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Polity and Governance

1. Uncertain govt. policies clouded developer sentiment, hit solar capacity addition: Crisil

Context

- Inconsistent government actions have cast a shadow over developer sentiment in the solar sector and slowed down capacity addition momentum, Crisil said in a report.
- This will result in the government achieving only 60% of its 100 GW target by 2022. Crisil Research expects solar power capacity additions of 48-50 GW between fiscals 2019 and 2023

Details of the Report

- The developer sentiment has been negatively impacted by the lack of clarity on several policy issues and arbitrary bid cancellations, which is contrary to a supportive policy stance from the government
- India's solar sector installed capacity is expected to touch 60 GW by 2022 and 70 GW by 2023.
- The report said the two main factors increasing cost pressures for the solar sector included the imposition of the safeguard duty on solar component imports and the uncertainty over the Goods and Services Tax treatment of the sector.
- Clarification on the Goods and Services Tax (GST) procedures and its implementation for solar was not forthcoming for over a year, impacting commissioning schedules and project costs across developers. The report said that the Ministry of New and Renewable Energy had issued a clarification on the issue, saying that entirely solar projects would be taxable at 5%, but it also said that if an engineering, procurement, and construction (EPC) contract included both supply and services, it would be adjudged on a case-to-case basis. This created further concern, as most projects were set up on an EPC basis, whether in-house or outsourced
- The issue lacked clarity for over a year, until the GST Council in December 2018 clarified with regard to EPC contracts by setting a ratio of 70:30 of the entire value of the EPC contract, where 70% will be taxed at 5%, and 30% at 18%, to factor in both the supply and service component
- However, this clarification has meant an increased tax incidence, of about 8-9%, which is higher than the 5% expected by the industry, leading to an increase in final capital costs.
- Further, the imposition of the safeguard duty has resulted in an increase in capital costs by 10-15%, which resulted in bid tariffs moving in the range of ₹2.7-2.9 per unit.

Related Concept -The International Solar Alliance (ISA)

- The Paris Declaration establishes ISA as an alliance dedicated to the promotion of solar energy among its member countries.
- The ISA's major objectives include global deployment of over 1,000GW of solar generation capacity and mobilisation of investment of over US\$ 1000 billion into solar energy by 2030.
- As an action-oriented organisation, the ISA brings together countries with rich solar potential to aggregate global demand, thereby reducing prices through bulk purchase, facilitating the deployment of existing solar technologies at scale, and promoting collaborative solar R&D and capacity building.
- When the ISA Framework Agreement entered into force on December 6th, 2017, ISA formally became a de-jure treaty based International Intergovernmental Organization, headquartered at Gurugram, India

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Environment

1. Plastic in focus at UN environment forum

Context

- Thousands of delegates, business leaders and campaigners are in Nairobi for the five-day UN Environment Assembly, the top annual forum on the planet's environmental crisis.
- Countries from around the world set their sights on a pivotal deal to curb plastic waste, a source of long-term pollution and worsening contamination of the ocean's food chain
- The UN wants individual countries to sign up to "significantly" reduce plastic production, including a phasing out of single-use plastics by 2030 — a goal inspired by the 2015 Paris Agreement on voluntary reductions of carbon emissions.

Plastic Calamity

- Discovered in 1898, polyethylene, or what we call plastic, became available for mass production only in 1939.
- Since then, the material has invaded our lives—from single-use plastic bags and packaging to many other utilitarian uses.
- It is cheap, light and flexible. Replacing it is not an easy task. It is also a symbol of a kind of economic development model, which we in India have imported and embraced from the older industrialised countries, that is premised on the principle of discard and replace.
- Replacing this model now appears unthinkable. Yet, this is the source of our throwaway culture that has led to what the United Nations Environment Programme calls a "plastic calamity."

Plastic – Production and Consumption in India

<h3>Life in plastic</h3> <p>A look at the production and consumption in India</p>		
<p>Big importer</p> <ul style="list-style-type: none"> India is the 10th largest importer of plastic scrap after China and Hong Kong, the Netherlands, Germany, the U.S., Belgium, Malaysia, Canada, Austria and Taiwan 	<p>Rising threat: A worker sifting through used PET bottles at a waste collection centre near Chandigarh. ■ AKHILESH KUMAR</p>	
<p>Huge growth</p> <ul style="list-style-type: none"> India produces 25,940 tonnes of plastic every day, of which only 15,564 tonnes is collected The plastic processing industry recorded a compounded annual growth rate of 10% between 2010 and 2015 	<p>Massive use</p> <ul style="list-style-type: none"> India's annual plastic consumption is expected to rise from 12 million tonnes to 20 million tonnes by 2020, according to FICCI The average per capita consumption of plastic in India is about 11 kg against the global average of 28 kg 	<p>Waste generation</p> <ul style="list-style-type: none"> Solid waste generation per capita varies from 0.17 kg/person/day in small towns to roughly 0.62 kg/person/day in big cities

Problems with plastic

- Today we have evidence that our oceans contain an estimated 150 million tonnes of plastic waste; sea life, birds and plants are literally choking because of it; vast tracts of land are overwhelmed with landfills that cannot biodegrade because of virtually indestructible plastic waste; and it is most worrying that micro-plastics from this waste are now making their way into water sources and the food chain.
- A recent study of tap water samples from several countries revealed that India was third after the United States and Lebanon in water contaminated by microplastics; 82.4% of the samples tested contained plastic.
- While the health impacts of ingesting plastic, either through water or food, are still being assessed, the very fact that plastic waste is affecting water supply is a cause for serious concern. Since the 1950s, 8.3 billion tonnes of plastic have been produced worldwide, but only around 20% of it has been recycled or incinerated. The rest is in the sea, on mountain slopes, in rivers and springs, in wells, in landfills, and in piles of garbage that are now the symbol of urban blight, especially in India.
- The challenge of dealing with this seems so enormous that it requires virtually the reverse engineering of our approach towards production and consumption.

India's Experiments with plastic ban

- So far, 18 states have banned the use of single-use plastics in specific cities or demarcated areas. Nowhere has this been successful.

- The state that has achieved the most success in reducing the use of single-use plastics is Sikkim. Yet, despite a ban in 1998, till today it has not been successful in eliminating single-use plastic bags entirely.
- It has, however, managed to create awareness among its population of the environmental fallout of plastic waste and has tried to introduce cost-effective alternatives.
- On the other hand, in Delhi and Chandigarh, which along with Sikkim were part of a 2014 study by Toxics Link, “Toxics and the Environment,” a ban on plastic carry bags has failed to stop their use or to create consumer awareness.
- If this is the experience in small states of the size of Delhi and Chandigarh, what chance is there of such bans working in larger states like Maharashtra, which has recently notified a fairly drastic ban.

Why it is difficult to control plastic?

- The easy availability and cost-effectiveness of plastic carry bags for vendors, particularly those dealing with perishables like vegetables and meat
- The low level of consumer awareness of the environmental problems created by plastic waste
- The general poor implementation of all manner of environmental regulations in India – leading to “the classic tragedy of the commons” where “individual consumers benefit from the use of plastic bags because of their convenience, while the whole society bears the collective cost of their disposal.”

Way forward

- While regulation, deterrence, and incentives can be one part of the solution, the larger challenge is stopping production of single-use plastics. In India, for instance, 85%–90% of plastic production is in the small and medium sector that remains largely unregulated. Yet, stopping single-use plastic carry bags is not enough.
- We should not forget that 48% of the plastic waste is the packaging of branded edible items and it is the bigger industries, including multinationals that are responsible for this.
- Clearly, we need to enforce extended producer responsibility so that those using non-recyclable plastic in their packaging take responsibility and pay for its disposal. Furthermore, the alternatives to plastic bags, such as those made of biodegradable material, or of paper, jute, and cloth, need to be cost-effective. Finally, the consumer has to make a choice between convenience and an environmental disaster.

Health

1. WHO strategy to fight flu pandemics

Context

- The World Health Organization has launched a strategy to protect people worldwide over the next decade against the threat of influenza, warning that new pandemics are “inevitable”.
- Influenza epidemics, largely seasonal, affect around one billion people and kill hundreds of thousands annually, according to WHO, which describes it as one of the world’s greatest public health challenges.

Details of the WHO’s Strategy

- WHO’s new strategy, for 2019 through 2030, aims to prevent seasonal influenza, control the virus’s spread from animals to humans and prepare for the next pandemic

- The new strategy called for every country to strengthen routine health programmes and to develop tailor-made influenza programmes that strengthen disease surveillance, response, prevention, control, and preparedness.
- WHO recommends annual flu vaccines as the most effective way to prevent the spread of the disease, especially for healthcare workers and people at higher risk of influenza complications.
- It also called for the development of more effective and more accessible vaccines and antiviral treatments.
- Due to its mutating strains, vaccine formulas must be regularly updated and only offer limited protection currently.
- But Martin Friede, WHO's vaccines coordinator, urged broader use of seasonal vaccines, which not only protect vulnerable populations but also help prepare countries to rapidly deploy vaccines in the case of a pandemic. "In a perfect world, everyone would be vaccinated."

World Health Organization

- WHO is a specialized agency of the United Nations that is concerned with international public health
- It was established on 7 April 1948, and is headquartered in Geneva, Switzerland. The WHO is a member of the United Nations Development Group. Its predecessor, the Health Organisation, was an agency of the League of Nations.
- The constitution of the World Health Organization had been signed by 61 countries on 22 July 1946, with the first meeting of the World Health Assembly finishing on 22 July 1946.
- It incorporated the Office International d'Hygiène Publique and the League of Nations Health Organization.
- Since its establishment, it has played a leading role in the eradication of smallpox. Its current priorities include communicable diseases, in particular HIV/AIDS, Ebola, malaria and tuberculosis; the mitigation of the effects of non-communicable diseases such as sexual and reproductive health, development, and aging; nutrition, food security and healthy eating; occupational health; substance abuse; and driving the development of reporting, publications, and networking.
- The WHO is responsible for the World Health Report, the worldwide World Health Survey, and World Health Day.
- The current Director-General of the WHO is Tedros Adhanom, who started his five-year term on 1 July 2017

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EDITORIALS

Polity and Governance

1. The flawed unit of academic quotas (Reservation in Universities)

Brief Historical Background:

- In the history of reservations in India, the Parliament of India has sometimes had to resort to even constitutional amendments to overturn some court rulings that have the effect of protecting the interests of 'general candidates'.
- The 77th constitutional amendment of 1995, which was recently extended to Kashmir, restored reservation in promotions as a nine-judge bench of the Supreme Court in Indra Sawhney (1992) while upholding Other Backward Classes reservation based on Mandal Commission recommendations had prohibited Scheduled Caste/Scheduled Tribe (SC/ST) reservation in promotions.

Brief Background on the Constitution (One Hundred and Twenty Fourth Amendment) Bill, 2019

- The Constitution (One Hundred and Twenty-Fourth Amendment) Bill, 2019 was introduced in Lok Sabha by the Minister of Social Justice and Empowerment, Mr. Thaawar Chand Gehlot on January 8, 2019.
- The Bill seeks to provide for the advancement of "economically weaker sections" of citizens.
- Article 15 of the Constitution prohibits discrimination against any citizen on the grounds of race, religion, caste, sex, or place of birth. However, ***the government may make special provisions for the advancement of socially and educationally backward classes, or for Scheduled Castes and Scheduled Tribes.***
- ***The Bill seeks to amend Article 15 to additionally permit the government to provide for the advancement of "economically weaker sections".***
- Further, up to 10% of seats may be reserved for such sections for admission in educational institutions. Such reservation will not apply to minority educational institutions.
- Article 16 of the Constitution prohibits discrimination in employment in any government office. ***However, the government can allow reservation for any "backward class of citizens", if they are not adequately represented in the services under the state.***
- The Bill seeks to amend Article 16 to permit the government to reserve up to 10% of all posts for the "economically weaker sections" of citizens.
- The reservation of up to 10% for "economically weaker sections" in educational institutions and public employment will be in addition to the existing reservation.

Editorial Analysis:

- For the first time, private higher education institutions, both aided and unaided, will have to reserve 10% seats for the economically weaker sections.
- The Constitution (124 Amendment) Bill, 2019, provides for reservation for economically weaker section of the society in higher educational institutions, whether aided or unaided by the state other than the minority educational institutions referred to in Article 30 of the Constitution.
- The bill, will for the first time bring in reservation even in private-unaided colleges and universities, which constitute around 70% of institutions in the country.
- ***India is home to around 50,000 institutions catering to more than 35 million students in higher education.***

Possible Opposition:

- Private education players feel it will have negative ramifications and argued that the proposed law will face legal hurdles.

- Experts have opined that the bill, in its present form, will face resistance from private education providers as they do not reserve seats for Scheduled Caste (SC), Schedule Tribe (ST) or Other Backward Classes (OBC) students.
- Some private education players have remarked that the move will have four key ramifications on the sector—quality, recruiters’ apathy, legal problems, and cost involved with it.
- Some experts have pointed out that the bill may also open up avenues for caste-based reservations in private educational institutions.
- If the government mandates, then private players will have to abide by it, however, some experts have opined that this may set the precedent for reservations of all kinds in the private sector.
- A private university promoter has remarked that the biggest challenge will come from recruiters.
- Currently, private universities don’t have government support like IITs (Indian Institutes of Technology) or central universities.
- A concern that has also been expressed by the private university promoter, is that if recruiters stay away from the university because of quality dilution, then their survival will be at stake.

Perspective on Promotions

- The 81st constitutional amendment was made to overturn the Supreme Court’s decision against the ‘carrying forward’ rule, which ***permitted the filling of unfilled reserved seats in subsequent years.***
- Similarly, the 85th constitutional amendment was passed in 2001 to restore consequential seniority to promotee SC/ST employees as a ‘catch-up’ rule introduced by the court in Ajit Singh (1999) was causing hardship to SC/ST employees.
- In the month of March, 2019, the Narendra Modi government promulgated an ordinance to undo the Allahabad High Court’s judgment in Vivekanand Tiwari (2017) which had relied on a number of other High Courts and a few apex court judgments such as Suresh Chandra Verma (1990), Dina Nath Shukla (1997) and K. Govindappa (2009) that had made ‘department’ rather than ‘university’ as the unit of reservation in universities.
- In Vivekanand Tiwari, an advertisement of the Banaras Hindu University (BHU) for teaching positions was challenged. The BHU, like other Central universities, was following the University Grants Commission policy of treating ‘university’ as the unit for the purposes of reservation.
- However, due to judicial discipline, Justice Vikram Nath, who authored the judgment, did not have much of choice. But then Justice Nath himself did not seem to be a votary of reservations. In the beginning, he has said, “It is not a mandate but liberty given to the state. It is an enabling provision.” Thus, according to him, the government may not provide for reservation.

The importance of ‘shall’:

- Technically speaking, he is right. But then we cannot ignore that Article 335 categorically says that “claims” of SC/STs to posts in Centre and the States ‘shall’ be taken into consideration.
- ***As opposed to ‘may’ or ‘will’, the use of the word ‘shall’, in law, means mandatory.*** While the judgment ended at page 29, Justice Nath devoted several additional pages to make out a case for the re-examination of the reservation policy by the government though there were no pleadings on this issue. He asked it to examine whether reservation at all is needed in university teaching posts.
- Our courts have used the differences between ‘cadre’, ‘service’ and ‘post’ to arrive at the conclusion that ‘department’ should be unit of reservation.
- So though lecturers, readers and professors in a university have the same scale and allowances in their respective cadres, they cannot be clubbed together. Since there is no scope for interchangeability of posts in different disciplines, ***each single post in a particular discipline is be counted as a separate post.***
- On the face of it this seems to be perfectly logical. But the reality of the working of our universities is different. Every university spends lot of time in deciding reservation and tries to balance the competitive interests and needs of various departments.

- *Even with the ‘university’ as the unit, in over 40 Central universities we have huge under-representation of SCs and STs especially at the level of professor and associate professor.* If ‘department’ was allowed to be taken as a unit, these numbers would have been far less.
- In its review petition, the government did share with the Supreme Court the BHU’s example of the adverse effect of using ‘department’ as the unit.
- For example, there were 1,930 faculty posts on May 12, 2017. If the BHU were to implement reservation based on using ‘university’ as the unit of reservation, 289 posts would have had to be reserved for SCs, 143 for STs and 310 for OBCs. Under the new formula of using ‘department’ as the unit, the number of reserved positions would go down to 119 for SCs, 29 for STs and 220 for OBCs.

Beginning of an end: Perspectives from a Recent Study:

- Some experts have opined that the implementation of the department-wise reservation policy would have had a disastrous effect on other universities as well.
- A study of 20 Central universities by the Central government has shown that reserved posts will come down from 2,662 to 1,241 in a year.
- The number of posts of professor would have reduced from 134 to just 4 for SCs; from 59 to zero for STs, and from 11 to zero for OBCs.
- But number of unreserved or general posts would have drastically increased, from 732 to 932. At the level of associate professor, for SCs it will have reduced from 264 to 48, for STs from 131 to 6, and for OBCS from 29 to 14.
- But here again the number of general posts would have increased from 732 to 932. In the case of assistant professor, the number of reserved posts would have reduced from 650 to 275 in STs, from 323 to 72 for SCs, and from 1,167 to 876 for OBCs. But the number of unreserved or general posts would have gone up from 2,316 to 3,233.
- Thus department-wise reservation was a sophisticated beginning of an end of reservation.
- Some experts take the view that if SC/ST candidates do not become professors, they cannot become vice-chancellors as only a professor with 10-year experience is eligible for this. In 2018, out of some 496 vice-chancellors of Central and State universities, there were just six SC, six ST and 48 OBC vice-chancellors.
- The government deserves appreciation for the ordinance, though the timing of it on the eve of the elections is questionable.

Concluding Remarks:

- What we need to do more is to improve diversity on our campuses with more SCs, STs, OBCs, Muslims, persons with disabilities and sexual minorities being recruited as faculty as our campuses do not reflect social diversity despite the university being a unit for reservation.
- Let the score on the diversity index be a major criterion in giving grants to universities.

2. A promise to live by (Indian Electoral System)

Editorial Analysis:

- As the countdown for elections to the 17th Lok Sabha begins, the world’s largest democracy has a chance to re-imagine itself.
- Over the last 16 general elections and numerous elections at lower levels, the resolute trust that the founding fathers of the Republic put in the parliamentary democratic system has been substantially proven wise.
- India did make some dangerous turns and show signs of fragility, especially during the Emergency in the 1970s, but in the long term it expanded the scope of its democracy through widening representation, devolution of power and redistribution of resources.

Pressures Acting on Indian Democracy:

- There have been various maladies that have afflicted the country's democracy, such as disinformation campaigns, corruption, disenfranchisement of the weaker sections of the society, the corroding influence of money and muscle power in elections, and divisive majoritarian tendencies.
- While the representative character of institutions has in general improved, women and religious minorities are alarmingly underrepresented.
- The vulnerabilities of Indian democracy have been pronounced in the last five years, and some of its long-term gains have been undermined.

Role Played by the Election Commission of India:

- The Election Commission of India has over the decades evolved itself into a fine institution and plays a critical role in the sustenance of democracy.
- Its efforts to increase voter participation through a series of small steps over the years, including the use of the Electronic Voting Machines, have been praiseworthy.
- The ECI has announced a series of fresh measures to strengthen the integrity of the electoral process and curb some rapidly growing hazards such as the spread of falsehoods aimed at creating social polarisation for consolidation of votes. Measures such as better monitoring of social media campaigns, while steps in the right direction, are not in themselves adequate to deal with the challenges of these times.

Concluding Remarks:

- The exercise of elections itself is a matter of great pride for all Indians.
- This should also be an occasion to reiterate and reinforce Indian democracy's core values, its representative character and its promise of a constant rejuvenation of the collective spirit.
- This election is more than an exercise to elect a new government. The stakes are high for all contenders this year, and Indian politics has reached a level of competitiveness where ground rules of engagement are routinely disregarded. Prime Minister Narendra Modi, who rode to power in 2014 on the agenda of material progress through Hindutva, has to defend his reign to seek a second term. His opponents sense an existential danger from him and are trying to mobilise those left behind or who feel disempowered by his governance.
- While furthering individual interests, all parties must realise that democracy itself is at stake if the campaign is aimed at communal polarisation.
- Though the promise of Indian democracy has not been fully realised, voters have remained committed to it. They turn up in large numbers to vote, and consider the very act of voting as empowerment. That trust should be upheld.

3. A compromise is still possible (Court-mandated mediation-dispute over the site at Ayodhya)

Note to Students:

With the development of the Court-mandated mediation to resolve the dispute over the site at Ayodhya, many perspectives have been featured in the Hindu newspaper. This analysis takes into account two articles, namely, "*Strange turn*" that was published in the Hindu on the 9th of March, 2019 and, "*A compromise is still possible*" that was published in the Hindu on the 12th of March, 2019.

A Brief Look at History:

- The dispute over the site at Ayodhya, where a 16th century mosque stood until it was torn down by Hindutva fanatics in December 1992, has remained intractable since 1949.
- *After the demolition of the Babri Masjid, the President referred to the Supreme Court the question whether there was a temple to Lord Ram before the mosque was built at the site.*
- The court, in a landmark decision in 1994, declined to go into that question.
- More importantly, it revived the title suits and, thereby, restored due process and the rule of law.

Mediation: A Welcome Option?

- Experts have opined that mediation, especially when it is at the instance of a court, is a welcome option for those embroiled in protracted civil disputes.
- *A compromise could indeed be preferable to an order that may leave one side aggrieved.* However, it is questionable whether this principle can be applied to all disputes and in all situations.
- A welcome feature of the court-mandated mediation attempt is that it will not consume much time; the same eight weeks are needed for preparation for the final hearing.
- The confidentiality rule will be helpful as none would want the atmosphere to be vitiated by premature disclosures when the country is in election mode.
- However, *the inclusion of Sri Sri Ravi Shankar as one of the mediators is controversial.* In the past, he has made remarks to the effect that Muslims ought to give up their claim and that the failure to find a negotiated settlement will result in “civil war”.

Views expressed on the recent Supreme Court ruling:

- The recent order of the Honourable Supreme Court, appointing three mediators to find a solution to the Ram Janmabhoomi-Babri Masjid dispute is quite strange and incongruous, given that all such previous attempts have ended in failure.
- Further, the case is ripe for a final hearing, and not all parties favoured mediation.
- Experts have opined that the present attempt by the Supreme Court to give mediation a chance within a narrow window of eight weeks goes against the spirit of the 1994 decision.
- After all, it was that verdict that made possible the 2010 judgment of the Allahabad High Court, which favoured a three-way split of the site among Ram Lalla, the Sunni Wakf Board and the Nirmohi Akhara, which is under appeal.

Editorial Analysis:

- Experts have opined that the Supreme Court’s attempt to maintain Hindu-Muslim harmony through a mediated settlement of the long-standing Babri Masjid dispute *deserves appreciation.*
- But it has raised a couple of concerns too. One relates to the choice of a mediator, and the other to the efficacy of mediation at this stage.

Neutrality of the Mediator:

- By definition, a mediator is a neutral third party who facilitates a negotiated settlement between adversarial contenders.
- Unfortunately, the neutrality of one of the three court-appointed mediators, Sri Sri Ravi Shankar, has come into question as some of his public pronouncements in the recent past appear to negate his supposed disinterestedness.
- A year ago, in an open letter to the All India Muslim Personal Law Board (AIMPLB), Sri Sri Ravi Shankar had said: “People from both communities who are adamant on following the court’s verdict are also driving the issue to a situation of defeat.” The “best solution”, therefore, is “an out-of-court

settlement in which the Muslim bodies come forward and gift one acre of land to the Hindus who in turn will gift five acres of land nearby to the Muslims, to build a better mosque.”

- He even told Muslims that giving up their claim to the disputed property did not amount to “surrendering this land to the people who demolished the Babri Masjid or to a particular organisation. On the contrary, they are gifting it to the people of India”.
- Apart from the fact that this position betrays Sri Sri Ravi Shankar’s bias in favour of disputants belonging to one religion, it is difficult to understand the justifiability of treating a gift to Hindus as a gift to the people of India. Does he regard only Hindus as “the people of India” to the exclusion of other communities?
- Nonetheless, it stands to reason that Muslims would be in a position to gift the land only when their ownership of it is confirmed by the Supreme Court. If Muslims lose the case, the entire land would come under the control of Hindus and the question of Muslims giving up their claim would then be rendered redundant.
- But the Art of Living founder thinks that even a Hindu victory would not be conducive to peace. It could foster Muslim resentment and may “lead to riots throughout the country”, he told the AIMPLB, thereby insinuating that Muslims are violent. He seems to be unaware that Muslims have agreed to abide by the court verdict whichever way it goes. ***Now that he has been made a mediator, Sri Sri Ravi Shankar must clarify if he still stands by his statements.***

Advisability of mediation:

- ***Despite Hindu groups opposing a negotiated settlement, the Supreme Court made it clear that an attempt should be made to settle the dispute by mediation.***
- The Honourable Supreme Court of India overruled their objections by invoking Section 89 of the Code of Civil Procedure (CPC).
- Section 89 of the Code of Civil Procedure (CPC) allows the court to refer any dispute to one of the four modes of non-adjudicatory resolution processes: namely, arbitration, conciliation, judicial settlement (including settlement through Lok Adalat), or mediation. *In this case, the court opted for mediation.*
- This was again opposed on the basis of a two-judge Supreme Court judgment in ***Afcons infrastructure and Ors. v. Cherian Verkey Construction and Ors (2010)***. It illustratively explained that mediation cannot be done in a representative suit which involves public interest or the interest of large number of persons who are not represented in the court.
- However, the five-Judge bench led by Chief Justice of India Ranjan Gogoi differed. Citing the provisions of Order 1 rule 8 CPC and Order XXIII rule 3-B, it stated that there was ***no legal impediment to making a reference to mediation.***
- Whether the said CPC provisions would apply in the event parties arrive at a settlement in the mediation proceedings was left open to be decided later.
- Also, what the Supreme Court had frowned upon in *Afcons* was a civil court exercising power under Section 89 of the Code to refer a suit for “arbitration” without the concurrence of all the parties to the suit.
- ***But the court is free, the Supreme Court had said, to consider and decide upon any non-adjudicatory resolution method other than arbitration such as judicial settlement or mediation.***

An unresolved question:

- Questions still remain. If the Hindu groups continue to reject mediation, how will this dispute be resolved? And if they agree to negotiate, will the compromise they reach with Muslims be binding on all Hindus in India?
- Even Justice D.Y. Chandrachud, who conceded that a negotiated settlement is most ‘desirable’ in this case, was initially not sure if such a settlement could bind millions of Hindus and Muslims as the issue is not an ordinary dispute between two private parties.

A Win-win situation:

- If examined closely, it would be seen that the Babri Masjid dispute is not really an explosive issue affecting the religious sentiments of millions of Hindus and Muslims as has been portrayed.
- This may have been the case in the initial years after the illegal demolition of the Babri Masjid.
- The fact is, there is no evidence to show that the handful of parties claiming to represent Hindus and Muslims in this case are fully backed by their respective communities. In other words, ***the Babri Masjid/Ram Janmabhoomi imbroglio is no longer a life-affirming issue for the Indian masses, who are more concerned about jobs, poverty alleviation and access to affordable housing, health care and education.***
- That said, both communities cannot afford to let the Ayodhya dispute simmer forever and stall the country's socio-economic growth.
- The main reason for the unrelenting Muslim attitude is the fear that if they give up their claim on the Babri Masjid, Hindu groups would ask for other "disputed" mosques to be handed over.

Concluding Remarks:

- If this Muslim fear is addressed by the Hindu parties to the dispute, and also by influential organisations such as the Rashtriya Swayamsevak Sangh and the Vishwa Hindu Parishad, the chances of amicably resolving this seemingly intractable conflict would exponentially increase.
- A collective assurance from the Hindu side that it would not stake claim to any other "disputed" mosque in India could be the face-saving compromise and win-win situation both sides are looking for.
- It is true that the prolonged problem has had an adverse impact on the body politic and some "healing" is required.
- The only way to heal this festering wound on the body politic is to render complete justice not only in the civil case, but also for the criminal act of the demolition.
- ***No one must be left with the impression that the exercise is aimed at privileging the faith-based argument that the mosque stood at the exact spot where Lord Ram was born over the legal question on who holds the title to the land.***

International Relations

1. A case for aggressive diplomacy (India-Pakistan)

Editorial Analysis:

- Just as the conflict after India's bombing of the Balakot terror camp was winding down, Pakistan alleged on March 5, 2019 that it had thwarted the entry of an Indian submarine into its waters.
- India responded that Pakistan was indulging in false propaganda.
- On the same evening, the Pakistani Foreign Ministry issued a statement that its High Commissioner to India, Sohail Mahmood, would be returning to Delhi and talks with India on the Kartarpur Corridor would go ahead.
- It was a signal that tensions were officially being defused. India confirmed the talks on Kartarpur and also sent back Indian High Commissioner Ajay Bisaria to Islamabad.

Winding down tensions:

- It was U.S. President Donald Trump who provided the first clear indication of the involvement of major powers in defusing tensions between India and Pakistan.
- Apart from the Americans, the Chinese and Saudis also seem smack in the middle of the India-Pakistan equation.
- Critics have opined that if the Indian intention post-Pulwama was to isolate Pakistan, that doesn't seem to have happened.

- For the two governments, given that the score was level — one had shot down a F-16 and the other had shot down an MiG-21 — they could now respond positively to global concerns.

Look at recent developments:

- Critics have opined that the decision taken by the Government of India to go ahead with the Kartarpur talks days after tensions were at the peak, and after withdrawing the Most Favoured Nation status to Pakistan, is bizarre, however it does well to project India as being reasonable before the international community.
- Some experts have pointed out that there is little doubt that India got away with its pre-emptive strike in Balakot because Pakistan's denials that it has nothing to do with fostering groups like the Jaish-e-Mohammad (JeM) and Lashkar-e-Taiba (LeT) carry no credibility, including among thinking members of its own civil society.
- Further, the JeM even claimed responsibility for the Pulwama terror strike. There's also little doubt that India and Pakistan narrowly escaped a full-fledged conflict, the extent of which can never really be predicted amid social media propaganda, fake videos, domestic pressures and ugly jingoism on both sides.

The Vajpayee years: A Perspective

- The India-Pakistan nuclear 'deterrent' was first put to test by General Pervez Musharraf, who planned the Kargil incursion months after Pakistan went publicly nuclear in response to the Indian nuclear tests of May 11 and 13, 1998.
- As India began clearing the Kargil heights of the Pakistani Northern Light Infantry masquerading as 'mujahideen', there was enormous pressure on Prime Minister Atal Bihari Vajpayee to use the Indian Air Force across the Line of Control after the loss of two MiG aircraft.
- However, Vajpayee held firm against both public and IAF pressure.
- During the Kargil conflict, Pakistan's then Foreign Secretary Shamshad Ahmed and Minister Raja Zafar-ul-Haq made it clear that its nuclear weapons were not for show, but for use.
- ***Importantly, Pakistan's conduct during Kargil exposed the state as irresponsible and led to numerous international calls for respecting the LoC.***
- Some experts opine that had India retaliated across the LoC then, or hit back against Pakistani retaliation during this year's confrontation, the country's "miltabishment", to borrow Pakistani journalist Najam Sethi's expression, in Rawalpindi may well have been pondering the unthinkable nuclear option.
- Pakistan went to great lengths to obtain its nuclear capability to insulate itself against India and no "miltabishment" can survive there if it's unable to even the score with India.
- ***As far as Pakistan are concerned, the nuclear option is built into the trajectory of its survival as a state.***
- Experts opine that India can ignore such default Pakistani options at its own — and the region's — peril.
- During the Kargil war in 1999, after the Parliament attack in 2001, and post the Mumbai attack in 2008, two Prime Ministers of India had the option of retaliation, but they did not exercise it. Instead, ***India's patience projected the responsible nature of the state, which was in stark opposition to Pakistan's tattered credibility.***
- ***Some experts opine that whatever Pakistan is doing to rein in the JeM and LeT is being dictated by the threat of sanctions from the Financial Action Task Force, and not by Indian pressure.***
- These actions will vanish if the threat of sanctions dissipates.

Concluding Remarks: The Way Forward

- A conventional response to terrorist groups can demonstrate intent, but does very little to whittle down their abilities.

- *Experts opine that covert capabilities coupled with deft and persistent diplomacy is the only way forward in such difficult circumstances.*
- Critics allege that the government's inability to reach out to Kashmiris and its actions against the Hurriyat leadership at a time when the separatists have lost control of the public mood underline an uncaring attitude. They further point out that this has also created a fertile ground for Kashmiri youth to join terrorist ranks.
- *In conclusion, Indian state responses cannot be reactive to the agenda of terrorist groups, howsoever brutal their actions are.*
- *A calm, mature, informed and long-term strategy with aggressive diplomacy at its core, one that leverages India's economic strength, remains the country's best bet to deal with the terrorist threat from Pakistani soil.*

Indian Economy

1. Resolution, at last (Insolvency and Bankruptcy Code (IBC))

Note to Students:

We at BYJU'S have recorded a detailed discussion on the Insolvency and Bankruptcy Code (IBC), available for view on our YouTube page. The link is as below:

<https://www.youtube.com/watch?v=ZobbFTRJaN4>

Larger Background:

The Insolvency and Bankruptcy Code, 2016

What does the Code aim to do?

- The 2016 Code provides for a time-bound process to resolve insolvency.
- When a default in repayment occurs, creditors gain control over debtor's assets and must take decisions to resolve insolvency within a 180-day period.
- To ensure an uninterrupted resolution process, the Code also provides immunity to debtors from resolution claims of creditors during this period. The Code also consolidates provisions of the current legislative framework to form a common forum for debtors and creditors of all classes to resolve insolvency.

Who facilitates the insolvency resolution under the Code?

The Code creates various institutions to facilitate resolution of insolvency. These are as follows:

1. **Insolvency Professionals:** A specialised cadre of licensed professionals is proposed to be created. These professionals will administer the resolution process, manage the assets of the debtor, and provide information for creditors to assist them in decision making.
2. **Insolvency Professional Agencies:** The insolvency professionals will be registered with insolvency professional agencies. The agencies conduct examinations to certify the insolvency professionals and enforce a code of conduct for their performance.

3. Information Utilities: Creditors will report financial information of the debt owed to them by the debtor. Such information will include records of debt, liabilities and defaults.

4. Adjudicating authorities: The proceedings of the resolution process will be adjudicated by the National Companies Law Tribunal (NCLT), for companies; and the Debt Recovery Tribunal (DRT), for individuals. The duties of the authorities will include approval to initiate the resolution process, appoint the insolvency professional, and approve the final decision of creditors.

5. Insolvency and Bankruptcy Board: The Board will regulate insolvency professionals, insolvency professional agencies and information utilities set up under the Code. The Board will consist of representatives of Reserve Bank of India, and the Ministries of Finance, Corporate Affairs and Law.

What is the procedure to resolve insolvency in the Code?

The Code proposes the following steps to resolve insolvency:

1. Initiation:

When a default occurs, the resolution process may be initiated by the debtor or creditor. The insolvency professional administers the process. The professional provides financial information of the debtor from the information utilities to the creditor and manage the debtor's assets. This process lasts for 180 days and any legal action against the debtor is prohibited during this period.

2. Decision to resolve insolvency:

- A committee consisting of the financial creditors who lent money to the debtor will be formed by the insolvency professional.
- The creditors committee will take a decision regarding the future of the outstanding debt owed to them. They may choose to revive the debt owed to them by changing the repayment schedule, or sell (liquidate) the assets of the debtor to repay the debts owed to them. If a decision is not taken in 180 days, the debtor's assets go into liquidation.

3. Liquidation:

- If the debtor goes into liquidation, an insolvency professional administers the liquidation process.
- Proceeds from the sale of the debtor's assets are distributed in the following order of precedence: i) insolvency resolution costs, including the remuneration to the insolvency professional, ii) secured creditors, whose loans are backed by collateral, dues to workers, other employees, iii) unsecured creditors, iv) dues to government, v) priority shareholders and vi) equity shareholders.

II. The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2018

Highlights of the Ordinance:

- The Ordinance amends the Insolvency and Bankruptcy Code, 2016 to clarify that allottees under a real estate project should be treated as financial creditors.

- The voting threshold for routine decisions taken by the committee of creditors has been reduced from 75% to 51%. For certain key decisions, this threshold has been reduced to 66%.
- The Ordinance allows the withdrawal of a resolution application submitted to the NCLT under the Code. This decision can be taken with the approval of 90% of the committee of creditors.

Key Features:

1. Status of allottees:

- The Code defines a financial creditor as anyone who has extended any kind of loan or financial credit to the debtor. The Ordinance clarifies that an allottee under a real estate project (a buyer of an under-construction residential or commercial property) will be considered as a financial creditor, as the amount raised from allottees for financing a real estate project has the commercial effect of a borrowing.

2. Representative of financial creditors:

- During the insolvency resolution process, a committee consisting of financial creditors will be constituted for taking decisions (by voting) on the resolution process. The Ordinance specifies that, in certain cases, such as when the debt is owed to a class of creditors, the financial creditors will be represented on the committee of creditors by an authorised representative. These representatives will vote on behalf of the financial creditors as per the prior instructions received from them.

3. Voting threshold of committee of creditors:

- The voting threshold for decisions of the committee of creditors has been lowered from 75% to 51%. For certain key decisions of the committee, the threshold has been reduced from 75% to 66%. These include: (i) appointment of the resolution professional, (ii) approval of the resolution plan, and (iii) increasing the time limit for the insolvency resolution process.

4. Ineligibility to be a resolution applicant:

- The Ordinance amends the criteria which prohibits certain persons from submitting a resolution plan. For example, the Code prohibits a person from being a resolution applicant if his account has been identified as a non-performing asset (NPA) for more than a year.
- The Ordinance provides that this criterion will not apply if such applicant is a financial entity, and is not a related party to the debtor (with certain exceptions).
- Secondly, the Code also bars a guarantor of a defaulter from being an applicant.
- The Ordinance specifies that such a bar will apply if such guarantee has been invoked by the creditor and remains unpaid.

5. Applicability of the Code to Micro, Small, and Medium Enterprises (MSMEs):

- The Ordinance states that the ineligibility criteria for resolution applicants regarding NPAs and guarantors will not be applicable to persons applying for resolution of MSMEs.
- The central government may, in public interest, modify or remove other provisions of the Code while applying them to MSMEs.

6. Withdrawal of submitted applications:

- A resolution applicant may withdraw a resolution application, from the National Company Law Tribunal (NCLT), after such process has been initiated.
- Such withdrawal will have to be approved by a 90% vote of the committee of creditors.

Classification of allottees under a real estate project as financial creditors:

- With regard to corporate debtors, the Code defines two types of creditors:
(i) financial creditors, who have extended a loan or financial credit to the debtor, and (ii) operational creditors, who have provided goods or services to the debtor, the payment for which is due.
Financial creditors could be secured or unsecured. Secured creditors are those whose loans are backed by collateral (security).
- For example, person A decides to open a restaurant. He takes a loan from a bank to buy the property for the restaurant, using the property premises as the collateral. His friend B lends him some funds to manage the initial expenses, such as payment of salary to chefs and other support staff, buying produce, etc. In this example, the bank and friend B are financial creditors. The bank is a secured financial creditor since the loan is backed by a collateral (the restaurant premises), and friend B is an unsecured creditor. The chefs and staff at the restaurant are operational creditors. The supplier of produce is also an operational creditor.
- The Ordinance clarifies that allottees under a real estate project will be considered as financial creditors.
- This would give the allottees: (i) the power to initiate a resolution process, (ii) representation on the committee of creditors, and (iii) the guarantee of receiving a certain amount in case of liquidation.

Editorial Analysis:

- The National Company Law Tribunal's approval of ArcelorMittal's bid for the insolvent Essar Steel Ltd. is significant for several reasons.

Reasons for the significance:

1. Firstly, the ₹42,000-crore bid will be the largest single recovery of debt under the fledgling Insolvency and Bankruptcy Code (IBC) enacted in 2016.
 - Assuming that the original resolution plan submitted to the NCLT stands, the secured lenders will manage to recover about 85% of their dues.
 - The 15% haircut that they will suffer should be seen against the extraordinarily high amount of over ₹49,000 crore that is due from Essar Steel.
2. Secondly, the case, which took 583 days to resolve, compared to the 270 days provided under the Code, has tested several aspects of the law and set important precedents for the future.
 - Among the aspects that have been clarified during the long resolution process for Essar Steel are the eligibility of those who have defaulted in repaying their borrowings elsewhere to bid, the time-limits for bidding and the place of unsecured, operational creditors under the resolution mechanism.
3. Finally, this was seen as a marquee case for the IBC, given the high profile of the company and its promoters, and the amount at stake.
In the event, the successful culmination of the Essar Steel case will be a big leg-up for the insolvency resolution process that is less than three years old.

A Look at Specifics:

- Experts opine that though the NCLT has given the go-ahead, the last word on the subject may not have been heard as the existing promoters could go in appeal against the verdict.
- The Code provides for an appeal to the National Company Law Appellate Tribunal and then to the Supreme Court, and it is unlikely that the promoters, who bid a much higher ₹54,389 crore, will let go without a fight.
- The banks, though, will be hoping that the process ends in the next couple of weeks as they would want to account for the receipts from the resolution process within this financial year (2018-2019)
- After all, only four cases (excluding Essar Steel) out of the initial list of 12 big defaulters referred by the Reserve Bank of India for resolution back in June 2017 have been successfully resolved till now.
- Insolvency and Bankruptcy Board of India data also point to a pile-up of cases in the various benches of the NCLT.

Concluding Remarks:

- As many as 275 companies, representing 30% of the total of 898 undergoing resolution, have exceeded the 270-day limit set for resolution under the Code.
- This can be partly explained by the attempt of promoters to tie down the process through appeals at every stage, but the fact is that there is a need for more benches of the NCLT to clear the pile-up.
- The government would do well to look into this issue.

TIDBITS

1. Scientists rediscover wood snake last seen in 1878

- A species snake that for 140 resurfaced conducted in the Wildlife
- The endemic to forests and Tiger landscape,



of wood wasn't seen years has in a survey by scientists Meghamalai Sanctuary. species, the Meghamalai the Periyar Reserve was recently

rediscovered by R. Chaitanya, a herpetologist, and Varad Giri, director, Foundation for Biodiversity Conservation.

- The findings of the surveys, conducted over two years (2014-2016), were published in the Journal of the Bombay Natural History Society last month.
- “The snake is a ‘point endemic’ (found only in Meghamalai). It was found in the same region that Colonel Beddome alluded to, and the morphological characters match with his specimen,” said Dr. Chaitanya, who found a female specimen. The snake he discovered was 235 mm long and uniformly dark brown.
- The local population of wood snakes was last spotted and recorded by British military officer and naturalist Colonel Richard Henry Beddome in 1878, who went on to describe it as a new species, *Xylophis indicus*. The specimens he collected were deposited by the officer in the Natural History Museum, London, and labelled as being from “the dense heavy evergreen forests on the mountains at the south of the Cumbum valley, Madura.”
- Mr. Giri said the rediscovery of the snake indicated that the quality of the habitat was good. “The documentation of the existence of this species will aid in both the management and conservation of biodiversity in this region,” he said.
- In their research paper, the scientists also mention their rediscovery of *Xylophis indicus* needs to be validated by both morphological and genetic data. While the morphological aspect has been done, the genetic data is pending. Meghamalai Wildlife Warden S. Kalanithi acknowledged that the process of capturing the specimen for genetic data would require several permits.
- Honorary Wildlife Warden, Meghamalai Wildlife Sanctuary, C. R. Rajkumar said this discovery is a sign that the biodiversity in this area should be protected.
- “Meghamalai has a range of snakes, butterflies and ants, apart from the large mammals that we know of. Establishing a tiger reserve here will ensure that there is proper protection of this landscape,” he said, adding, “It will also help in the restoration of the Vaigai river.”

2. SC may send plea challenging quota Bill to Constitution Bench

- The Supreme Court has decided to consider the question of whether the challenge to the 10% economic reservation law should be heard by a Constitution Bench.
- A three-judge Bench, led by Chief Justice of India Ranjan Gogoi, scheduled the hearing for March 28.

- The court, however, refused to pass any interim order to stay or hamper the implementation of the Constitution (103rd Amendment) Act that provides for 10% reservation in government jobs and educational institutions to the economically backward in the unreserved category.
- The issue arose when senior advocate Rajeev Dhavan pointed out that the 50% quota limit was part of the Basic Structure of the Constitution, and the new amendment tinkered with it.
- The Act amends Articles 15 and 16 of the Constitution, adding clauses empowering the government to provide reservation on the basis of economic backwardness.

Under scrutiny

The 10% economic reservation law is being challenged for its constitutional validity



- The Act (103rd Constitutional amendment) allows the States to provide 10% quota for unreserved category exclusively with reference to their economic backwardness
- However, in 1992, a nine-judge Constitution Bench of the Supreme Court in the famous Indra Sawhney case had ruled that “a backward class cannot be determined only and exclusively with reference to economic criterion”
- “It may be a consideration or basis along with and in addition to social backwardness, but it can never be the sole criterion. This is the view uniformly taken by this court...” said the majority judgment authored by Justice (retired) B.P. Jeevan Reddy
- Further, the Indra Sawhney judgment had declared 50% quota as the rule unless extraordinary situations “inherent in the great diversity of this country and the people” happen

Compiled by Krishnadas Rajagopal

- One of the petitions, filed by Youth For Equality, represented by advocate Senthil Jagadeesan and settled by advocate Gopal Sankaranarayanan, contended that the court, in a nine-judge Bench judgment in the Indra Sawhney case, had settled the law that economic backwardness could not be the sole basis for reservation. The petition argued that the Act was “vulnerable” and negated a binding judgment of the Supreme Court.
- The petitioners contended that the amendments excluded the OBCs and the SCs/STs from the scope of the reservation.

- This, it said, “essentially implies that only those who are poor from the general categories would avail themselves of the benefits of the quotas.” It said the high creamy layer limit of ₹8 lakh a year meant the elite would capture the benefits.
- Further, the petitioners contended that the court had already settled the law that the “state’s reservation policy cannot be imposed on unaided educational institutions, and as they are not receiving any aid from the State, they can have their own admission if they are fair, transparent, non-exploitative and based on merit.”

3. Is Hyderabad turning into a hub for visa fraud?

- Hyderabad could be emerging as a hub for passport and visa frauds among the southern States. Daily wage earners, in particular, are being sent to Dubai, Kuwait, Qatar and other Gulf countries with the promise of hefty wages, a senior immigration official said.
- The officer said that workers, not only from the northern districts of Telangana, but also from Andhra Pradesh, Tamil Nadu and Karnataka, are looking at Hyderabad to fulfil their dreams of earning in dirhams, unaware of that they could end up behind bars, the officer said.
- “They approach fraudulent travel agents here, who try to send them to Qatar or other countries for work by applying for a visit visa. The agent charges at least ₹30,000 a person; the amount varies from country [in which work is sought] to country,” he said. The agents cheat gullible people by issuing a fake visa.
- This week alone, Bureau of Immigration officials at the Rajiv Gandhi International Airport (RGIA) in Shamshabad here detained 20 persons, most of them women, while they were trying to board a flight to Kuwait and other Gulf countries on a visit visa for purposes of work.
- “After verifying their passports, we learnt that many of them had worked abroad for more than two years by obtaining a visit visa, and were going back on a fresh visit visa. They did not have a work permit,” the immigration official said, adding that this was a case of human trafficking.

4. Excavations shed light on early Harappan ritual

- Archaeological excavations undertaken by a group of researchers and students of the University of Kerala in Kutch, Gujarat, have shed light on the custom and burial rituals that were prevalent during the early Harappan phase.
- The 47-member team, which camped in Khatiya village of Kutch for a month-and-a-half, unearthed several skeletal remains from a cemetery-like burial site where 26 graves out of the nearly 300-odd ones were excavated.
- The rectangular graves, each of varying dimensions and assembled using stones, contained skeletons that were placed in a specific manner.



- They were oriented east-west with the heads positioned on the eastern side. Next to the legs on the western side, the archaeologists found earthen pots and pottery shards and other artefacts, including conch-shell bangles, beads made of stones and terracotta, numerous lithic tools and grinding stones.
- “While the burial of belongings next to the corpse could possibly suggest the prevalence of the concept of afterlife, much study was required before we could arrive at any such conclusions,” says Rajesh S.V., Assistant Professor at the university’s Department of Archaeology, who along with Assistant Professor Abhayan G.S., led the excavations.
- The skeletal remains of human beings in most of them were found to be disintegrated. The presence of animal skeletons along with those of humans were also recorded in a few graves.
- Interestingly, the researchers found the mode of burial to be non-uniform. Instances of primary burial and secondary burial (when the remains of the primary burial are exhumed and moved to another grave) were found.

5. Indians face age-related issues earlier than Swiss

Context

- People living in India experience the health problems associated with ageing at an early stage than those living in Japan or Switzerland, according to a first-of-its-kind study published in The Lancet Public Health.

Details of the Study

- Researchers at the University of Washington in the U.S. and colleagues found that a 30-year gap separates countries with the highest and lowest ages at which people experience the health problems of a 65-year-old.

- They found that 76-year-olds in Japan and Switzerland, and 46-year-olds in Papua New Guinea have the same level of age-related health problems as an “average” person aged 65. The analysis also found that people living in India experience the similar health problems well before they turn 60.
- These disparate findings show that increased life expectancy at older ages can either be an opportunity or a threat to the overall welfare of populations, depending on the ageing-related health problems the population experiences regardless of chronological age
- Age-related health problems can lead to early retirement, a smaller workforce, and higher health spending. Government leaders and other stakeholders influencing health systems need to consider when people begin suffering the negative effects of ageing
- These negative effects include impaired functions and loss of physical, mental, and cognitive abilities resulting from the 92 conditions analysed, five of which are communicable and 81 non-communicable, along with six injuries.
- The study is the first of its kind. Where traditional metrics of ageing examine increased longevity, this study explores both chronological age and the pace at which ageing contributes to health deterioration. The study uses estimates from the Global Burden of Disease study (GBD).

6. 53% of working women say their workplaces are male-dominated

- For 97% of working women, life has changed post migration, said a survey by ICICI Lombard on the physical and mental health of working women through their career span.
- The study surveyed working women in the age group 22-55 years, covering aspects like migration for work, resuming work post maternity and women at work facing menopause. The objective of the survey was to understand issues faced by working women at the workplace.
- While gender equality at the workplace has become a byword in the corporate sector, the survey has brought forth the fact that 53% of the working women believe their workplaces are still male-dominated.
- Of this, 46% belong to the age group of 22-33 years, followed by 35% from the age group of 34-44 years. Women in the telecom and manufacturing sector experienced more instances of gender discrimination than any other sector.
- Another interesting facet of the survey was that 62% of the respondents believed that recognition at par with male counterparts notwithstanding, there is a gap when it comes to remuneration. This was found to be more prevalent in the manufacturing and financial sectors.
- The imbalance thus created puts extra pressure on women leading into ‘increased frustration levels (66%)’, ‘working beyond their capacity to prove their mettle (64%)’ and ‘stress due to high expectations (62%)’.
- Workplace abuse was an aspect faced more by older women (45-55 years), with a majority of them reporting this to the human resources department (43%), but a significant lot (32%) also quitting on account of this.
- Migration for work has proved to be a positive change for 97% of working women, enhancing self-confidence and financial independence. Cultural shock, though, is a major challenge.
- Also, women migrating post 30 are more prone to stress as it is mentally difficult to accommodate in formal office environment
- Findings from the survey related to menopause revealed that depression impacts 89% of working women, leading 42% of them to take leave once a month. In order to relieve stress, 49% of them get involved in activities like yoga, while others go for morning/evening walks and zumba. However, gym and outdoor sports are almost negligible.
- The study involved online quantitative interviews with 1,500 working women, across five locations.

PRELIMS FACTS

1. Arecanut gets its first GI tag for 'Sirsi Supari'

Context

- For the first time in the arecanut sector, 'Sirsi Supari' grown in Uttara Kannada has received the Geographic Indication (GI) tag. It is cultivated in Yellapura, Siddapura and Sirsi taluks. Totgars' Cooperative Sale Society Ltd., Sirsi, is the registered proprietor of the GI.

Details of the issue

- The Registrar of Geographical Indications, under the Union government, Chennai issued the certificate to the society on March 4, 2019. Its GI number is 464. According to it, the particular arecanut "is medium in size, somewhat flat and rounded in shape, somewhat ash coloured, and has a hard seed."
- The arecanut grown in these taluks have unique features such as a round and flattened coin shape, particular texture, size, cross-sectional views, taste, etc. These features are not seen in arecanut grown in any other regions. Its average dry weight is 7.5 g and average thickness is 16 mm.
- This particular variety has a unique taste due to differences in chemical composition. The total average flavonoids content in it is around 90 whereas in others it is around 80.
- The total carbohydrates in 'Sirsi Supari' are 23% to 26%, total arecoline is 0.11% to 0.13%, total tannin content is 14.5% to 17.5%.
- The process of obtaining the tag had begun in 2013. It took about six years to get it owing to scientific research proof to be submitted to prove its uniqueness.
- The 'Sirsi Supari' is used both as 'chali' (white arecanut) and red arecanut. The 'chali' variety is made by peeling the ripened nuts and sun drying them later. The red arecanut is produced by harvesting the tender nuts, then boiling and colouring them, then making them into different grades and finally sun drying them.



What is GI?

- A GI is primarily an agricultural, natural or a manufactured product (handicrafts and industrial goods) originating from a definite geographical territory.
- Typically, such a name conveys an assurance of quality and distinctiveness, which is essentially attributable to the place of its origin.
- Once the GI protection is granted, no other producer can misuse the name to market similar products. It also provides comfort to customers about the authenticity of that product.
- GI is covered as element of intellectual property rights (IPRs) under Paris Convention for Protection of Industrial Property.

- At international level, GI is governed by WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).
- In India, Geographical Indications of Goods (Registration and Protection Act), 1999 governs it.

2. First-past-the-post system

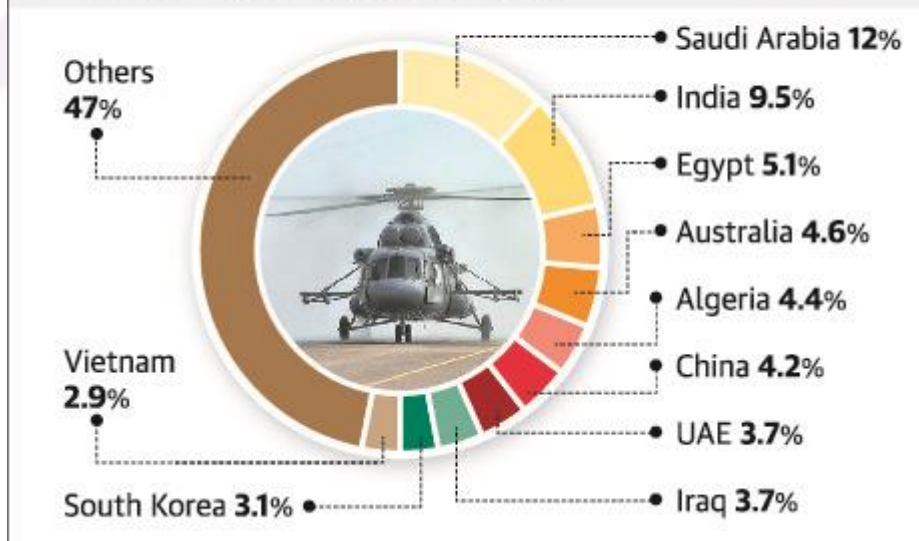
- The first-past-the-post (FPTP) system is also known as the simple majority system.
- In this voting method, the candidate with the highest number of votes in a constituency is declared the winner.
- This system is used in India in direct elections to the Lok Sabha and State Legislative Assemblies.
- While FPTP is relatively simple, it does not always allow for a truly representative mandate, as the candidate could win despite securing less than half the votes in a contest.
- In 2014, the National Democratic Alliance led by the Bharatiya Janata Party won 336 seats with only 38.5% of the popular vote. Also, smaller parties representing specific groups have a lower chance of being elected in FPTP.

3. India is world's 2nd largest arms importer

- India was the world's second largest arms importer from 2014-18, ceding the long-held tag as largest importer to Saudi Arabia, which accounted for 12% of the total imports during the period.
- "India was the world's second largest importer of major arms in 2014-18 and accounted for 9.5% of the global total," according to the latest report published by the Stockholm International Peace Research Institute (SIPRI) on Monday.
- However, Indian imports decreased by 24% between 2009-13 and 2014-18, partly due to delays in deliveries of arms produced under licence from foreign suppliers, such as combat aircraft ordered from Russia in 2001 and submarines ordered from France in 2008, the report stated.
- Russia accounted for 58% of Indian arms imports in 2014-18, compared with 76% in 2009-13. Israel, the U.S. and France all increased their arms exports to India in 2014-18.
- However, the Russian share in Indian imports is likely to sharply go up for the next five-year period as India signed several big-ticket deals recently, and more are in the pipeline. These include S-400 air defence systems, four stealth frigates, AK-203 assault rifles, a second nuclear attack submarine on lease, and deals for Kamov-226T utility helicopters, Mi-17 helicopters and short-range air defence systems.

Defence deal

A look at the global share of arms bought by the 10 largest importers from 2014-2018



SOURCE: SIPRI ARMS TRANSFER DATABASE

- The report noted that despite the long-standing conflict between India and Pakistan, arms imports decreased for both countries in 2014-18 compared with 2009-13.
- Pakistan stood at the 11th position accounting for 2.7% of all global imports. Its biggest source was China, from which 70% of arms were sourced, followed by the U.S. at 8.9% and, interestingly, Russia at 6%.
- Globally, the volume of international transfers of major arms in 2014-18 was 7.8% higher than in 2009-13 and 23% higher than in 2004-2008.
- The five largest exporters in 2014-18 were the United States, Russia, France, Germany and China together accounting for 75% of the total volume of arms exports in 2014-18.
- The flow of arms increased to the Middle East between 2009-13 and 2014-18, while there was a decrease in flows to all other regions

4. 'India ranks 11th in gold holding'

- India, which is the world's largest consumer of gold, has the 11th largest gold reserve, with the current holding pegged at 607 tonnes, as per the latest report by the World Gold Council (WGC).
- India's overall position in terms of total gold holding would have been tenth had the list included only countries. Whereas, International Monetary Fund (IMF) is included and is third on the list with total gold reserves of 2,814 tonnes.
- Among Asian countries, China and Japan have more reserves of the precious metal when compared to India.
- Meanwhile, countries like Taiwan, Portugal, Kazakhstan, Uzbekistan, Saudi Arabia, United Kingdom, Lebanon and Spain, along with the European Central Bank, complete the top 20 list of largest gold reserves.

Gold cache

Rank	Possessor	Tonnes
1	U.S.	8,133.5
2	Germany	3,369.7
3	IMF	2,814.0
4	Italy	2,451.8
5	France	2,436.0
6	Russia	2,119.2
7	Mainland China	1,864.3
8	Switzerland	1,040.0
9	Japan	765.2
10	Netherlands	612.5
11	India	607.0
12	ECB	504.8
13	Taiwan	423.6
14	Portugal	382.5
15	Kazakhstan	353.3

SOURCE:
WGC



UPSC PRELIMS PRACTICE QUESTIONS

1) Which of the following functions can be performed by the National Commission for Scheduled Tribes?

1. To enquire into specific complaints with respect to the deprivation of rights and safeguards of the STs
2. Measures to be taken over conferring ownership rights in respect of minor forest produce to the STs living in forest area
3. Measures to be taken to ensure full implementation of the Provisions of Panchayat (Extension to the Scheduled Areas) Act, 1996

Select the correct answer using the codes given below:

- (a) Only 1 and 2
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) All of the above

Answer - d

Explanation: In 2005, the President specified the following other functions of the Commission in relation to the protection, welfare and development and advancement of the STs (some of them are):

- Measures to be taken over conferring ownership rights in respect of minor forest produce to the STs living in forest area
- Measures to be taken to ensure full implementation of the Provisions of Panchayat (Extension to the Scheduled Areas) Act, 1996
- Measures to be taken to safeguard rights of the tribal communities over mineral resources, water resources as per the law
- Measures to be taken for the development of tribals and to work for more viable livelihood strategies

2) National Ayush Mission aims to

1. Co-locate AYUSH facilities at Primary Health Centres
2. Support cultivation of medicinal plants by adopting Good Agricultural Practices
3. Sustained availability of quality raw- materials for AYUSH Systems of Medicine

Select the correct answer using the code given below.

- (a) Only 1 and 2
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) All of the above

Answer - d

Explanation: The Government has launched the National AYUSH Mission with the objectives of - providing cost effective AYUSH Services, with a universal access through upgrading AYUSH Hospitals and Dispensaries; co-location of AYUSH facilities at Primary Health Centres (PHCs), Community Health Centres (CHCs) and District Hospitals (DHs); strengthening institutional capacity at the state level through upgrading

AYUSH related issues; supporting cultivation of medicinal plants by adopting Good Agricultural Practices (GAPs) so as to provide sustained supply of quality raw-materials and support certification mechanism for quality standards; Good Agricultural/Collection/Storage Practices and supporting setting up of clusters through convergence of cultivation, warehousing, value addition and marketing and development of infrastructure for entrepreneurs.

3) Which of the following is/are the criteria to define a literate person according to the Census 2011?

1. Anyone receiving formal education or to have attained any minimum educational standard upto class 3.
2. Anyone above the age of five who can read and write with understanding in any language.

Select the correct answer using the code given below.

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) None of the above

Answer - d

Explanation: By the Census definition of 2011, anyone above the age of seven who can read and write with understanding in any language is considered 'literate' and it is not necessary for the literate person to have received any formal education or to have attained any minimum educational standard.

4) Which of the following may help in achieving spirit of One Economic India?

1. Federal Structure
2. Constitutional Provision under Article 302
3. GST

Select the appropriate code

- (a) Only 1 and 2
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) All of the above

Answer - c

Explanation: Article 302 and 304 (b) give power to Parliament and State legislature to impose reasonable restriction on internal trade. Hence it doesn't support the idea of one Economic India. Passing of GST is a good example of cooperative federalism where States and Centre have ceded their power to tax and come up with a single tax system to realize the dream of one Economic India with 'One Market'.

UPSC MAINS PRACTICE QUESTIONS

1. Truly smokeless kitchens can be realized only if the government follows up with measures that go beyond connections to actual usage of LPG. Explain (12.5 Marks; 200 words)
2. Recently, the Indian Sundarban was accorded the status of 'Wetland of International Importance' under the Ramsar Convention. In this context, write a note on the importance of wetlands and the role of Ramsar Convention in the conservation of wetlands. (12.5 Marks; 200 words)

