
- The Law Commission has so far submitted 277 reports.
- **Benefits:**
  - It works as an **advisory body to the Ministry of Law and Justice**.
  - The Law Commission shall, on a reference made to it by the Central Government or suo-motu, undertake research in law and review of existing laws in India for making reforms therein and enacting new legislation.
  - It shall also undertake studies and research for bringing reforms in the justice delivery systems for elimination of delay in procedures, speedy disposal of cases, reduction in cost of litigation etc.
  - The Government will have the benefit of recommendations from a specialised body on different aspects of law which are entrusted to the Commission as per its terms of reference.

### **21<sup>st</sup> Law Commission of India**

- Established in 2015 and tenure was upto 31<sup>st</sup> August, 2018.
- Headed by **Justice B.S. Chauhan (retd.)**.
- The law panel submitted a report on Uniform civil code, Simultaneous elections to the Lok Sabha and assemblies.



- It supported Simultaneous elections. However, it had said the time for a common code was not yet ripe.

## 5. **SUTRA PIC**

### **Why in News?**

Recently, the Ministry of Science & Technology has unveiled a programme **SUTRA PIC or Scientific Utilisation Through Research Augmentation-Prime Products from Indigenous Cows** to research on ‘indigenous’ cows.

### **Key Points**

- SUTRA PIC is led by the **Department of Science & Technology** and funded by multiple scientific ministries.
  - It has the:
    - a) Department of Biotechnology
    - b) Council of Scientific and Industrial Research
    - c) Ministry for AYUSH (Ayurveda, Unani, Siddha, Homoeopathy)
    - d) Indian Council of Medical Research and others
- **SUTRA PIC has five themes:**
  - Uniqueness of Indigenous Cows
  - Prime-products from Indigenous Cows for Medicine and Health
  - Prime-products from Indigenous Cows for Agricultural Applications
  - Prime-products from Indigenous Cows for Food and Nutrition
  - Prime-products from indigenous cows-based utility items
- **The above themes aim to perform:**
  - Scientific research on the complete characterisation of milk and milk products derived from Indian indigenous cows.
  - Scientific research on nutritional and therapeutic properties of curd and ghee prepared from indigenous breeds of cows by traditional methods.
  - Development of standards for traditionally processed dairy products of Indian-origin cows, etc.
- **Other initiatives:**
  - In 2017, Science for Equity, Empowerment and Development (SEED) constituted a National Steering Committee (NSC) for ‘Scientific Validation and Research on Panchgavya (SVAROP)’.
  - Panchgavya is an Ayurvedic panacea and is a mixture of five (pancha) products of the cow (gavya) — milk, curd, ghee, dung and urine.

## **6. 16th foundation of day of National Commission for Scheduled Tribes (NCST)**

### **Why in News?**

Union Minister for Tribal Affairs inaugurated the function to celebrate “16th Foundation Day of National Commission for Scheduled Tribes (NCST)”.

- On this occasion, the NCST has also decided to institute a national award named as “NCST Leadership Award”.

### **National Commission for Scheduled Tribes (STs)**

- The National Commission for Scheduled Tribes is a constitutional body; established by Article 338-A through 89th the Constitution (89th Amendment) Act, 2003.
- It came into existence on 19th February 2004.
- **Composition :** It consists of a Chairperson, a Vice-Chairperson and 3 other Members who are appointed by the President by warrant under his hand and seal.
  - At least one member should be a woman.
  - The Chairperson, the Vice-Chairperson and the other Members hold office for a term of 3 years.
  - The members are not eligible for appointment for more than two terms.
- The Chairperson has been given the rank of Union Cabinet Ministers, the Vice Chairperson has the rank of a Minister of State and other Members have the rank of a Secretary to the Government of India.

### **Functions**

- To investigate and monitor all matters relating to the constitutional and other legal safeguards for the STs and to evaluate their working.
- To inquire into specific complaints with respect to the deprivation of rights and safeguards of the STs.
- To participate and advise on the planning process of socio-economic development of the STs and to evaluate the progress of their development under the Union or a state.
- To present to the President, annually and at such other times as it may deem fit, reports upon the working of those safeguards.
- To make recommendations as to the measures that should be taken by the Union or a state for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the STs.
- To discharge such other functions in relation to the protection, welfare and development and advancement of the STs as the President may specify.

## **NCST Leadership Award**

- On the occasion of foundation day, the National Commission for Scheduled Tribes (NCST) instituted a national award named as “NCST Leadership Award” which will be conferred for significant and exemplary services towards Scheduled Tribes in the country.
- ***The awards will be given in 3 categories :***
  - Educational Institutions/ Universities
  - Public Sector Undertakings/Banks
  - Public Service rendered by an Individual, NGO or Civil Society

## **7. Treating a Child Witness**

### **Why in News?**

A Public Interest Litigation (PIL) has been filed in the Karnataka High Court seeking a departmental inquiry against the police officials who allegedly questioned the children in wake of anti CAA protests, without the consent of their parents or guardians.

### **Relevant Indian Laws Related to Children**

#### **Juvenile Justice (Care and Protection of Children) Act, 2015**

- The Act does not provide guidelines specifically relating to questioning or interviewing children as witnesses. However, it advocates for the following:
- The Act prescribes that a Special Juvenile Police Unit is to be constituted by the state government in each district headed by a police officer not below the rank of Deputy Superintendent of Police, and including two social workers, at least one of whom must be a woman
- The Act also provides for a Child Welfare Committee in every district.

#### **POCSO Act: The Protection of Children from Sexual Offences (POCSO) Act, 2012**

- It has specific guidelines regarding interviewing children as witnesses, though the guidelines pertain to child sexual abuse victims.
  - Interviews should be conducted in a safe, neutral, child-friendly environment, including allowing for them to be done at homes.
  - It says a child should not be made to recount the incident in question multiple times.
  - The Act also allows for a support person, who could be trained in counselling, to be present with the child to reduce stress and trauma.

## **8. Mahadayi tribunal's award**

### **Why in News?**

The Supreme Court has passed an interim order allowing an application by the State of Karnataka to notify the Mahadayi Water Dispute Tribunal's award.

- The final decision on the verdict will be taken by the Supreme Court in

the month of July.

### **Mahadayi Water Disputes Tribunal**

- Mahadayi Water Disputes Tribunal under **Interstate River Water Disputes Act** has been constituted to decide the sharing of the river waters by the riparian states.
- The tribunal has pegged Karnataka's access to 13.4 tmc of Mahadayi River water for its consumptive use (5.4 tmc) and power generation (8.02 tmc).
- Goa was allowed to use 24 tmc for the state's municipal water needs, irrigation water requirements and industrial water demands.
- Maharashtra was awarded the lowest share of 1.33 tmc for meeting its in-basin needs with respect to five projects.

### **Interstate River Water Dispute Act**

- The Interstate River Water Disputes Act, 1956 (IRWD Act) is an Act of the Parliament of India enacted under Article 262 of Constitution of India.
- to resolve the water disputes that would arise in the use, control and distribution of an interstate river or river valley.
- According to its provisions, if a State Government makes a request regarding any water dispute and the Central Government is of opinion that the water dispute cannot be settled by negotiations, then a Water Disputes Tribunal is constituted for the adjudication of the water dispute.
- The act was amended in 2002, to include the major recommendations of the Sarkaria Commission - one year time frame to set up the water disputes tribunal and also a 3 year time frame to pronounce a decision.

## **9. Statehood Day of Mizoram and Arunachal Pradesh**

### **Why in News?**

The states of Arunachal Pradesh and Mizoram are celebrating their statehood day on February 20th.

- On 20th Feb (1987) Mizoram and Arunachal Pradesh came into being as the 23rd and 24th states of Indian Union respectively.

### **Mizoram**

- Mizoram became a state with the implementation of North-Eastern Reorganization Act, 1972. Mizoram being a mountainous region was a district of Assam till 1972.
- In 1891, the region was annexed by the British. During British rule, the Lushai hills region was under Assam and the southern half with Bengal. These two regions were united in 1898.
- After the Reorganization act, 1972, Mizoram became a Union Territory.
- Later, in 1986, a historic MoU was signed between the GoI and the Mizo National Front and Mizoram became a state in 1987.

## **Arunachal Pradesh**

- In 1972, the state was called the North-East Frontier Agency. Later in 1975, an elected Legislative Assembly was constituted. The area of Arunachal Pradesh was integrated with Assam at the time of Independence.
  - After the Reorganization act, 1956, Arunachal Pradesh remained as a Union Territory.
  - Later it was granted statehood in 1987 by the state of Arunachal Pradesh act, 1986.

## **10. Worldwide Education for Future Index 2019**

### **Why in News?**

India ranked 35th in the **Worldwide Educating for the Future Index (WEFFI) 2019**.

- The report is published by The Economist Intelligence Unit.

### **Key Points:**

- WEFFI ranks countries based on their abilities to equip students with skill-based education.
- The rankings are based on three categories:
  - Policy environment.
  - Teaching environment.
  - Overall socio-economic environment.

### **India's Performance:**

- India was ranked 35th with a score of 53 as it jumped from its previous ranking of 40th position.
- India improved its ranking due to a new education policy introduced and published in 2019 which focuses on critical thinking, communication and entrepreneurship.

### **Challenges:**

- Inability of the Indian education system to utilise the opportunity of internationalising the higher education system.
- Another challenge is a **decentralised education system**.

### **Top performers:**

- Finland
- Sweden
- New Zealand
  - Among the world's largest economies, the US, UK, France and Russia fell back in the index while China, India and Indonesia took steps forward



### About WEF Index:

- The index and report are commissioned by the **Yidan Prize Foundation**.
- It was developed to assess the effectiveness of education systems in preparing students for the demands of work and life in a rapidly changing landscape
- It is the first comprehensive global index to evaluate inputs to education systems rather than outputs such as test scores and concentrates on the 15-24 age band in 35 economies
- The report analyses the education system from the perspective of skill-based education “**in areas such as critical thinking, problem-solving, leadership, collaboration, creativity and entrepreneurship, as well as digital and technical skills.**”

### 11. 4th anniversary of RURBAN Mission

#### Why in News?

The 4th Anniversary of the launch of Shyama Prasad Mukherji Rurban Mission (SPMRM) was observed on 21st February 2020.

#### Shyama Prasad Mukherji Rurban Mission (SPMRM)

- SPMRM is a scheme launched by the Ministry of Rural Development (MoRD) in 2016.

#### Objectives:

- Bridging the rural-urban divide-viz: economic, technological and those related to facilities and services

#### Rurban Clusters:

There are 2 categories of clusters: Non-Tribal and Tribal:

- Rurban clusters are identified across the country's rural areas showing increasing signs of urbanization - i.e. increase in population density, high levels of non-farm employment, presence of growing economic activities and other socioeconomic parameters

#### Aims:

- The scheme aims to deliver **integrated project based infrastructure in the rural areas**, which will also include development of economic activities and skill development.
- It aims to transform Rurban clusters by stimulating local economic development, enhancing basic services, and creating well planned Rurban clusters.
- Under the mission 300 Rurban clusters are envisaged to be developed in a time bound manner.
- For the purposes of SPMRM, Rurban areas refer to a **cluster of 15-20 villages having about 30 to 40 lakh population**

**Funding:**

- SPMRM is a **Centrally Sponsored Scheme (CSS)**
- The Mission has two fund streams: (1) Convergence through various Central sector schemes, centrally sponsored schemes, State sector/ sponsored schemes/ programmes, CSR funds, and (2) Critical Gap Funds (CGF).
- The Mission is seeking extension by 2 years to complete all the identified works.

**12. Global Health Security Index****Why in News?**

The World Health Organization (WHO)'s Global Health Security Index has found that no country including India is adequately prepared to deal with the new strain of coronavirus (SARS-CoV-2) that is causing worldwide panic.

**Key points:**

- The report says that India is ill-prepared to deal with the new strain of coronavirus (SARS-CoV-2) and policymakers must take forceful action to prevent the spread of the new virus .
- Health expenditure by the government in India is less than 1.5% of Gross Domestic Product, which is low for a middle-income country.
- According to WHO, India has only 80 doctors per 1,00,000 people.

**GHS Index:**

- The GHS Index is a joint project of the Johns Hopkins Center for Health Security and the Nuclear Threat Initiative (NTI), with research by The Economist Intelligence Unit (EIU).
- Global Health Security Index is first comprehensive assessment and benchmarking of health security and related capabilities across 195 countries
- It assesses countries across six categories — prevention, early detection, rapid response, health system quality, standards, and the risk environment.
- India is ranked 57th, the U.S. is ranked first and China 51st.
- Thailand is ranked sixth in the Health Security Index — the highest ranking for an Asian country