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Category: POLITY

1. Kerala tops in holding Assembly sittings in 2021

Syllabus: Parliament and State Legislatures

Mains: Structure and functioning of Legislatures

Context: A recent report by PRS Legislative Research provides various data on the working of State Assemblies.

Details:

- **Assembly Sittings:**
 - All State Assemblies met for an average of 21 days in 2021.
 - Kerala Assembly stands at the top with the most number of days convened. It sat for 61 days in 2021.
 - In 2020, the Kerala Assembly was in the 8th spot with only 20 days of sitting. It saw a 205% increase in 2021.
 - Kerala is followed by Odisha, Karnataka, Tamil Nadu and Himachal Pradesh, where Assemblies met for 43, 40, 34 and 33 days respectively.
 - Tripura Assembly stands at the bottom with just 7 days of active sessions followed by the Delhi and Andhra Pradesh Assemblies that met for 8 days each.
 - Between 2016 and 2021, State Assemblies met for an average of 24 days with Kerala at the top with an average of 49 meeting days per year. Tripura was at the bottom of the table with 11 meeting days.

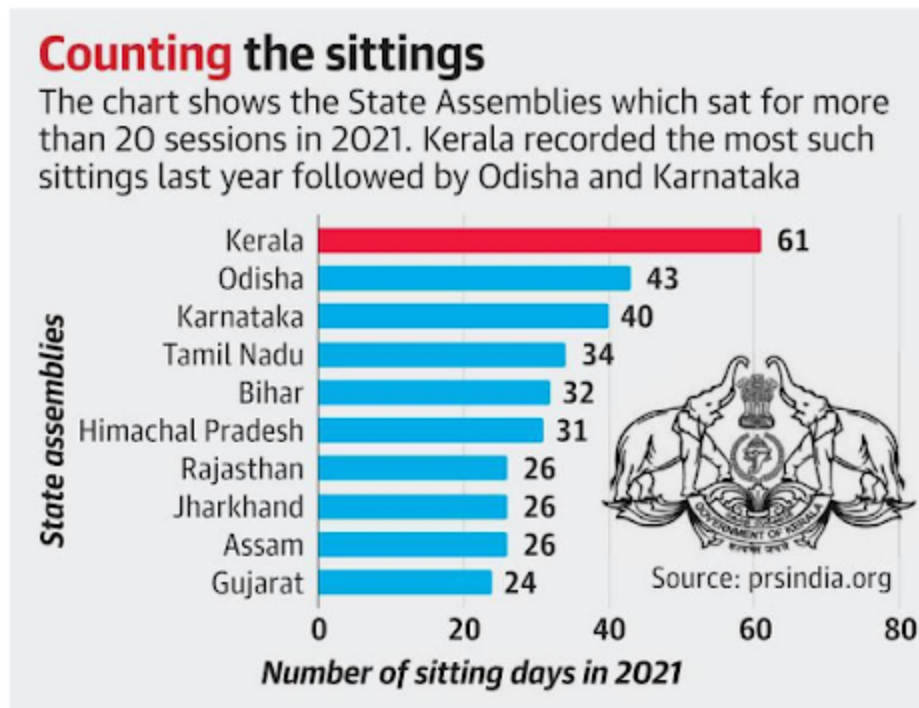


Image Source: prsindia.org

- **Minimum rule on the number of sittings:**
 - The National Commission to Review the Working of the Constitution (2000-02), headed by former Chief Justice of India M.N. Venkatachaliah had prescribed that the State/UT legislatures with less than 70 members should meet for at least 50 days a year and other Houses, a minimum of 90 days.
 - The Presiding Officers' conference, held in 2016, suggested State legislatures hold at least 60 days of sittings in a year.
 - Many states have laid down a minimum number of sitting days through the Rules of Procedure, varying from 90 days in Uttar Pradesh to 40 days in Punjab.
 - In 2005, the Karnataka Assembly came out with a law with the requirement of a minimum of 60 days of sitting.
- **Ordinances:**
 - 21 out of 28 States promulgated ordinances in 2021.
 - Kerala had promulgated 144 ordinances, the highest in the country.
 - Andhra Pradesh promulgated 18 ordinances and Maharashtra promulgated 18 ordinances.
 - In Andhra Pradesh and Kerala, all Bills replacing these Ordinances became Acts in 2021.

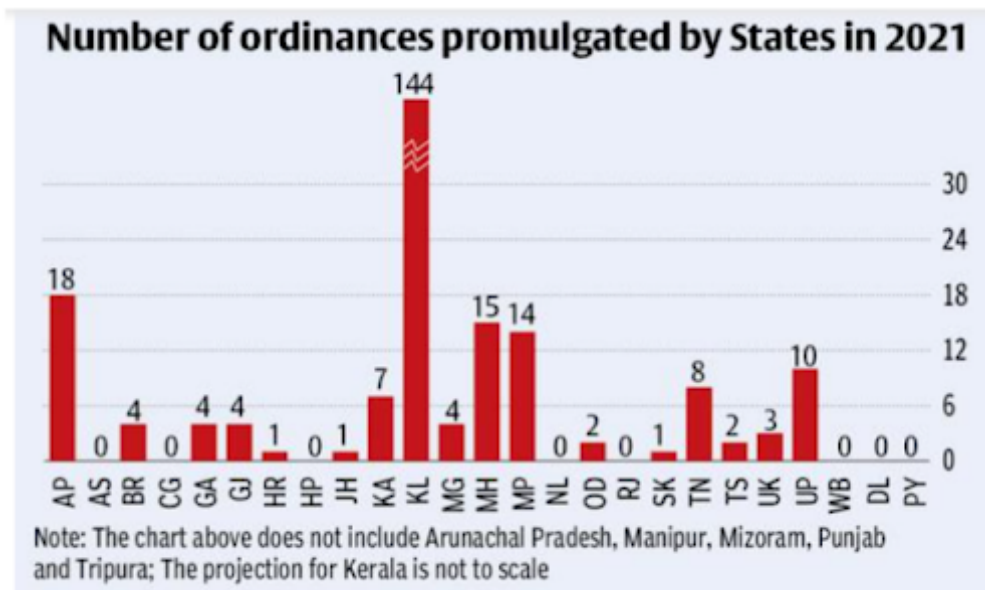


Image Source: thehindubusinessline

- **Number of Bills:**
 - The Karnataka Assembly passed 48 Bills in 2021, followed by Uttar Pradesh with 38 Bills and Punjab, Kerala and Maharashtra with 35 Bills each.
 - Delhi passed just two Bills in 2021.
- **Manner of Adoption of Bills :**
 - 44% of the Bills adopted by 28 State Assemblies were passed within a day of their introduction.
 - On the contrary, 5 States — Karnataka, Meghalaya, Kerala, Rajasthan and Odisha took more than 5 days to pass a majority of their Bills.
 - In 2021, 73% of the Bills received the Governor's assent within 30 days.
 - In Uttar Pradesh and Bihar, the average number of days taken to get the Governor's assent was the fastest at 7 days. This number was 61 days for Tripura and 94 days for Jharkhand.

Nut Graf: State Assemblies across India have worked almost normally in 2021 despite second and third Covid waves. However, the average number of days convened by the legislatures is still lower than the prescribed number.

2. Appointment of Chief Justice of India and High court Judges

Syllabus: Structure, organization and functioning of the Executive and the Judiciary

Mains: Appointment of Supreme Court and High Court Judges

Context: Union Law Minister gave details regarding the appointments of Judges in a written reply to the Lok Sabha. However, still there is no word in the public domain about the beginning of the process to appoint the Chief Justice of the Supreme Court.

Details:

- Between December 2021 to July 26, 2022, the Supreme Court Collegium has recommended 140 names (127 fresh and 13 reiterated).
- Out of 127 fresh recommendations, 61 appointments have been made including the extension of the term of one additional judge and 66 cases which have been recommended by the Supreme Court Collegium recently are at various stages of processing with the government.
- As per 'Memorandum of Procedure of Appointment of Supreme Court Judges', the process of appointing the CJI begins with the Union Law Minister seeking the recommendation of the outgoing Chief Justice about his/her successor.
- The Memorandum does not elaborate on or specify a timeline.
- Appointment to the office of the Chief Justice of India should be of the senior most Judge of the Supreme Court considered fit to hold the office.
- The appointment process requires consultation and approval from various constitutional authorities both at the central and state level.

Vacancies in Indian Judiciary:

- The Indian judiciary faces high vacancies across all levels.
- These rising vacancies are one of the reasons for the rising number of pending cases and delays.
 - More than 4 crore cases are pending across all courts in India in 2021.
- Vacancies increased from 18% to 21% across all levels of courts between 2010 and 2020.
 - Around 406 out of sanctioned 1098 posts are vacant in High Courts.

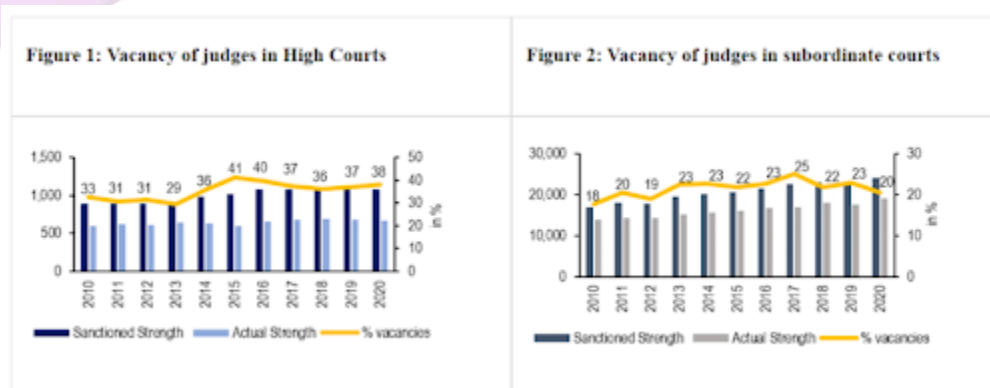


Image Source: prsindia.org

Reasons for Increasing Vacancies:

- Retirement
- Resignation
- Elevation of judges
- Increase in the sanctioned strength of judges over the years.
- The concerned High Court has to initiate the appointment procedure at least 6 months before a vacancy occurs. However, this timeline is rarely followed by the High Courts.
- No timeline is prescribed for executive approval after receiving recommendations from the Supreme Court collegium.
- The average time taken to appoint High Court judges after receiving the recommendations stood at 5-7 months in 2018 and 2019.

Way Forward:

- In 2020, the judge-to-population ratio was 21 judges per million population. As per the Law Commission of India's recommendations, the ratio should be raised to 50 judges per million people. This was reiterated by the Standing Committee on Home Affairs and Supreme Court.

Nut Graf: Timely appointment of Judges in every kind of court (The Supreme Court, High Courts and Subordinate Courts) will help in quicker case disposal reducing the number of pending cases.

C. GS 3 Related

Nothing here for today!!!

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: GOVERNANCE

1. We need to protect whistle blowers

Syllabus: Important aspects of governance, transparency and accountability

Prelims: Right to Information (RTI) Act

Mains: Challenges associated with the whistleblowers and RTI activists in India and key recommendations.

Context

This article discusses the state of protection for RTI activists and whistleblowers in the country.

Challenges faced by RTI Activists and Whistleblowers

- There have been several instances of killing and harassment of RTI activists since the introduction of the RTI Act.
 - Bihar is among the top states with the highest number of deaths of RTI activists.
- These events of killings have raised questions about the protection of people who try to seek accountability and the responsibility of states to extend legal assistance, time-bound grievance redressal, compensation, and dignified access to justice to the families of those killed.
- RTI activists and whistleblowers have been actively working to bring transparency and accountability to the implementation of important social welfare schemes such as the Public Distribution System (PDS) and MGNREGA.
 - The killing of such activists will have severe consequences on the implementation of such programmes.
- The brutal killing of whistleblowers, intimidation of their families and the following inaction by the government and police have caused the RTI users to struggle for justice.
- Experts feel that these instances of killings of RTI users and activists are a threat to democracy itself.

Recommendations

- Introducing legal and institutional safeguards - there is a need for establishing a socio-legal system that recognises RTI activists and other whistleblowers as human rights defenders and extends protection to them.
- Disclosure of actionable information - it is known that the information sought by the deceased activists must have been discoloured compulsorily in the first place under Section 4 of the RTI Act.
 - State governments should make efforts to disclose such actionable information.
 - Rajasthan's Jan Soochna portal and Karnataka's Mahiti Kanaja are welcome steps in this regard.
- Timely action - the governments should command the law-enforcement agencies to act in a time-bound manner to complete investigations in all cases where RTI users are harassed and ensure that due compensations are extended to the families of victims.
- The disclosure of the requested information - fast-paced disclosure of information in case of harassment or killing of an activist will send a message to the perpetrators that such unwarranted action will result in greater public scrutiny.

- Effective legislation to protect whistleblowers - the government must act immediately and notify the proposed Whistle Blowers Protection Act, 2014.
 - States like Bihar and Maharashtra which have experienced a high number of such attacks must formulate their own act or legislations to safeguard whistleblowers.

Nut graf: Acknowledging the crucial role played by the RTI activists and whistleblowers in unearthing corruption and mismanagement of public funds along with ensuring accountability in the functioning of public authorities, immediate measures are required to address the plight of activists and whistleblowers.

2. Token prohibition takes a toll in Gujarat

Syllabus: Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Mains: Details about “hooch tragedy” in Gujarat, laws against the consumption of alcohol in the state and various issues and concerns associated with it.

Context

Several deaths are reported due to the consumption of poisonous country-made liquor in Gujarat.

Details

- Over 45 people have reportedly died in rural districts of Ahmedabad and Botad of Gujarat due to the consumption of hooch (country-made liquor) laced with chemicals.
- The incident is also regarded as a “hooch tragedy” as about 75 people are still in hospitals taking treatment.
- The hooch is prepared by mixing water with methanol, which is a highly poisonous industrial solvent used in products such as paint thinners, pesticides and antifreeze products.

Previous such incidents in Gujarat

- A similar hooch tragedy was reported in Surat (2016) which caused the death of multiple migrant textile workers.
- In 2009, over 150 people died in Ahmedabad which is regarded as Gujarat’s worst hooch tragedy.
- Other major tragedies include the death of 132 people in Vadodara and 32 in Viramgam, Ahmedabad in 1989 and over a hundred people in Ahmedabad in 1976.

- According to reports, about 8-10 persons die due to the consumption of hooch in the State every year.

Concerns associated with the incident

- Such incidents and deaths will have severe socio-economic consequences on society as many of the victims are the sole breadwinners of their families.
 - The alcohol ban has encouraged the peddling of illegal and poisonous liquor which is made without any regulations.
 - Experts and villagers have raised questions about the alleged nexus between the various government officials and police with the people who run such bootleggers and local breweries.
- The villagers and daily wage labourers are encouraged to consume locally-brewed or self-brewed liquor that have harmful chemicals as they cannot afford Indian-made foreign liquor (IMFL) and imported spirits.

Actions undertaken against the incident by the police and government

- The police investigations have revealed that the poisonous liquor was made and supplied from Chokdi village.
- The Police have lodged FIRs under the State prohibition law and other sections of the Indian Penal Code (IPC) which include:
 - IPC Section 302 - murder
 - IPC Section 328 - causing hurt by means of poison
 - Section 67 (1a) of the Gujarat Prohibition Act for adulteration of alcohol and preparing of hooch.
- However, Section 66 of the Prohibition Act has not been invoked in the FIRs as it would also book the victim for the consumption of liquor.
- Further, the State government has taken action against police officials by suspending and transferring various police officers.

Laws against the consumption of alcohol in Gujarat

- Gujarat is a “dry state” where manufacturing and the sale of liquor are banned.
- The manufacture, consumption and sale of alcohol have been banned in the state of Gujarat since the 1960s and has few government-authorised liquor shops which permit consumers with “health permits” or “group permits” to purchase liquor.
- According to the Gujarat Prohibition Act, 1949, police can arrest an individual for purchasing, consuming, or serving alcohol without a valid permit and the act provides for the punishment of imprisonment for a period of three months to five years.

- The law also empowers the police to arrest persons entering from other States in a drunken state.
- Through an amendment in 2017, the police are empowered to arrest people who create a ruckus or harass others in a drunken state.
- Further, an amendment in 2009 made the manufacture, stocking and transportation of “laththa” (a countrymade brew) a capital offence if it resulted in the deaths of people who consumed it and can be punished with death or imprisonment for life.

Arguments against the prohibition law of the state

- Experts and critics call for a relook of the alcohol prohibition law of Gujarat as there has been a significant increase in the number of deaths caused due to the consumption of illicit and poisonous liquor.
- Critics also point out that the law has resulted in the piling up of prohibition-related cases in the courts which has increased the burden on the judiciary.
- Additionally, the experts believe that the tax collected from the sale of alcohol could be used to fund various welfare schemes for the poor and vulnerable, health and education.
- The removal of the prohibition will also help to curb the large-scale corruption which is taking place in the state involving police officials and politicians.
- Critics also opine that the law is against the individual’s right to choice of food and beverage and violates the right to privacy.
- Further, the permits issued by the government on health grounds are mostly held by upper-middle-class citizens residing in the urban areas of the state and hence the people from village and rural areas are pushed towards hooch.

Nut graf: Gujarat is said to be the only State in the country to have prohibited the sale of alcohol since 1960. However, the prohibition law has resulted in an increase in the number of deaths due to the consumption of illegally manufactured country liquor and large-scale corruption in the state along with other key challenges which mandate the government to revisit the law.

F. Prelims Facts

1. Core sector output expands by 12.7%

Syllabus: Gs3- Economy-Infrastructure

Prelims: Core sector industries.

Context: The Office of Economic Adviser, Department for Promotion of Industry and Internal Trade recently released the Index of Eight Core Industries for the Month of June 2022.

Details:

- June saw 12.7% growth in India's eight core sectors from 18.1% in May.
- Except for crude oil, all other sectors registered an uptick in production.
- Cement, coal, refinery products and electricity saw 15% or more growth, compared with the June 2021 output levels.
- Fertilizers (8.2%), Natural gas (1.2%) and steel (3.3%) grew at a milder pace.
- Crude oil output dropped 1.7% compared to June 2021 level.
- June 2022 marks the second successive month of double-digit growth in core sectors, the overall core output shrank 4.08% compared with the previous month.
- Compared to pre-COVID levels, the core sectors reported an 8% growth in June.

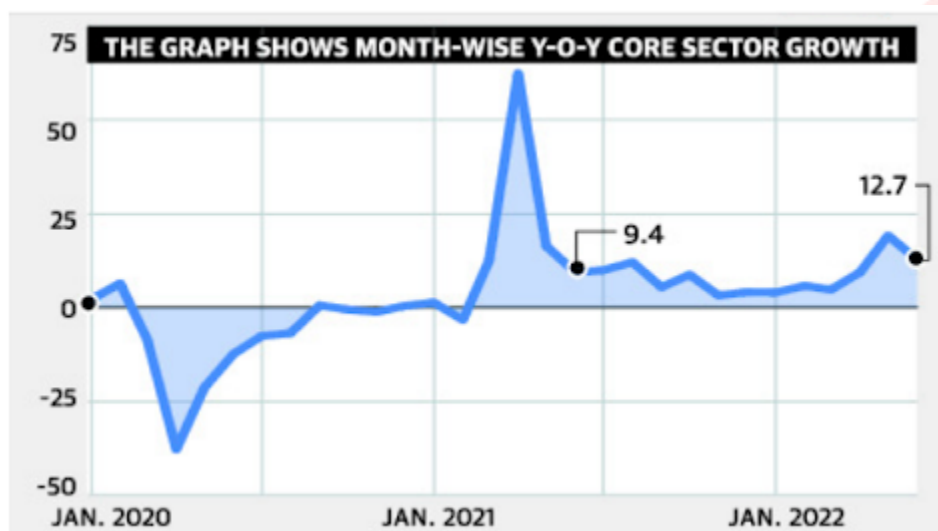


Image Source: The Hindu

2. India's First Bullion Exchange

Syllabus: GS3- Economy-Industrial Policies

Prelims: Bullion Exchanges and GIFT City

Context: Prime Minister Narendra Modi launched the India International Bullion Exchange (IIBX) at Gandhinagar's GIFT city.

What is IIBX?

- It is India's first international bullion exchange. It offers a diversified portfolio of products and technology services at a cost far more competitive than the Indian exchanges as well as other global exchanges in Singapore, Dubai, Hongkong, New York and London.

- As the second biggest consumer of gold globally, setting up of the IIBX is seen as India's effort to bring transparency to the market for the precious metal.
 - International Financial Services Centers Authority (IFSCA) is the regulator of IIBX.
 - This could lead to standard gold pricing in India and make it easier for small bullion dealers and jewellers to trade in the precious metal.
 - It will give stimulus to the financialization of gold across the country.
 - It will also empower India to affect international bullion prices as a principal consumer.
 - IIBX will serve the purpose of a global value chain with integrity and quality.
- Gold is tightly regulated in India and currently only nominated agencies and banks approved by the Reserve Bank of India can import gold and sell it to dealers and jewellers across the country.

G. Tidbits

1. Boon after ban of Single-use plastic

- The countrywide ban on single-use plastic since July 1, 2022, has become an advantage for locals, especially women in villages of Himachal Pradesh, who make traditional leaf plates and bowls.
- The demand for these products which are eco-friendly is currently on the rise and fetching them great profits.
- The Himachal Pradesh Forest Department is playing a crucial role in aiding the locals in production.
 - In order to meet the increasing demand for leaf plates, the forest department in collaboration with Japan International Cooperation Agency (JICA) is motivating community groups to prepare products using machines instead of doing it manually.
 - The department is also planting specific species such as 'Bauhinia vahlii' in the forest adjoining the villages of trained community groups to ensure an adequate supply of quality leaves.
 - Bauhinia vahlii is a climbing shrub, able to grow onto the top of trees in the forest.
- Under the collaboration, each community group of average of 15 people is given a capital cost of ₹1,29,000 for setting up the plate-making machine that makes 1,000 plates daily.
- So far, around 484 such self-help groups are developed in Himachal.

.Biodegradable leaf plates possess a potential in the national and international market, provided quality and standards are met.

- This project can be seen as a revival of the traditional leaf plate and bowl business in the area which was fading away due to the invasion of factory-made plastic plates and bowls with cheap price and long shelf-life.
- This is also expected to improve the environment in Himachal Pradesh better than any other States, keeping in view the many traditional alternatives to replace plastics by locals and SHGs.

H. UPSC Prelims Practice Questions

Q1. Consider the following statements with regards to the Indian Economy's core sector: (Level – Easy)

1. The eight core sectors are coal, crude oil, natural gas, refinery products, fertilizer, steel, cement and electricity.
2. The eight core sector industries in decreasing order of their weightage: Refinery Products> Electricity> Steel> Coal> Crude Oil> Natural Gas> Cement> Fertilizers.
3. At present, the base year of IIP is 2014-15.

Choose the correct code:

- a) 1 & 2 only
- b) 2 & 3 only
- c) 1 & 3 only
- d) All of the above

Answer: a

Explanation:

- Statements 1 and 2 are correct, Index of Eight Core Industries (ICI) refers to a production volume index that measures the collective and individual production performances of eight selected core industries.
 - These industries are Natural Gas, Coal, Refinery Products, Crude Oil, Cement, Electricity, Steel, and Fertilizers.
- Statement 3 is incorrect, the base year of IIP is 2011-12.

Q2. Consider the following statements with regards to India's first bullion exchange — the India International Bullion Exchange (IIBX): (Level – Difficult)

1. To become qualified jewellers in order to import gold through the IIBX, they would require a minimum net worth of Rs 25 crore and 90 per cent of the average annual turnover in the last three financial years through deals in goods categorized as precious metals.
2. Apart from qualified jewellers, non-resident Indians and institutions will also be able to participate in the exchange after registering with the IFSCA (International Financial Services Centers Authority).
3. For becoming a trading member at IIBX, a qualified jeweller may establish a branch or a subsidiary in IFSC (International Financial Services Centre) and apply to the IFSCA.

Choose the correct code:

- a) 1 & 2 only
- b) 2 & 3 only
- c) 1 & 3 only
- d) All of the above

Answer: d

Explanation:

- Statements 1 and 2 are correct, Gold is tightly regulated in India and currently only nominated agencies and banks approved by the Reserve Bank of India can import gold and sell it to dealers and jewellers across the country.
 - In order to become qualified jewellers to import gold through the IIBX, entities require a minimum net worth of Rs 25 crore and 90 per cent of the average annual turnover in the last 3 financial years through deals in goods categorized as precious metals.
 - Non-resident Indians and Institutes can also participate in the exchange after registering with the IFSCA (International Financial Services Centers Authority).
- Statement 3 is correct, Jewelers can transact in IIBX only as a trading member or as clients of a trading member by establishing a branch in IFSC.

Q3. Consider the following statements with regards to Commonwealth Games: (Level – Medium)

1. Women's International Cricket has been made a part of the 2022 Commonwealth games.
2. The motto for the 2022 Commonwealth games is "Games for Everyone".
3. India's best-ever performance at the Commonwealth games came in the 2010 edition hosted by India.

Choose the correct code:

- a) 1 & 2 only
- b) 2 & 3 only
- c) 1 & 3 only
- d) All of the above

Answer: d

Explanation:

- Statement 2 is correct, 21st edition of the Commonwealth Games commenced in the city of Birmingham, United Kingdom with the theme, “Games for Everyone”.
- Statement 1 is correct, Women’s cricket tournament is included in the Games for the first time in this edition. The matches are being played as T20 Internationals.
- Statement 3 is correct, Overall at Commonwealth Games, India has won 503 medals - 181 golds, 173 silvers and 149 bronzes. The most successful individual Games were the 2010 edition, in New Delhi with 101 medals. The second-best was the 2002 Games in Manchester with 69 medals.

Q4. Consider the following statements with regards to National Tiger Conservation Authority: (Level – Easy)

1. National Tiger Conservation Authority (NTCA) is a statutory body under the Ministry of Environment, Forests and Climate Change.
2. It was established in 2005 following the recommendations of the Tiger Task Force.
3. The National Tiger Conservation Authority is set up under the chairmanship of the Prime Minister.

Choose the correct code:

- a) 1 & 2 only
- b) 2 & 3 only
- c) 1 & 3 only
- d) All of the above

Answer: a

Explanation:

Read about National Tiger Conservation Authority [here](#).

Q5. Which of the following is not included in the assets of a commercial bank in India? (Level – Easy)

1. Advances
2. Deposits
3. Investments
4. Money at call and short notice

CHECK ANSWERS:-

Answer: b

Explanation:

Assets and Liabilities are defined as follows:

The assets of the commercial bank are Investments, Cash in hand, Advances, Bills discounted and purchased, Loans

While the liabilities are Capital and Reserves, Deposits, Borrowings, and other liabilities
Therefore, option b is correct.

I. UPSC Mains Practice Questions

1. As attacks on RTI applicants continue unabated, there is a need for comprehensive, not ad hoc reforms. Examine. (15 Marks, 250 Words) (GS2-Governance)
2. India needs a more honest discussion on the risks and benefits of alcohol prohibition. Analyse. (15 Marks, 250 Words)(GS2- Polity)