



## News Analysis (14 Jan, 2019)

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### India-US Mini '2+2' Talks

India and the U.S. have reviewed the progress of **Industrial Security Annex (ISA)** and the **Basic Exchange and Cooperation Agreement for Geo-spatial Cooperation (BECA)** agreements during the recent '2+2' intercession meeting.

- The agreements are significant in the context of **Asia Reassurance Initiative Act (ARIA)**.
- Under ARIA, around **\$1.5 billion in funding will be channeled into improving US ties with partners in the Asian region** in the next five years. Though the Act frames a strategy for the US in Asia, it singles out India as an important military partner.
- The **inaugural 2+2 dialogue between India and U.S.** was held last September.

### Industrial Security Annex (ISA)

- ISA agreement allows **sharing of classified information from the US government and US companies with the Indian private sector**.
- Till now, sharing of information was limited to the Indian government and the defence public sector undertakings.
- The ISA will give a **boost to the Indian private sector looking for a greater role in defence manufacturing**.

### "Four Foundational Agreements" between the US and its Partners

- **General Security Of Military Information Agreement (GSOMIA)**
  - GSOMIA allows gathered by them.
  - Signed by India in 2002.
- **Logistics Exchange Memorandum of Agreement (LEMOA)**
  - LEMOA allows both countries to **have access to each other's designated military facilities** for refueling and replenishment.
  - Signed by India in 2016.

- **Communications and Information Security Memorandum of Agreement (CISMOA)**
  - COMCASA (Communications Compatibility and Security Agreement) is the India specific version of CISMOA.
  - Valid for 10 years, COMCASA aims to provide a legal framework for the **transfer of highly sensitive communication security equipment from the US to India** that will streamline and facilitate interoperability between their armed forces.
  - Signed by India in 2018.
- **Basic Exchange and Cooperation Agreement (BECA)**
  - BECA will allow India and US to share geospatial and satellite data with each other.
  - India has not signed BECA yet.

## Government Re-Promulgates Triple Talaq Ordinance

The government has **re-promulgated** the **Muslim Women (Protection of Rights on Marriage) Ordinance, 2019**, banning the practice of instant triple talaq (**'talaq-e-biddat'**).

A Bill to convert the earlier ordinance, issued in September, 2018, was cleared by **the Lok Sabha in December** and is **pending in the Rajya Sabha**. Since the Bill could not get the Parliamentary approval, the fresh ordinance was issued.

### Ordinance Making Power of President

- Under the Constitution, the power to make laws rests with the legislature. However, in cases when Parliament is not in session, and **'immediate action'** is needed, the President can issue an ordinance.
- **Article 123** of the Indian constitution empowers the **President** to promulgate ordinances.
- After the ordinance is notified it is to be laid before Parliament **within 6 weeks** of its first sitting.
- Parliament could either choose to pass the ordinance, disapprove it or it may lapse within the 6 week time frame.
- As **maximum gap between two session of a house can be 6 months** therefore maximum life of a ordinance can be **6 months and 6 weeks**.
- An ordinance made when both the Houses are in session is void. Thus, the power of the President to legislate by ordinance is **not a parallel power of legislation**.
- In addition, the President may chose to withdraw the ordinance.
- **In Cooper case, (1970)**, the Supreme Court held that the President's satisfaction can be questioned in a court on the ground of malafide.

The **38<sup>th</sup> Constitutional Amendment Act of 1975** made the President's satisfaction final and conclusive and beyond judicial review. But, this provision

was deleted by the **44<sup>th</sup> Constitutional Amendment Act of 1978**. Thus, the President's satisfaction is justiciable on the ground of malafide.

- In the **D C Wadhwa case (1987)** the court ruled that successive re promulgation of ordinances with the same text without any attempt to get the bills passed by the assembly would amount to violation of the Constitution and the ordinance so re-promulgated is liable to be struck down.

It held that the exceptional power of law-making through ordinance cannot be used as a substitute for the legislative power of the state legislature.

- In **Krishna Kumar Singh vs. State of Bihar (2017)**, the Supreme Court stated that ordinances are subject to judicial review, and do not automatically create enduring effects.

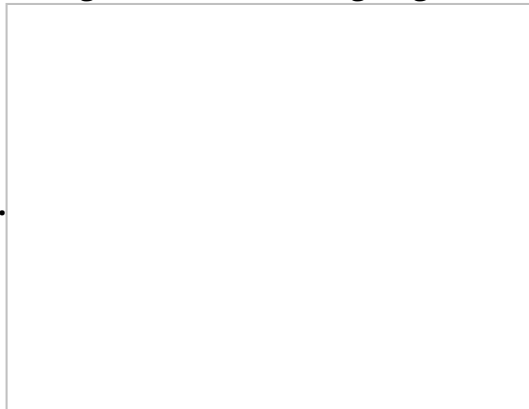
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## Macedonia's New Name

Parliament of the **Republic of Macedonia** has voted to change their country's name to the **"Republic of North Macedonia"**.

- Macedonia agreed to change its name after signing the **Prespa Agreement with**

**Greece in June 2018.**



- Prespa is a fresh-water lake in southeast Europe shared by Albania, Greece, and Macedonia.
- With this agreement, a long-standing dispute between the two countries came to an end.
- **The dispute was that the region of Greece bordering the Republic of Macedonia is also called Macedonia.**
- **Neighboring country Greece has objected to its name and said that it implied the Macedonian republic's territorial aspirations over the northern region of Greece.**
- The change of name will now allow the Republic of Macedonia to enter the North Atlantic Treaty Organization (NATO) and the European Union (EU) as its accession to both organizations was vetoed by Greece.

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## India-Central Asia Dialogue

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India's External Affairs Minister (EAM) Sushma Swaraj has participated in **first India-Central Asia Dialogue in Samarkand, Republic of Uzbekistan.**

- Apart from five central Asian states of Kazakhstan, Uzbekistan, Kyrgyzstan, Turkmenistan, and Tajikistan, **Afghanistan also participated in the conference.**
- Dialogue focussed on a number of issues **including ways to improve connectivity and stabilize war-ravaged Afghanistan.**
- **India will host the next India-Central Asia Dialogue in 2020.**
- India has proposed setting up of '**India-Central Asia Development Group**' to take forward development partnership between India & Central Asian countries.  
The group may enable New Delhi to expand its footprints in the resource-rich region amid China's massive inroads and to fight terror effectively, including in Afghanistan.
- India has proposed **a dialogue on air corridors** with the countries of landlocked Central Asia in an attempt to boost trade, which is currently below \$2 billion.
- India also **called on the Central Asia Republics to participate in the Chabahar Port project.**

### **Ashgabat Agreement**

- India joined the **Ashgabat Agreement in 2018.**
- The aim of agreement is to establish an international multimodal **transport and transit corridor** between **Central Asia and the Persian Gulf.**
- The Agreement was first signed by **Uzbekistan, Turkmenistan, Iran, Oman, and Qatar on 25 April 2011.**
- Qatar subsequently withdrew from the agreement in 2013, Kazakhstan and Pakistan joined the grouping in 2016.
- **The Ashgabat Agreement came into force in April 2016.**
- Its objective is to **enhance connectivity within the Eurasian region** and synchronize it with other regional transport corridors, including the International North-South Transport Corridor (INSTC).

### **India-Uzbekistan Relation**

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Important Facts for Prelims (14th January 2019)

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## Wild Animals Killed in Road and Train Accidents



- In a response to a question, the Ministry of Environment, Forest and Climate Change (MoEFCC) told the Rajya Sabha that 49 **elephants were killed** in Railway accidents between 2016-18.
- In the same 3-year period, three tigers were killed in road accidents while eight tigers in railway accidents.
- In 2016, the MoEFCC issued an advisory document titled 'Eco-friendly measures to mitigate impacts of linear infrastructure on wildlife' to **mitigate human-animal conflicts**. Yet, the death of wild animals have continued unabated.

## Farm to Port Project

- The United Arab Emirates (UAE) and Saudi Arabia had decided to use India as a base to address their food security concerns. To implement this, India has announced a Farm-To-Port Project.
- The farm-to-port project is similar to a special economic zone but in the style of a corporatized farm, where crops would be grown keeping in mind the requirements of UAE and Saudi Arabia's market.
- For the first time, India's export policy identifies the potential of agriculture along with horticulture, dairy, plantation and fisheries.
- Exporting the produce will give a boost to farm income. If successful, it would create a whole new sector for agro-industries.

## Kambala

- Kambala is an annual festival celebrated in the Dakshina Kannada district of Karnataka.
- The festival involves the traditional buffalo race generally held from November to March.
- The buffaloes are made to race one after another in paddy fields as a thanksgiving to the Gods for protecting the animals from diseases.

## Commonwealth Secretariat Arbitral Tribunal

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- Recently Justice AK Sikri has turned down government offer to nominate him to **Commonwealth Secretariat Arbitral Tribunal (CSAT)**.
- This comes days after his vote helped decide the removal of Alok Verma from the post of CBI director.

### Commonwealth Secretariat Arbitral Tribunal (CSAT)

- The Commonwealth Secretariat is the main intergovernmental agency and central institution of the Commonwealth of Nations.
- The Secretariat is located in **London, the United Kingdom**.
- It was **established in 1965**, plays the role of an arbiter in case of disputes among its 53 member-countries.
- The CSAT has a total of eight members, including its president. The members are picked up on the basis of regional representations from among persons of high moral character who must hold or have held high judicial office in a Commonwealth country.
- A CSAT member has a tenure of **four years**.

### Commonwealth of Nations

- It is an international intergovernmental organization of countries that were mostly former territories of the British Empire and dependencies.
- It was established by the London Declaration in 1949.
- Queen Elizabeth II is the head of the Commonwealth.
- Many countries from Africa, Asia, Americas, Europe and the Pacific have joined the commonwealth.
- The current membership includes 53 Countries. The membership is based on free and equal voluntary co-operation.
- The last country to join the Commonwealth was Rwanda in 2009.
- The Commonwealth Heads of Government Meeting is a biennial summit meeting of the heads of government from all Commonwealth nations.

## India's Largest Startup Ecosystem

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- One of country's largest startup ecosystems with 1.8 lakh sq ft. facility housing incubation infrastructure across a series of sectors in technology was **launched in Kerala**.
  - The Integrated Startup Complex under the **Kerala Startup Mission (KSUM)** includes ultra modern facilities in fields such as biotechnology, computer-aided design, augmented/virtual reality and advanced communication.
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