

2019



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# CURRENT AFFAIRS

**POLITY AND NATION**

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BusinessLine



## 1. Chief Justice of India's office under RTI

### Why in News?

In a landmark judgement the Supreme Court has ruled that the office of the Chief Justice of India (CJI) is a public authority under the Right to Information (RTI) Act.

- A five-judge Constitution Bench headed by Chief Justice Ranjan Gogoi upheld a Delhi High Court ruling of 2010 dismissing appeals filed by Central Public Information Officer of the Supreme Court.

### Delhi High Court's Judgment in 2010

- The Delhi High Court pronounced a judgment on 10 January 2010 that the office of the Chief Justice comes under the ambit of the RTI Act.
- The Delhi High Court rejected the appeal of the apex court that judicial independence would be 'obstructed' by bringing the CJI office under the purview of RTI.

### Significance of the Supreme-Court Ruling:

- The office of the CJI will now entertain RTI applications and cannot deny information on the basis of compromising judicial independence.
- The apex court's decision would now serve as a precedent to usher in more transparency, especially institutions such as CBI and Political Parties that had hitherto been reluctant to comply with the Act.
- The judgment is an acknowledgment that transparency and accountability go hand in hand, and that transparency need not lead to any compromise in judicial independence.
- Under the RTI Act, 2005, every **public authority** has to provide information to persons requesting for the information under the Act.

### Public Authority

- "Public authority" is defined in **Section 2(h) of the RTI Act** means:
  - Any authority or body or institution of self government established or constituted:
    - By or under the Constitution of India
    - By any other law made by Parliament
    - By any law made by State Legislature
    - By notification issued or order made by the appropriate Government; and
  - It includes any body owned, controlled or substantially financed by the Government or Non-Government organisation substantially financed directly or indirectly by funds provided by the appropriate Government.

## 2. Maharashtra Placed Under President's Rule

### Why in News?

As no stable government could be formed, even after 20 days since the Maharashtra state assembly election result was announced, the President of India approved a proclamation imposing President's Rule in Maharashtra, following a recommendation from the Governor of the state.

- The Assembly will be kept under suspended animation.
- The proclamation was issued under Article 356(1) of the Indian Constitution.

### About President's Rule

- **Article 356** of the Indian Constitution states that the President of India can suspend state legislature and impose President's rule in any state in the country "if he is satisfied that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution".
- **Parliamentary Approval** - A proclamation imposing President's Rule must be approved by both the Houses of Parliament within two months from the date of its issue, by a simple majority.
- **Duration** - If approved by both the Houses of Parliament, the President's Rule continues for six months.
  - It can be extended for a maximum period of three years with the approval of the Parliament, every six months.
- **Revocation** - a proclamation of President's Rule may be revoked by the President at any time by a subsequent proclamation. Such a proclamation does not require parliamentary approval.

### Impact of President's Rule

- The state Governor, on behalf of the President, carries on the state administration with the help of the Chief Secretary of the state or the advisors appointed by the President.
- The Parliament becomes empowered to make laws with respect to any matter in the state list in relation to that state. These laws remain operative even after President's Rule is revoked.

### Guidelines in case of a Hung Assembly

- **Punchhi Commission on Centre-State Relations**
  - The party or combination of parties which commands the widest support in the Legislative Assembly should be called upon to form the Government.
  - If there is a pre-poll alliance or coalition, it should be treated as one political party and if such coalition obtains a majority, the leader of such coalition shall be called by the Governor to form the Government.

- In case no party or pre-poll coalition has a clear majority, the Governor should select the Chief Minister in the order of preference as indicated below:
  - 1) The group of parties which had pre-poll alliance commanding the largest number.
  - 2) The largest single party staking a claim to form a government with the support of others.
  - 3) A post-electoral coalition with all partners joining the government.
  - 4) A post-electoral alliance with some parties joining the government and the remaining including independents supporting the government from outside.

### **3. Disqualification of MLAs**

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

The Supreme Court has upheld the disqualification of 17 dissident legislators approved by the then Karnataka Assembly Speaker under the Tenth Schedule.

- The Tenth Schedule of the Constitution (which embodies the anti-defection law) is designed to prevent the evil of political defections motivated by the lure of office or material benefits or other similar considerations.

#### **Anti-Defection Law**

- The Anti-Defection Law was passed in 1985 through the 52<sup>nd</sup> Amendment to the Constitution.
- The amendment added the Tenth Schedule to the Indian Constitution.
- According to law, a member of a House belonging to any political party becomes disqualified for being a member of the House:
  - If he voluntarily gives up his membership of such political party.
  - If he votes or abstains from voting in such House contrary to any direction issued by his political party without obtaining prior permission of such party and such act has not been condoned by the party within 15 days.
- Any question regarding disqualification arising out of defection is to be decided by the presiding officer of the House.
- The presiding officer of a House is empowered to make rules to give effect to the provisions of the Tenth Schedule.

#### **4. Pardoning Power of the President**

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

The Ministry of Home Affairs (MHA) has asked the Punjab government to commute the death sentence of Balwant Singh Rajoana, convicted for the assassination of former Chief Minister Beant Singh.

- The pardoning power of the President is an executive power under Article 72 of the Constitution.
- It empowers the President to grant pardons to persons who have been tried and convicted of any offence in all cases where the:
  - Punishment or sentence for an offence against a Union Law.
  - Punishment or sentence is by a court martial (military court).
  - Sentence is a sentence of death.
- The pardoning power of the President includes the following:
  - **Pardon** removes both the sentence and the conviction and completely absolves the convict from all sentences, punishments and disqualifications.
  - **Commutation** denotes the substitution of one form of punishment for a lighter form. For example, a death sentence may be commuted to rigorous imprisonment, which in turn may be commuted to a simple imprisonment.
  - **Remission** implies reducing the period of sentence without changing its character. For example, a sentence of rigorous imprisonment for two years may be remitted to rigorous imprisonment for one year.
  - **Respite** denotes awarding a lesser sentence in place of one originally awarded due to some special facts, such as the physical disability of a convict or the pregnancy of a woman offender.
  - **Reprieve** implies a stay of the execution of a sentence (especially that of death) for a temporary period. Its purpose is to enable the convict to have time to seek pardon or commutation from the President.

#### **5. Maternal Mortality Rate Declining**

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

India's Maternal Mortality Ratio (MMR) has seen a decline from 130 per 1 lakh live births in 2014-2016 to 122 per 1 lakh live births in 2015-2017, according to the latest Sample Registration System (SRS) 2015-2017 bulletin.

##### **Maternal Mortality Rate (MMR)**

- MMR is the annual number of maternal deaths per 1 lakh live births.
- Maternal death refers to the death of a woman while pregnant or within 42 days of termination of pregnancy.
- It is a key performance indicator for efforts to improve the health and safety of mothers before, during, and after childbirth.

- Progress in reducing the MMR will help the country to achieve the SDG 3 target of MMR below 70 by 2030.

### **Key Highlights of the Report:**

- Best performing states:
  - 1) Kerala
  - 2) Maharashtra
  - 3) Tamil Nadu
- Karnataka has shown the highest percentage decline in MMR.
- The decline has been most significant in Empowered Action Group States (EAG) from 188 to 175.
  - Bihar, Jharkhand, Madhya Pradesh, Chhattisgarh, Odisha, Rajasthan, Uttar Pradesh, Uttarakhand and Assam fall under EAG States group.
- So far, 11 states have achieved the National Health Policy target of MMR well ahead of 2020. The **National Health Policy aims to reduce MMR to 1/1000 live births.**

### **Reasons for decline:**

- Focus on quality and coverage of health services through public health initiatives have contributed majorly to the decline.
- Some of the initiatives are:
  - LaQshya
  - Poshan Abhiyan
  - Janani Suraksha Yojana
  - Pradhan Mantri Surakshit Matritva Abhiyan
  - Pradhan Mantri Matru Vandana Yojana
- The implementation of the **Aspirational District Programme** and inter-sectoral action has helped reach the most marginalised and vulnerable sections of the population.
- Recently launched **Surakshit Matritva Aashwasan Initiative (SUMAN)** aims to reduce preventable maternal and newborn deaths to zero.

### **About Sample Registration System (SRS)**

- The SRS is a large-scale demographic survey for providing reliable annual estimates at the national and subnational levels of:
  - Infant Mortality Rate
  - Birth Rate
  - Death Rate
  - Other Fertility & Mortality Indicators
- It functions under the Office of the Registrar General of India, Ministry of Home Affairs.
- The revision of SRS sampling frame is undertaken every ten years based on the results of the latest Census.

## 6. Sisseri River Bridge

### Why in News?

The Indian Defence Minister recently inaugurated Sisseri River bridge at Lower Dibang Valley in **Arunachal Pradesh**.

- The bridge has been built under the Border Area Development Programme (BADP).

### About Sisseri River Bridge

- This 200-metre long bridge between Jonai-Pasighat-Ranaghat-Roing road will provide connectivity between **Dibang Valley and Siang**.
- The bridge was constructed under '**Project Brahmanak**' of Border Roads Organisation (BRO).
  - There are four projects of BRO in the state namely **Vartak, Arunank, Brahmanak and Udayak** to meet the strategic requirement of the nation and to contribute in the socio-economic development of the region.
- **Importance:**
  - Provides connectivity to Tinsukia via Dhola-Sadiya bridge and cuts down the travel time from Pasighat to Roing by about five hours.
  - Strategically important from military view point and will be a part of Trans Arunachal Highway.
  - Play an important role in the overall development by opening more avenues in the fields of employment, trade & tourism.
  - Strong infrastructure in Arunachal Pradesh would also act as a bridge between India and South-East Asian countries.

### Border Area Development Programme (BADP)

- BADP was started in 1986-87 along the India-Pakistan borders. It was later extended to all border areas including North East in 1993-94.
- The programme is implemented by the **Department of Border Management** of the **Ministry of Home Affairs (MHA)** as part of a comprehensive approach to Border Management.
- Its implementation includes development of community-based infrastructure like forestry, pasture land, fishery ponds, floriculture parks, community centres, mobile dispensaries, mini marketing yards, etc. in border areas.
- **Aims & Objectives:**
  - To meet the special development needs of the people living in remote and inaccessible areas situated near the international border.
  - To saturate the border areas with the essential infrastructure through convergence of Central/State/BADP/Local schemes and participatory approach.
- The funds under BADP are provided to the States as a 100% non-lapsable Special Central Assistance.

- The programme was amended in 2015 to provide the provision for third party inspection and quality control mechanism under MHA for random inspections of the BADP schemes.

## **7. Scrap APMCs and Move on to eNAM**

### **Why in News?**

The Indian Finance Minister has recommended that the States should dismantle the Agricultural Produce Market Committees (APMCs) and move on to e-National Agriculture Market (eNAM).

### **About APMC**

- The APMC system was established in the 1960s with the purpose of preventing exploitation of farmers and ensuring transparent market and trade practices.
- APMC is a statutory market committee constituted by a State Government in respect of trade in certain notified agricultural or horticultural or livestock products, under the Agricultural Produce Market Committee Act issued by that state government.
- It aims to regulate physical trading of commodities by creating a marketplace where buyers and farmers could meet, trade in farm produce at regulated market yards.
- **Shortcomings of APMC:**
  - Farmers have to pay commission, marketing fee, APMC cess and other taxes and fees which pushes up the cost of production and eats into the profits of farmers.
  - Entry barriers through high prohibitive fee has established monopoly of a few individuals or groups in the APMCs.
  - APMCs play the dual role of regulator and marketplace. This conflict of interest undermines its role as a regulator, causing inefficiencies and loss to farmers.

### **About eNAM**

- eNAM is a pan-India electronic trading portal which networks the existing APMC mandis to create a unified national market for agricultural commodities.
- It seeks to leverage the physical infrastructure of the mandis through an online trading portal, enabling buyers situated even outside the Mandi/ State to participate in trading at the local level.
- Small Farmers Agribusiness Consortium (SFAC) is the lead agency for implementing eNAM under the aegis of Ministry of Agriculture and Farmers' Welfare, Government of India.

- **Benefits of eNAM:**

- eNAM promises more options for sale. It would increase farmer's access to markets without the need to transport his produce to the mandi.
- The integration of all the major mandis of the country into NAM will establish common procedures for issue of licences, levy of fee and movement of produce. Resulting in higher returns to farmers, lower transaction costs to buyers and stable prices and availability to consumers.
- Local traders will gain access to a larger national market of agricultural products.

### Way Forward

- Though the Centre has been promoting eNAM since 2016, it is not clear if the online portal is ready to bear the entire burden of agricultural trade.
  - We need to substantially upgrade and integrate our digital infrastructure in order to operationalise a platform of such a large scale.
- Ensuring participation of the farmers and APMCs is the key.
  - Currently only 1.6 crore farmers out of 12 crore in the country have registered on the portal so far.
  - Only 585 APMCs in 18 States and only 21 interstate trade APMCs participants in 8 States have been connected to the e-NAM portal so far

## 8. Premature Deaths in India

### Why in News?

An analysis published in **The Lancet Global Health**, which looked at about 9.7 million deaths in India in 2017, found that every condition that was common in one part of India was uncommon elsewhere.

- It is funded by the Ministry of Health and Family Welfare Government of India.

### Key Findings:

- Premature deaths due to various causes, expressed as **years of life lost** (YLLs), were unevenly distributed in terms of the burden on the states.
- Liver and alcohol-related YLL rates were high in the northeastern states, Bihar, Karnataka, and Maharashtra, accounting for 18% of national YLLs.
- Suicide YLL rates were highest in the southern states, accounting for 15% of national totals.
- Road traffic injuries were high in the northern states of Uttar Pradesh, Punjab, Uttarakhand, Haryana and Himachal Pradesh, accounting for 33% of national totals.

- Drowning YLL rates, meanwhile, were highest in the central states of Madhya Pradesh and Chhattisgarh, and in Assam in the Northeast, accounting for 11% of national totals
- In 2017, India had 486 million DALYs
  - **Disability-adjusted life years (DALYs)**, a measure of the number of years lost due to ill health or disability.
- More than three quarters of deaths and DALYs occurred in rural areas, and males accounted for 54.3% of all DALYs.
- DALY rates in rural areas were at least twice those of urban areas for certain conditions.

## 9. Skill India Certifies Candidates Formally Under RPL

### Why in News?

Minister of Skill Development and Entrepreneurship (MSDE) certifies 500 skilled candidates at 'Meet at Agra 2019' Agra, Uttar Pradesh.

- Certified candidates are trained and assessed on their skills set under the Recognition of Prior Learning (RPL) program of Pradhan Mantri Kaushal Vikas Yojana (PMKVY).

### Pradhan Mantri Kaushal Vikas Yojana

- Pradhan Mantri Kaushal Vikas Yojana (PMKVY) is the **flagship scheme** of the **Ministry of Skill Development & Entrepreneurship** and implemented through **National Skill Development Corporation**.
- **Objective:**
  - To enable Indian youth for industry-relevant skill training that will help them in securing a better livelihood.

### Key Components

- **Short Term Training:** Training as per National Skills Qualification Framework (NSQF) is provided to those who are either school/college dropouts or unemployed.
- **Recognition of Prior Learning (RPL):** It is a platform to certify those individuals who have work experience in a concerned skill or have learned a skill without formal training or qualification according to the National Skills Qualification Framework.
- **Special Projects:** This component ensures training in special areas and premises of government bodies and corporate. It aims to encourage training in vulnerable and marginalised groups of society.
- **Training Partners:** These are mandated to organise Kaushal and Rozgar Melas every six months, thus providing placement assistance to certified ones.
- Under the scheme, a monetary reward is given to trainees on assessment and certification by a third party assessment bodies.

- Focus under the PMKVY is on improved curriculum, better pedagogy and better trained instructors. Training includes soft skills, personal grooming, behavioral change for cleanliness, good work ethics.
- PMKVY is applicable to any candidate of Indian nationality who is unemployed, school or college dropout, or as identified by the Sector Skill Council for their respective job roles.



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