



IAS PARLIAMENT

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TARGET 2018

POLITY & INTERNATIONAL RELATIONS II

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TARGET-2018
POLITY & INTERNATIONAL RELATIONS - II

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POLITY & INTERNATIONAL RELATIONS – II

1. RIGHTS ISSUES

1.1 National Anthem in Cinema Halls

The Supreme Court has modified its earlier order regarding mandatory playing of national anthem in cinema halls.

- In its earlier order, the court ordered all cinema halls to play the anthem before screening a film.
- The Supreme Court has modified this and has now made it optional for cinema halls to play the national anthem before every show.
- The court observed that playing of the anthem was directive, but showing respect was mandatory.
- Accordingly, if the anthem is played, patrons in the hall are bound to show respect by standing up.
- The court clarified that the exception granted to disabled persons from standing up during the anthem shall remain in force on all occasions.
- The current modification will be in place till the Union government takes a final decision.
- This will be based on the recommendations of a 12-member high-profile inter-ministerial committee.
- The committee was set up, following the court's earlier order.
- It will specify the occasions, circumstances and events for the solemn rendering of the anthem.
- The ministerial panel will also examine whether any amendments are necessary to the **Prevention of Insult to National Honour Act of 1971**.
- The 1971 Act deals with national anthem, related mandates and punishments thereof for any violations.
- But the petitioner calls for the SC to intervene and interpret the 1971 Act in the light of **Article 51A on fundamental duties**.
- The Supreme Court disposed of the petitions, and directed to make the representations before the inter-ministerial committee.

1.2 Reservations for Differently Aabled

- Recently union government has opened government jobs to differently abled with learning disabilities, Down syndrome, intellectual disabilities, autism and victims of acid attacks.
- The department of personnel and training (DoPT) has framed rules for reserving, advertising and filling up of government vacancies across all ministries to follow them from 2018.
- The employment rules also specify a procedure to exempt a cadre or establishment from reservation for differently abled.

2. PARLIAMENT, STATE LEGISLATURE AND JUDICIARY

2.1 Conflicts between Delhi Government and LG – Article 239AA

SC is looking into the problem of jurisdictional conflicts between Delhi's elected government and the lieutenant governor (LG).

- Delhi, although a union territory, is administered under Article 239 AA.
- Article 239 AA was incorporated in the Constitution in 1992 by the 69th constitutional amendment act.
- It creates a "special" constitutional set up for Delhi.
- It has provisions for popularly elected assembly, a council of ministers responsible to the assembly and a certain demarcation of responsibilities between the LG and the council of ministers.
- As per Article 239 AA (3) (a), the Delhi assembly can legislate on all those matters listed in the State List and Concurrent List as are applicable to union territories.



- The public order, police and land are reserved for the LG.
- Under Article 239 AA (4), the council of ministers has the executive power to execute all matters in respect of which the assembly has the power to make laws.
- Further, Article 239 AA (b) says that the council of ministers shall be collectively responsible to the assembly.
- Article 239 AB (a) says “if the administration of the NCT cannot be carried on in accordance with the provisions of Article 239 AA,” the president can dismiss the council of ministers.
- So, the council of ministers is responsible for Delhi’s administration and if it fails in its functions, it will be removed by the president.
- But the council of ministers cannot be removed for the breakdown of the constitutional machinery unless they are vested with the power to take final decisions on matters of administration.

Problems associated with this setup

- This special set up worked well mainly because the same party held office at the Centre as well as in Delhi for much of the time.
- Things changed when different government ruled the city and the centre.
- This was complicated when the **Delhi High Court** judgment declared that the **LG is the only decision-making authority in the NCT**.
- A LG, motivated by political considerations, could disagree with many decisions of elected government and refer them to the president.
- So such a provision in Clause (4) of Article 239 AA virtually nullifies the executive power vested in the council of ministers.
- Presently, SC is looking into two main issues:
 1. Whether the elected government is the final authority in respect of matters assigned to it by the constitution &
 2. Whether the LG has primacy when a difference of opinion arises between him and his council of ministers on matters of governance.
- After all, the purpose of the constitutional amendment was to provide a democratic government for Delhi and not to enhance the powers of the LG.

2.2 Administrative Breakdown in Delhi

Delhi administration faces a chaos due to a rift between political executive and Chief Secretary.

Duties of a Chief Secretary

- The CS is a bureaucrat who is the head of the civil administration in the state or union territory.
- He represents his own service and all services within the civil administration.
- His word in sorting out contending arguments and dissension among officers is final.
- CS has to show leadership while overseeing that public interest is preserved in letter and spirit.
- It is his duty to run an efficient administration and give the CM fair and impartial advice.
- Thus for a good reason CS has a commanding presence in the administration.

Role of Chief Secretary in democracy

- Democracy and participatory governance is preserved through rule of law and the authority to administer has to be integral to governance.
- This is the reason the symbols of authority is given to every CS, in states and UTs.
- In Delhi, the CS has a more challenging role he has to report simultaneously to the CM and the lieutenant governor (LG).

- He needs to walk a tightrope between the vision and concerns of both, even when they are not always on the same page.
- CSs face challenges due to immense authority vested on them to organise and get things done.
- CS's authority will work only as long as both the CM and the LG understand and respect the role of the CS.
- If that is whittled down, the tremors will be felt across the services and an insult to the CS is seen as an insult to the official brotherhood.

Challenges before CS in UTs

- In the states, the CS is invariably the choice of the CM and there is understanding and mutual trust between them.
- If the CS is unbending or difficult, it is easy to make a change quietly and elegantly.
- In the UT cadre or the AGMUT cadre as it is officially known, that is not so.
- By and large, the Ministry of Home Affairs (MHA), the authority controlling the cadre serving the NCT of Delhi as well as Goa, Arunachal Pradesh, Mizoram, Daman and Diu, Puducherry, Chandigarh and the Andaman and Nicobar administration, does not stand in the way of the CM having a CS of his choice.
- The officer knows his career is largely to be decided by the MHA and not by the CM of Delhi or elsewhere.
- Therefore, it is not necessary for the CS to always find a way to meet the demands of the CM, which is a point of difference with other state cadres.

2.3 Disqualification of Rajya Sabha Members

Two members of the Rajya Sabha belonging to JD(U) party were recently disqualified.

- According to Tenth Schedule introduced by 52nd Constitutional Amendment 1985, the grounds are-
 - i. If a **Members of a Political Party** voluntarily resigned from his party or disobeyed the directives of the party leadership on a vote or when does not vote / abstains as per party's whip.
 - ii. If an Independent Member joined a political party.
 - iii. If a Nominated members join a party after six months.
- The decision of presiding officers (Speaker of Lok Sabha and Chairman of Rajya Sabha) under the Tenth Schedule of the Constitution is subject to judicial review.

Reasons for the current disqualification

- The party accused the two members of indulging in anti-party activities, including attending rallies of other parties.
- On the grounds, the party filed a petition seeking the members' expulsion from Rajya Sabha.
- The decision was taken by The Chairman of the Rajya Sabha under the Tenth Schedule of the Constitution.
- It was justified on the basis of the argument that the members voluntarily gave up the membership of their party when they attended political rallies organised by rival parties.

2.4 Parliament's power to oversee Macroeconomic issues

Indian Parliament has only limited options to oversee Macroeconomic issues.

Constitutional Provisions

- **Article 112** - Annual financial statement, presented by means of the Finance bill and the Appropriation bill has to be passed by both the Houses before it can come into effect from the financial year (Article 112).
- **Article 265** - Any imposition of tax or collection of revenue should be done only by the authority of law.
- Revenue collected without the authority of law will be seen as forcible exaction.
- **Consolidated Fund of India (CFI)** - All revenues received or loans raised by the government are deposited in the CFI.
- Parliamentary sanction is necessary for any expenditure made from the CFI (Article 66).

- **Article 360** - President can declare financial emergency only under the approval by the Parliament.

Parliamentary mechanisms

- Parliament uses two mechanisms for monitoring the national economy.
- **Debate in the House** - This is the most common way of highlighting issues. But there is hardly ever a focussed debate on macroeconomic and monetary policy issues.
- The last time a discussion reviewed the economic situation was in 2008.
- Over the years the duration of budget discussions has been steadily decreasing.
- During Parliament's first decade, the debate on the budget lasted for an average of 123 hours. Now this number has come down to 40 hours.
- **Parliamentary committees** -Parliament has three finance committees namely **Public Accounts, Estimates, and Public Undertakings committee.**
- These committees focus on holding specific government ministries accountable.
- They scrutinise the finances, legislation, and working of ministries.
- But their mandate does not extend to scrutinising cross-cutting macroeconomic issues.
- The committee mostly examines policy issues and legislation being dealt with by the finance ministry.
- So India needs a Nodal Standing Committee on National Economy.

Committee on Public Accounts	Committee on Estimates	Committee on Public Undertakings
This Committee consists of 22 members. 15 members elected by the Lok Sabha and 7 members of the Rajya Sabha. They are elected by proportional representation by means of single transferable vote.	This Committee consists of 30 members who are elected by the Lok Sabha every year from among its members. The members are elected by proportional representation by means of single transferable vote.	The Committee on Public Undertakings consists of 22 members. 15 members elected by the Lok Sabha and 7 members of Rajya Sabha. The members are elected by proportional representation by means of single transferable vote.
A Minister is not eligible for election to this Committee.	A Minister is not eligible for election to this Committee.	A Minister is not eligible for election to this Committee.
The term of the Committee is one year.	The term of the Committee is one year.	The term of the Committee is one year.
The committee examines the appropriation accounts of GoI and Audit reports submitted by CAG.	It reports the improvements needed in organisation, efficiency, or administrative reform, consistent with the policy underlying the estimates. They suggest alternative policies in order to bring about efficiency and economy in administration.	The committee examines the reports and accounts of Public undertakings. The Committee does not, however, examine matters of major Government policy and matters of day-to-day administration of the Undertakings.
The chairman of the committee is appointed by Speaker. Conventionally, the chairman is from the member of the opposition.	The chairman of the committee is appointed by Speaker. The chairman is from the ruling party.	The chairman of the committee is appointed by Speaker. The chairman is always from Lok Sabha.

2.5 Updated NRC for Assam

The first draft of an updated National Register of Citizens (NRC) for Assam was published recently by the Assam government.

- Assam is the only State in the country that prepared an NRC in 1951 following the census of that year.
- It has also now become the first State to get the first draft of its own updated NRC.
- The Register is meant to establish the credentials of a bona fide citizen as distinguished from a foreigner.
- This is to detect Bangladeshi migrants who may have illegally entered Assam after the midnight of March 24, 1971.
- This cut-off date was originally agreed to in the 1985 Assam Accord.
- The recent publication of updated NRC comes as a result of the Supreme Court order to complete the exercise by December 31, 2017.

Challenges

- **Claims** - The list published is the first draft, and with verification of the remaining applicants subsequent draft would be published.
- However, if a citizen's name is missing, he/she can file an objection (with requisite documents) and request that the name be included.
- A **security challenge** could possibly emerge when the process of updating the NRC gets completed, given the further claims.
- **Post marriage migration** - Nearly 29 lakh women, who have migrated after marriage, have claimed for residency status.
- Their claim is supported by certificates issued by gram panchayat secretaries and executive magistrates.
- The Supreme Court has clarified that while these documents could be allowed, it could by no means taken as proof of citizenship.
- The challenge lies in verifying the authenticity of the certificates for establishing the link between the claimant and the legacy person (who has to be a citizen).
- **Citizenship Bill** - The Centre is pushing for the Citizenship (Amendment) Bill, 2016.
- It seeks to grant citizenship to Hindu Bangladeshis, who have entered Assam illegally post-1971.
- Various groups have opposed identification of illegal migrants on the basis of religion.
- This unresolved citizenship related issue could pose a challenge for the positive outcome of the NRC, even if completed.
- **Humanitarian concerns** - Nearly five decades have elapsed since the cut-off date of March 25, 1971.
- Certainly, individuals who have sneaked in illegally would have made settlements in India for generations.
- Expecting them to leave after such a long period has some serious humanitarian issues.
- **Deportation** - The list of aliens is only expected to increase with further applications and scrutiny.
- This is especially worrying given the **absence of a deportation treaty with Bangladesh**.
- There is a possibility that the issue could evolve as that of the Rohingyas of Myanmar's Rakhine province.

Assam Accord

- Assam Accord (1985) was signed by the Centre and the All Assam Students' Union (AASU).
- According to the (1985) was signed by the Centre and the All Assam Students' Union (AASU) given full citizenship, including the right to vote.
- Accordingly, those foreigners who had entered Assam between 1951 and 1961 were to be given full citizenship, including the right to vote.
- The entrants between 1961 and 1971 were to be denied voting rights for ten years but would enjoy all other rights of citizenship.
- Anyone who entered the state without documents after March 24, 1971 will be declared a foreigner and were to be deported.
- Besides, the Accord had a package for the economic development of Assam.



2.6 Whip

- The issue of expulsion of Member of Legislative Assembly of Tamil Nadu for violating the party' whip is before the Madras High Court.
- Whip in general denotes an official of a political party appointed to maintain parliamentary discipline among its members, especially so as to ensure attendance and voting in debates.
- The office of Whip is not mentioned in the constitution but it is based on parliamentary convention.
- In the 14th All India Whips Conference, 2008, the former Vice President Mohd. Hamid Ansari outlined the functions of whip as follows,
- Facilitate the functioning of the legislature and optimize its output.
- Be the channel for communicating party policy, on a day to day basis, to the rank and file of the party in the legislature
- Act as counselors to their Members and advisors to party leadership
- Function as the channel for dispensing favors and for enforcing discipline.

2.7 RTI and Judiciary

*Delhi High Court recently held that RTI Act could not be resorted to in case the information sought for is related to **judicial function** of the Supreme Court.*

- Court has highlighted Right To Information (RTI) Act would not override the *Supreme Court Rules (SCR)*, when it comes to dissemination of information.
- Court emphasized that the judicial functioning of the supreme court of India is separate/ independent from its administrative functioning.
- Consequently, for administrative functioning of the Supreme Court, information can be provided under the RTI Act.
- And for judicial functioning of the Supreme Court, the Supreme Court Rules is the mechanism.
- It includes right of inspection, search of copies and would be applicable for access to the documents filed on the judicial side.
- The court denied the arguments that there was an inherent inconsistency between SCR and RTI Act.
- The high court further said that a Judge speaks only through the judgments or orders passed.
- And cannot be expected to give reasons other than those that have been enumerated in the judgment or order.
- If any party feels aggrieved by the judgment passed, the remedy available is to challenge the same by a legally permissible mode.
- It stressed that the legislature could not make law to deprive the courts of their legitimate judicial functions conferred under the procedure established by law.

Supreme Court Rules (SCR)

- Supreme Court Rules (SCR), 1966 have been framed under **Article 145 of the Constitution of India**.
- They provide for regulating the practice and procedure of the Court, and the rules have the effect of law.
- SCR provide for a mechanism for inspection and search of pleadings on payment of prescribed fees.
- The rules were re-issued with minor changes in 2014.
- The Supreme Court Rules are not as effective a mechanism to access information as the RTI.
- Unlike the RTI Act, the **SCR do not provide for:**
 - i. a time frame for furnishing information

- **Good cause** is defined in the legal sense as a sufficient reason for a judge to make a ruling.
- It denotes adequate or substantial grounds or reason to take a certain action, or to fail to take an action prescribed by law.
- The term “good cause,” however, is a broad one, and what constitutes a good cause is usually determined on a case-by-case basis and is thus relative.



- ii. an appeal mechanism
- iii. penalties for delays or wrongful refusal of information
- The Rules also make disclosures to citizens dependent upon “**good cause shown**”.
- In sum, the Rules allowed the **Registry** to provide information at its unquestionable **discretion**, violating the text and spirit of the RTI.
- It is thus argued that the Supreme Court Rules are inconsistent with the RTI Act.

Right to Information

- Right to Information is an implicit right under **Article 21** of the constitution.
- Right to Information Act (RTI) was enacted in 2005 which mandates timely response to citizen requests for government information by public authorities as well as union and state governments.
- The act defines “Public Authority” under section 2(h) of the act,
- As any authority or body or institution of self-government established or constituted
 - By Constitution or by any law made by the parliament or state legislature.
 - By notification issued or order made by the Central Government or a State Government.
- Bodies owned, controlled or substantially financed by the Central Government or a State Government.
- Non-Government organisations substantially financed **directly or indirectly** by the Central Government or a State Government.
- RTI specifies information is required to be published within 120 days of the notification of the Act in respect of the items listed therein.
- Listed items are like the particulars of the organisation, its function and duties, norms set for discharge of functions, etc.
- The information can be in any form, including records, documents, opinions, press releases, circulars, contracts, etc. or can be data material held in any electronic form.
- RTI Act prescribes a maximum of 30 days for disposal of applications.
- It specifies for one CPIO (Central Public Information officer) for each department, who could forward the RTI applications to the right persons within the department.
- Section 8 of the RTI Act exempts ‘information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence’.

2.8 First direct women SC Judge

- The Supreme Court Collegium led unanimously recommended the name of senior advocate Indu Malhotra for appointment as a judge of the Supreme Court.
- Indu Malhotra will be the first woman lawyer to be directly recommended from the Bar to Supreme Court judgeship.
- This is the first time in history that a woman advocate has been recommended for direct elevation from the Bar to a Supreme Court judgeship.
- If appointed, Ms. Malhotra would be only the seventh woman judge in the Supreme Court's 68-year-old history.

Appointment of SC judges

- The Chief Justice of India and the Judges of the Supreme Court are appointed by the President (on the recommendation of the collegium) under clause (2) of Article 124 of the Constitution. (Collegium has not been mentioned in the constitution).
- A person to be appointed as a judge of SC should have following qualifications
 1. He/She should have been judge of a high court (or high courts in succession) for five years.



2. He/She should have been advocate of a High court (or High courts of succession) for ten years.
 3. He/She should be a distinguished jurist on the opinion of president who is recommended by the collegium.
- Constitution has not prescribed a minimum age for appointment as a judge of the SC, but he/she can hold office until the age of 65 years.
 - Constitution has not fixed the tenure of SC judge.

2.9 Removal of High Court Justice

The parliamentary inquiry committee has concluded that Justice Shukla of the Allahabad High Court has committed judicial impropriety.

- A judge of the SC/HC can be removed by an order of the President of India.
- **Article 124 (4) and Article 217** specifies the grounds of removal as proved misbehavior or incapacity.
- First, a removal motion has to be supported by 100 members in case of the Lok Sabha and 50 in the Rajya Sabha.
- The same is to be given to the Speaker/Chairman of the House and it can be introduced in any of the two Houses.
- It is up to the Speaker/Chairman to admit or reject the motion.
- If admitted then a three-member committee is formed to investigate the charges.
- The Committee will comprise either the Chief Justice of India or Judge of the SC, Chief Justice of a High Court and an eminent jurist.
- If the Committee finds the judge guilty then the House in which the motion was introduced can take up the matter.
- The removal motion has to pass in both houses with a 2/3rd majority of those present and voting, which must also be greater than 50% of the total strength.
- The President then passes an order to remove the judge.
- So far no SC judge has been impeached in India.

2.10 Concerns with Powers of Chief Justice

There are controversies over the power of chief justice in constitution of benches.

Powers of a Chief justice

- **SC** - The judges of the Supreme Court and high courts are appointed by the president after consultation with the chief justice of India.
- The chief justice of High court is appointed by the president after consultation with the chief justice of India and the governor of the state concerned.
- The consultation with the chief justice is obligatory in the case of appointment of a judge other than chief justice.
- Thus the advice tendered by the chief justice of India is binding on the president in the matters of appointment of the judges of the SC.
- **HC** - For appointment of other judges the chief justice of the concerned high court is also consulted.

Benches in SC/HC

- In the US Supreme Court, there will be nine judges and all sit together and decide all the matters.
- Likewise in India high courts and the SC discharge their function through the benches.
- In India the members of the bench is usually appointed by the chief justice of the respective court, a chief justice can also present in the bench.

- The constitution of benches is an administrative matter and is a privilege of the chief justice as the administrative head of the court.
- Therefore in India Chief justice is the administrative head of the respective court, but not its judicial head.
- The justice delivered by CJ's benches and other benches have equal weight and are equally binding.
- Both in the high courts and the SC for deciding matters involving constitutional disputes, a bench of no less than five judges should be constituted and the said bench should consist of the senior-most judges.

2.11 India's first social audit law

- Meghalaya has recently become India's first state to operationalize a law that makes social audit of government programmes a part of government practice.
- The legislation is applicable to 11 departments and 26 schemes in the north eastern state.
- A social audit facilitator will be appointed to conduct the audit directly with the people.
- So far, social audits of government programmes have been done at the initiative of civil society organisations.
- By this new law social audits will have an official sanction and become the mandate of the government.

2.12 Nyaya Grams

- It is a township with a judicial academy and auditorium in the Allahabad High Court.
- The U.P state government has provided the funding for this judicial infrastructure.
- And U.P public works department is the nominated construction agency.
- It will help judges to assemble and deliberate on the contemporary legislation and developments in the field of law.

2.13 Road map for municipal reforms

The Union ministry of housing and urban affairs has prepared a comprehensive road map for municipal reforms.

- Atal Mission for Rejuvenation and Urban Transformation (AMRUT) is carried on with some basic reforms in 500 cities from 2015 to 2017.
- Taking this forward, the next level of reforms is proposed to be undertaken through the road map for municipal reforms.
- The plan consists of three tiers of reforms.
- States and cities compete against each other and the incentive is given based on competition.
- States have the flexibility to define their reform paths and innovate; only the what of reforms is given, the how is left to states.
- **Tier 1** - The purpose of Tier 1 is to accelerate ongoing key **financial and service delivery** reforms.
- Cities have to comply with some **conditions to get the performance grant** set down by the 14th Finance Commission.
- Notably, ULBs have to recover more than 70% of their revenue expenditure from their own revenue receipts.
- **Tier 2** - The Tier 2 consists of five transformative reforms including:
 1. value-capture financing policy
 2. credit rating, issuing municipal bonds
 3. professionalising municipal cadres including allowing lateral entry
 4. implementing the trust and verify model
 5. enacting and implementing a land-titling law with a focus on using information technology
- **Tier 3** - The focus of tier 3 is rapid and even more transformational reforms along three main avenues.
- These are governance, planning and finance, for enhancing downstream accountability mechanisms.
- Plans include deepening decentralization and strengthening ULBs by greater fund devolution, functions and functionaries.
- Also, own source revenue mobilization for self-reliance and flexibility in urban planning to address the changing socio-economic conditions.

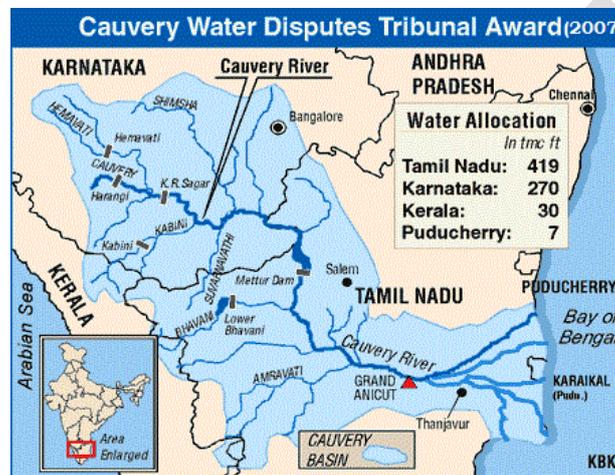
3. TRIBUNALS

3.1 Cauvery River Water Dispute

The Supreme Court has pronounced its verdict on the sharing of Cauvery water among Tamil Nadu, Puducherry, Karnataka and Kerala.

Evolution of Cauvery dispute

- **Historically**, Tamil Nadu used about 602 TMC of the total yield of the river i.e. the available water in a particular year.
- As a result, only about 138 TMC was available for Karnataka until the turn of the 20th century.
- In 1924, Tamil Nadu built the Mettur dam across the Cauvery river.
- Subsequently, Karnataka and Tamil Nadu signed an agreement effective for 50 years.
- Accordingly, Tamil Nadu was allowed to expand its agricultural area by 11 lakh acres from the existing 16 lakh acres.
- Karnataka was authorised to increase its irrigation area from 3 lakh acres to 10 lakh acres.



- The Cauvery River thus primarily served the needs of farmers in Tamil Nadu.
- On completing 50 years, the accord lapsed in 1974.
- Subsequently, Karnataka claimed that the agreement restricted its ability to develop farming activities along the Cauvery basin.
- To make up the lost ground, Karnataka attempted to expand farming activities in the Cauvery basin, it started building reservoirs.
- With this, the Cauvery river water sharing issue emerged.
- It is now a major water sharing dispute among Tamil Nadu, Karnataka, Puducherry and Kerala.
- **Tribunal** - By Tamil Nadu's demand, the Union government formed the Cauvery Water Disputes Tribunal (CWDT) in 1990.
- The dispute was adjudicated by the CWDT in 2007.
- **Tribunal's order** - According to the tribunal's order, the total availability of water in the 802-km long Cauvery basin is 740 tmc in a normal year.
- Of the total 740 thousand million cubic feet (TMC) of water available for utilisation -
 - i. 419 TMC was awarded to Tamil Nadu
 - ii. 270 TMC to Karnataka
 - iii. 30 TMC to Kerala
 - iv. 7 TMC to Puducherry



- The remaining 14 TMC was reserved for environmental protection.
- To achieve this sharing, the order stated that Karnataka must release 192 TMC of water from Biligundlu Station (inter-state dam) in normal monsoon years.
- This should be at the rates specified by the tribunal for each month.
- The tribunal also noted that in case the yield was less in a distress year, the allocated shares shall be proportionately reduced.
- Both Tamil Nadu and Karnataka challenged the tribunal's order.
- Karnataka claimed 312 TMC of water as against the 270 TMC ordered by the tribunal.
- The court reserved its order in September 2017.
- **Present SC verdict** -The Court declared Cauvery a "national asset".
- It upheld the principle of equitable apportionment of inter-State river water among riparian States.
- The judgment concluded that the CWDT did not take into account Tamil Nadu's stock of an "empirical" 20 TMC of ground water.
- Accordingly, Karnataka is "entitled to marginal relief".
- In its present verdict, the Supreme Court has thus reduced the allocation of Cauvery water from Karnataka to Tamil Nadu.
- This means a reduction of 14.75 TMC quota of Cauvery water to Tamil Nadu from the earlier 192 TMC as stipulated by the tribunal.
- This change will be adjusted from the Biligundlu site.
- Karnataka will now release only 177.25 TMC Cauvery water from Billigundlu site to Mettur dam in Tamil Nadu.

State	Quantity of water allocated (Latest)
Karnataka	284.75 tmcft, including 4.75 tmcft for Bengaluru
Tamil Nadu	404.25 tmcft
Kerala	30 tmcft
Puducherry	7 tmcft

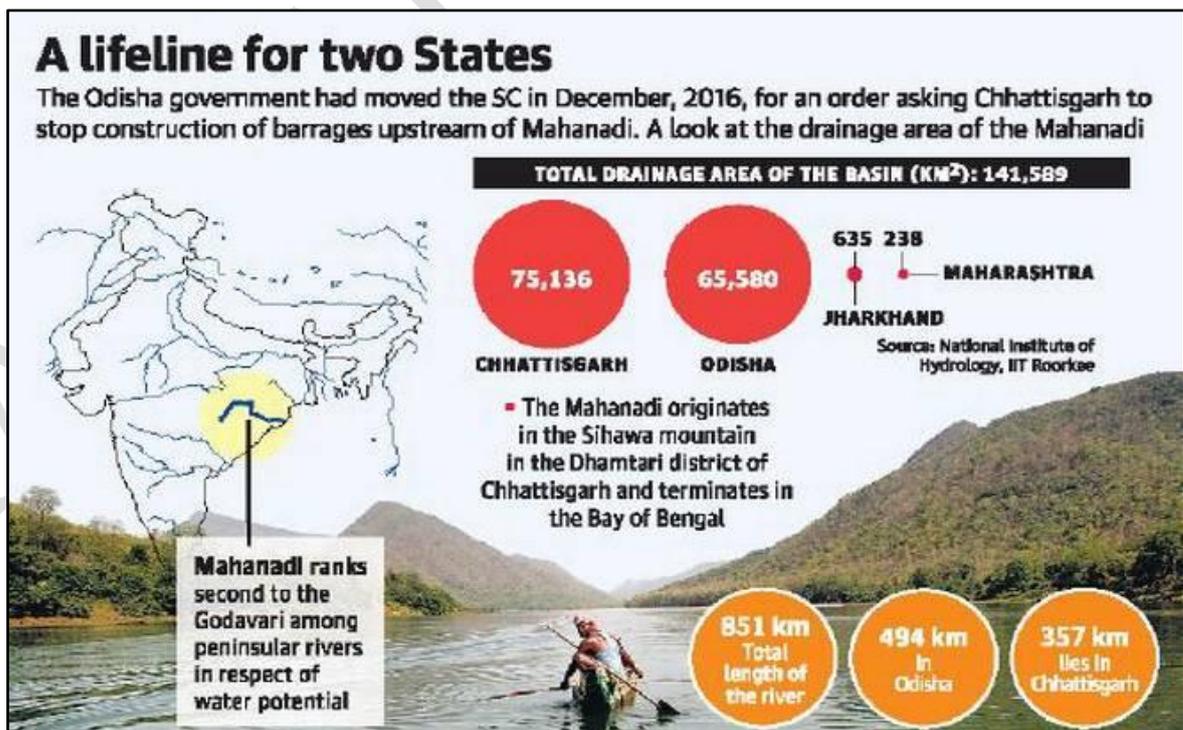
- The SC has given the Centre 6 weeks to frame a scheme to make sure the final decisions are implemented.
- SC has also directed the formation of the **Cauvery Management Board (CMB)** immediately.
- CMB will be an inter-state forum which will work to ensure the implementation of orders of the CWDT, monitor the storage position in the Cauvery basin and the trend of rainfall and assess the likely inflows for distribution among the States.
- The CMB will have three full-time members including a chairman.
- It will also consist of six part-time members.
- Four of them will be from the riparian States of Karnataka, Kerala, Tamil Nadu, and the Union Territory of Puducherry.
- The Board shall be under the control of the Ministry of Water Resources.
- The expenses of the Board will be borne by the state governments.
- The Cauvery Water Regulation Committee (CWRC) is to ensure that the Tribunal's order is carried out in due spirit.
- The water allocation arrangement will stand unchanged for the next 15 years.

Constitutional Provisions

- **Article 363** - The 1892 and 1924 agreements were between the princely State of Mysore and the Madras presidency.
- It pertained to the allocation of Cauvery water to regions now comprising Tamil Nadu, Karnataka, Kerala and Puducherry.
- Article 363 of the Constitution restricts judicial review of a pre-Constitution treaty or agreement.
- The court however dismisses the validity of Art 363 in the case of 1892 and 1924 agreements.
- It observes that these agreements were not political arrangements but based on public interest.
- **Article 262** - The Centre had earlier maintained that the Court lacked the jurisdiction to hear inter-state river water dispute.
- This is as per the Inter-State Water Disputes Act of 1956.
- The provisions of Act restrict the Supreme Court from hearing or deciding any appeals against the Tribunal's decision.
- The Centre had thus claimed the Tribunal award as final.
- The Court, however, held that the remedy under Article 136 was a constitutional right.
- Art 136 empowers the Supreme Court to grant leave to appeal from any judgment, decree or determination by any Court or Tribunal.

3.2 Mahanadi Tribunal

- The Union Cabinet approved the setting up of Mahanadi Water Dispute Tribunal.
- The tribunal will settle the row between Odisha and Chhattisgarh on sharing the waters of the Mahanadi River.
- The tribunal is expected to determine water sharing among basin States on the basis of the overall availability of water in the complete Mahanadi basin, contribution of each State, present utilization of water resource in each State potential for future development
- The tribunal will be setup as per the provisions of the Inter-State River Water Disputes (ISRWD) Act, 1956.





- The Tribunal shall consist of a Chairman and two other Members nominated by the Chief Justice of India from amongst the Judges of the Supreme Court or High Court.

4. ELECTIONS

4.1 EC's Disqualification of AAP MLAs

Election Commission (EC) has recommended to the President that 20 of Aam Aadmi Party's (AAP) MLAs be disqualified for holding offices of profit.

- The Arvind Kejriwal-led Delhi government passed an order back in 2015, **appointing** 21 MLAs as **parliamentary secretaries**.
- The appointment of MLAs was **challenged** by an advocate arguing that these MLAs were holding '**office of profit**'.
- There was also a petition before the then President seeking their disqualification.
- In response, the Delhi Assembly passed the Delhi Member of Legislative Assembly (Removal of Disqualification) (Amendment **Bill**), 2015.
- The bill excluded the parliamentary secretaries from 'Office of Profit' with retrospective effect.
- However, **President declined assent** to the Bill.
- Later on, the Election Commission (EC) held a **personal hearing** for 21 AAP MLAs.
- Subsequently, the Delhi High Court set aside a government order that appointed 21 of the party's MLAs as parliamentary secretaries.
- Very recently, the Election Commission has recommended the President for **disqualification** of the 20 AAP MLAs (one resigned).

Parliamentary Secretary

- A Parliamentary Secretary often holds the rank of Minister of State and has the same entitlements.
- He/she is appointed to assist the ministers and is assigned to a government department.
- Many states in the Indian Union have instituted the post of Parliamentary Secretary and have also appointed MLAs to the post.

'Office of Profit'

- 'Office of profit' (OoP) is not clearly defined in the Constitution.
- But deriving from the past judicial pronouncements, five tests have been laid down to check if an office is an OoP or not.
- They are:
 - i. whether the government makes the appointment
 - ii. whether the government has the right to remove or dismiss the holder
 - iii. whether the government pays remuneration
 - iv. what the functions of the holder are
 - v. does the government exercise any control over the performance of these functions
- In all, the word 'profit' has always been treated equivalent to or a substitute for the term 'pecuniary gain' (financial gain).

Constitutional Provisions

- The constitutional procedure is that if there is any petition pertaining to an office of profit, it goes to the President.
- She/he checks **Article 102 and 191** of the constitution and Section 15 of the National Capital Territory of Delhi Act 1991 and takes the EC's opinion.
- **Section 15(1)(a) of Government of National Capital Territory of Delhi (GNCTD) act, 1991**, A person shall be disqualified for being chosen as, and for being, a member of the legislative assembly if he holds any office of profit” under the government of India, a state or a union territory” other than an office protected by law.

What the law says

Article 102 (1)(a) says a person shall be disqualified from being a member of either House of Parliament if he holds any office of profit, among other grounds

Article 103 says if a question arises whether a member has incurred such disqualification, it will be referred to the President's decision. The President shall obtain the Election Commission's opinion and act accordingly

Article 191(1) contains a similar provision for MLAs and MLCs in the States. Legislators in Delhi are covered by corresponding provisions in the Government of National Capital Territory Act, 1991



Legal concerns

- **Office of Profit** - MPs and MLAs are supposed to hold the government accountable for its work.
- Logically, holding an “Office of Profit” under the government may make them susceptible to government influence.
- They may fall short of discharging their constitutional mandate.
- **Number of members** - **Article 164(1A)** specifies that the number of ministers including the Chief Minister has to be within 15% of the total strength of the Assembly.
- In the case of Delhi, which is not a ‘full’ state, the number of Cabinet Ministers cannot exceed 10% of the total 70 seats.
- This is as per **Article 239AA** of Constitution which deals with Special provisions with respect to Delhi.
- As a Parliament Secretary often holds the rank of Minister of State, their numbers should also be considered in meeting this limitation.
- On violation of this, various High Courts have earlier struck down the appointment of Parliamentary Secretaries as unconstitutional.

4.2 Sec 29A of the RPA, 1951

A recent petition before the Supreme Court sought a direction to declare section 29A of the RPA as “arbitrary, irrational and ultra-vires” to the Constitution.

- **Plea** - The petition sought to restrain convicted persons from forming political parties and becoming their office-bearers for the period they are disqualified under the election law.
- Allowing convicted politicians to run political parties and hold posts in them leave scope for them deciding as to who will become a lawmaker.
- It this sought to authorise the poll panel to register and de-register political.

Sec 29A of RPA, 1951

- It deals with the power of the poll panel to register a political party.
- However, the Election Commission has the power to merely register a political party, but not to de-register it.
- Moreover, Section 29A allows a small group of people to form a political party by making a very simple declaration.

Deregistering political parties

- Under existing laws, the EC has the authority to register a political party but there is no explicit provision to allow it to deregister any party.

- Cancellation order can be passed under some specific circumstances as elaborated by the Supreme Court in its judgements.
- The grounds are when a party is declared unlawful or is found to have got it registered through fraudulent means.
- EC can use its extraordinary powers under Article 324 of the Constitution to delist such parties.
- **Concern** - The simple procedure under Sec 29A of the RPA, 1951 has led to proliferation of political parties.
- About 20% of registered political parties contest election and remaining 80% parties create excessive load on electoral system and public money.
- Certain political parties exist only on paper to avail the benefit of income tax exemption.
- **Court** - The Court observed that it would be against the freedom of speech and expression to debar a convicted person from propagating political views through a party.
- However, it agreed to examine the constitutional validity of section 29A of the 1951 Representation of the People Act (RPA).
- The Supreme Court sought the responses from the Centre and the Election Commission on this.

4.3 Section 33(7) of the RPA, 1951

A recent petition challenged Section 33(7) of the Representation of the People Act, 1951.

- Section 33(7) of the RPA permits a candidate to contest any election from up to two constituencies.
- This applies to Parliamentary, State Assembly, Biennial Council, or bye-elections.
- The provision is presumably to give greater flexibility to candidates and increase their chances of winning a seat.
- It was introduced in 1996. Prior to this, there was no bar on the number of constituencies from which a candidate could contest.
- However, Section 70 of the Act specifies that a person who wins on both seats can hold one seat only, and thus has to vacate one.
- **Concerns** - The Election Commission is in favour of not allowing politicians from contesting from multiple seats.
- This causes financial burden on the public exchequer, government manpower and other resources for holding a by-election.
- It is also an injustice to the voters of the constituency which the candidate is quitting from.
- One person, one vote and one candidate, one constituency is the dictum of democracy.
- **Suggestions** - The ECI suggested that if existing provisions are retained then the candidate contesting from two seats should bear the cost of the bye-election from the resultant vacancy.
- The amount in such an event could be Rs 5 lakh for state assembly and council election, and Rs 10 lakh for parliament election.

4.4 Electoral Bonds

The union government announced the launch of electoral bonds in FY2017 Budget. These bonds are expected to curb money-laundering through political funding, but there are transparency issues.

- Electoral bonds will be issued by a notified bank for specified denominations, which is interest free.
- Those who want to donate to a political party, can buy these bonds by making payments digitally or through cheque.
- Then they are free to gift the bond to any registered political party.
- The bonds will likely be bearer bonds and the identity of the donor will not be known to the receiver.
- The party can convert these bonds back into money via their bank accounts within 15 days.



- The bank account used must be the one notified to the Election Commission and the bonds may have to be redeemed within a prescribed time period.
- Electoral bonds are essentially like bearer cheques, the issuing bank will remain the custodian of the donor's funds until the political party redeems the bond.

Advantages

- Electoral bonds present a leak-proof alternative to anonymous cash donations that used to dominate political funding (cash donations beyond Rs.2,000 were barred in the 2017 Budget).
- Electoral bonds will be available only from one bank (SBI) and buyers will have to meet KYC requirements, ensuring that political parties cannot accept unaccounted money through this route.
- They can be used only to donate to registered political parties, thus curbing the flotation of counterfeit parties with the sole purpose of laundering wealth.
- Their structuring as interest-free bonds with a limited shelf life of 15 days will also ensure that they aren't used as an anonymous currency alternative to store wealth.

Concerns

- Electoral bonds may curb the rampant funnelling of unaccounted money into Indian politics, but this may be achieved at the cost of lower transparency to the voter.
- Electoral bonds allows donations through this route only to parties that won 1 per cent of the votes in the preceding election, this may pose a formidable entry barrier to new contenders in the political arena.
- Under earlier tax laws, political parties were required to compulsorily disclose to the Election Commission the identity, PAN and other details of all donors who contributed over Rs.20,000 to their coffers.
- But Finance Bill 2017 restricted cash donations and specifically exempted electoral bonds from this requirement.
- It also did away with the statutory limit on corporate donations to parties (7.5% of three years' net profits) and waived the need to disclose the identity of the receiving party.

5. IPC AND CRPC IN NEWS

5.1 Section 377 of IPC

Supreme Court is likely to re-examine the Section 377 of IPC.

- Section 377 under Indian Penal Code (IPC) of colonial era **criminalises homosexuality**.
- It is an archaic law that was introduced during the British era in 1860s and makes gay sex a crime for which the punishment can be a life term.
- Under this section whoever voluntarily has carnal intercourse against the order of nature with any man, woman shall be punished with imprisonment for life, and shall also be liable to fine.
- **Earlier stands of SC** - In 2009 Delhi high court gave a historic and globally accepted verdict by decriminalised gay sex, but this order was kept aside by the SC in 2013.
- In December 2013 Supreme Court in **Suresh Kumar vs NAZ foundation** case, dismissed the LGBT community as a negligible part of the population while virtually denying them the right of choice and sexual orientation.
- A Review Bench of the Supreme Court, in January 2014, had also refused to strike down Section 377 IPC.
- In **Puttaswamy Vs Union of India** case in 2017, SC has ruled that right to privacy as a fundamental right.
- The judgement implicitly overrules the 2013 judgment of the Supreme Court that upheld the validity of IPC Section 377.
- **Recent stand of SC** - Recently SC clearly stated that the determination of order of nature is not a common phenomenon.



- Individual autonomy and individual natural inclination cannot be atrophied unless the restrictions are determined as reasonable.
- The court observed that what is natural for one may not be natural for the other, but the confines of law cannot trample on or curtail the inherent rights embedded with an individual under Article 21 (right to life) of the Constitution.
- A right to sexuality, sexual autonomy and freedom to choose a sexual partner forms the cornerstone of human dignity which is protected under **Article 21**.
- It also proposed that societal morality changes with time and law should change pace with life.
- Thus the order reveals a paradigm shift in the apex court's views.

5.2 Section 354 of the CrPC

- A PIL had sought quashing of section 354(5) of the Criminal Procedure Code which specifies **execution by hanging**.
- The plea had referred to a Report of the Law Commission advocating removal of the present mode of execution from the statute.
- It has also referred to **Article 21** and stressed that it included the right of a condemned prisoner to have a dignified mode of execution so that death becomes less painful.
- This means the right to a dignified life up to the point of death including a dignified procedure of death.
- PIL noted that the present practice of executing a death row convict by hanging involves prolonged pain and suffering.
- Notably, in hanging, the entire execution process takes over 40 minutes to declare a prisoner dead.
- The PIL had also listed intravenous lethal injection, shooting, electrocution or gas chamber as other viable options in which death is just a matter of minutes.
- The SC had urged the parliament to consider amending the Criminal Procedure Code to change the mode of execution to make death less painful.
- The court also made it clear that it is not questioning the constitutionality of death penalty but only the mode of execution.
- However, the Centre had told the SC that executing a death row convict by hanging was the most viable method.

5.3 Adultery Law

The Supreme Court has decided to re-examine the offence of adultery as dealt in Section 497 of the Indian Penal Code.

- **Section 497 of IPC** - Section 497 of IPC criminalises the offence of adultery.
- It punishes the “outsider” who breaks into the matrimonial home through illicit relationship with one of the spouses.
- **Section 498 of IPC** - It deals with enticing or taking away or detaining a married woman with the intent of illicit intercourse.
- **Section 198(2) of CrPC** - According to this, no person other than the husband of the woman shall be deemed to be aggrieved by any offence punishable under Section 497 or Section 498 of IPC.
- **Contentions** - Only the erring man is liable to be punished for the offence of adultery under Section 497 of IPC.
- The provisions give only husbands the exclusive right as an aggrieved party to prosecute the adulterer in a case involving his wife.
- A similar right has not been conferred on an aggrieved wife. The provision does not confer any right on the wife to prosecute her husband or any other woman.
- Further, if the husband of the woman gives his consent for the sexual affair with another man, no offence lies.



- The decision of Court to re-examine the offence is an admission that it had earlier gone wrong in denying the discriminatory nature of the law.

5.4 Malimath Report

- Justice Malimath Committee or The Committee on Reforms of the Criminal Justice System was constituted by the Home Ministry in 2000.
- It was the first time that the State constituted such a Committee for a thorough and comprehensive review of the entire Criminal Justice System in the country.
- The committee had submitted its report in 2003 and made recommendations on crime investigation and punishment.
- The recommendations were never implemented. It is now going to be revisited by the government.
- One of its key recommendations is admissibility of confessions made before a police officer as evidence in a court of law.
- Other recommendations are
 - i. Stringent punishment for false registration of cases,
 - ii. Constituting a National Judicial Commission and
 - iii. Amending Article 124 to make impeachment of judges less difficult
 - iv. Standard of “proof beyond reasonable doubt” followed in criminal cases be done away with.

6. ACTS & BILLS

6.1 Transgender Persons (Protection of Rights) Bill

The Centre has decided to re-introduce the original Transgender Persons (Protection of Rights) Bill, 2016, without the adopting recommendations of the Parliamentary Standing Committee.

Evolution of the Bill

- In February 2014, the Supreme Court passed a landmark judgement in the **NALSA vs. Union of India case**.
- It recognised that transgender persons have fundamental rights, and paved the way for enshrining the rights of transgenders in law.
- The apex court deemed that individuals had the **right to the self-identification** of their sexual orientation.
- It also called for affirmative action for transgenders in education, primary health care and social welfare schemes.
- **Private Member Bill - Rights of Transgender Persons Bill, 2014**, was introduced as a Private Member’s Bill in the Rajya Sabha by Tiruchi Siva.
- It was unanimously passed in the Rajya Sabha but was never debated in the Lok Sabha.
- The Bill passed in the Rajya Sabha had many progressive clauses.
- These include –
 - i. the creation of institutions like the national and State **commissions for transgenders**
 - ii. setting up **transgender rights courts**
- **Government Bill** – Following this, government drafted its own bill, Rights of Transgender Persons Bill, in 2015 and introduced it in the Lok Sabha in 2016
- The remedial measures to prevent sexual discrimination in private member bill were done away with by the government
- **Standing Committee** – As, the bill had many contentious provisions, it was sent to the standing committee on social justice and empowerment.
- **Reintroduction** - Ignoring the recommendations of the Standing Committee, the original version of the bill is set to be re-introduced now.
- This legislation seems to undermine their right to life and livelihood instead of safeguarding their interests.



Recommendations of standing committee

- **Definition** - The 2016 Bill identifies transgenders as being “partly female or male or a combination of female and male or neither female nor male”.
- The ambiguity in the definition of the "third sex" lends itself to misinterpretation.
- Section 377 of the IPC that criminalises non-heterosexual sex draws many transgenders into its net.
- This definition is also departure NALSA judgment to identify transgenders outside the male-female binary.
- It is also against the 2014 bill's intention to cleanse society of the **stigma**.
- The Standing Committee draws attention to this inadequate definition which is founded on a heterosexual worldview.
- **Identification** - 2016 Bill mandates transgenders to submit themselves to a medical examination for recognition.
- This will be done by a District Screening Committee comprising of a Chief Medical Officer, a psychiatrist, a social worker, and a member of the transgender community.
- This is in stark contrast to the 2014 Bill that gives individuals the right to self-identify their sex and gender.
- **Social protection** - The central **reservation provision** in 2014 Bill of 'earmarking jobs for transgenders' is diluted in the 2016 Bill with 'equal opportunity in all spheres of life'.
- **Grievance redressal** - Establishments consisting of hundred or more persons is now mandated to designate a complaint officer to deal with any violation of the Act.
- This comes as a provision to replace the setting up of central and State transgender rights courts as prescribed in the 2014 Bill.
- Other recommendations like extending civil rights like marriage, divorce, and adoption to transgenders, including transgenders in workplace sexual harassment policies and counselling services to were also omitted by the Centre.

6.2 Draft Space Activities Bill, 2017

The Department of Space has released a draft Space Activities Bill, 2017.

Key provisions in the bill

- It aims at encouraging both the public and private sectors to participate in the space programme.
- The Bill specifically facilitates for the participation of non-governmental/private sector agencies in space activities in India.
- The provisions of the legislation shall apply to every citizen of India.
- And also to all sectors engaged in any space activity in India or outside India.
- **Regulatory mechanism** - The central government is responsible for setting mechanisms and promoting space activity.
- This includes exploration and use of outer space, and development of the sector.
- The central government can:
 - i. grant, transfer, or terminate licenses to any person for commercial space activities
 - ii. provide professional and technical support, and authorisation to launch or operate space objects
 - iii. regulate the procedures for conduct and operation of space activity by monitoring the conformity with international space agreements to which India is a party
 - iv. ensure safety requirements and investigate any incident or accident in connection with the operation of a space activity
- **Licences** - A non-transferable licence shall be provided by the Central Government to any person carrying out commercial space activity.
- A license granted by the central government includes -
 - i. permission for the central government to inspect any space activity and documents related to space activity



- ii. obligation on the licensee to insure himself/herself against any liability incurred due to any activity authorised by the license
- **Liabilities** - A licensee should compensate the central government against claims brought against the government.
- This would be regarding damages arising out of commercial space activities covered under the license.
- **Penalties** - The draft Bill provides for penalties in case of:
 - i. unauthorised commercial space activity
 - ii. furnishing false information or documents
 - iii. causing environmental damage
 - iv. entry into prohibited areas
 - v. disclosure of restricted information
- **Protection** of action taken by the central government i.e. no legal proceedings can lie against the central government with respect to anything done in good faith in pursuance of space activity.
- **IPR** - Intellectual property rights developed during the course of space activity will be protected under the law.
- Further, any intellectual property right developed onboard a space object in outer space will be deemed to be the property of the central government.

6.3 Redrafted Bill on Passive Euthanasia

The redrafted bill on euthanasia is released as the 'Management of Patients with Terminal Illness - Withdrawal of Medical Life Support Bill'.

Evolution of the Bill

- Passive Euthanasia is the withdrawal of medical treatment and life support of a terminally-ill patient to facilitate (natural) death.
- The Supreme Court had recognised passive euthanasia for the first time in the 2011 in Aruna Shanbaug case.
- Accordingly, withdrawal of life-sustaining treatment from patients not in a position to make an informed decision (incompetent case) is permitted.
- The SC further laid down comprehensive guidelines on passive euthanasia, which was to be followed until a law was enacted in this regard.
- Subsequently, government drafted the Medical Treatment of Terminally Ill Patients [Protection of Patients and Medical Practitioners] Bill earlier in the year.
- But, given some concerns regarding the possible misuse of its provisions, the SC suggested adequate changes to ensure proper safeguards.
- It even recommended a proper medical board examination of all cases of euthanasia.

Key Provisions

- **Approval Procedure** - Hospitals have to set up approval committees for considering cases of passive euthanasia.
- These panels will decide on applications of “Living will” which is a written document by a “competent” terminally ill patient.
- This will allow them to explicitly state their desire against life-prolonging measures when recovery is not possible.
- For incompetent terminally ill patients, unanimous consent of near relatives has been suggested to apply for withdrawal of medical treatment.
- **Other Provisions** – Any distortion of facts before such panels may lead to a maximum of 10 years in jail and a fine of up to Rs 1 crore.

- The draft provides for pain reducing medication (palliative care) even after passive euthanasia is approved.
- It clearly stated that it did not encourage active euthanasia which is the acceleration of death by using lethal means.
- The bill also provides for the protection of medical practitioners and care givers, by absolving them of guilt in acts of passive euthanasia.

6.4 Indian Institutes of Management (IIM) Bill, 2017

The Rajya Sabha has recently passed the Indian Institutes of Management (IIM) Bill, 2017 which was earlier passed by the Lok Sabha.

Key Provisions

- **Autonomy** - India has 20 Indian Institutes of Management in all, functioning as elite Business-schools.
- The legislation seeks to grant greater administrative, academic and financial autonomy to these IIMs.
- The institutes will be made free of government interference and will now be board-driven.
- Consequently, the power to appoint the chairperson as well as, the director will now lie with the board of the institutes.
- It means neither the HRD ministry nor the President of India will have any say in the selection of top executives and the faculty members.
- The government will also not have any say in the fees charged at these institutes.
- The Board will now reserve the power to review the performance of each IIM and will be the principal executive body.
- The bill also has provisions for the representation of SC, ST and women in the board of governors.
- **Degrees** - Until now, the IIMs have not been governed by an act of Parliament or overseen by the University Grants Commission (UGC).
- So they were awarding only postgraduate diplomas to its students.
- The legislation would make IIMs institute of national importance, granting them the power to award full-fledged degrees instead of diplomas.
- **Regulation** - The bill contains a provision for a "Coordination Forum of IIMs".
- But it will have limited power and will work as an advisory body.
- It will be a forum of 33 members, and its chairman will be selected by a search-cum-selection committee.
- The HRD minister will not head it.
- The central government may frame rules to give additional powers and duties to IIM boards.
- It will also decide on the terms and conditions of service of directors, although the appointments will be made by the boards.
- It will notify the IIM coordination forum to be headed by an eminent person.
- The accounts of the IIMs will now be audited by the Comptroller and Auditor General (CAG) of India.

Shortfalls

- The bill is seen as a needed reform in the education sector.
- However, there is a concern that the government would control the IIMs via the coordination forum.
- Besides, the government is fails to clearly spell out the process of appointing the board of governors that will control IIMs now.
- The bill is also silent on any reservations in the faculty recruitment.
- There is also a concern with IIMs being granted the complete control over the fee structure.



- There are now demands for similar independence from government control to the Indian Institutes of Technology (IITs) and other top schools in the government and private sector.

6.5 Muslim Women (Protection of Rights on Marriage) Bill, 2017

Lok Sabha has passed the Muslim Women (Protection of Rights on Marriage) Bill, 2017.

Key Provisions

- **Definition** - The Bill defines talaq as talaq-e-biddat (instant triple talaq) or any other similar form of talaq pronounced by a Muslim man resulting in instant and irrevocable divorce.
- It makes all forms of declaration of talaq to be void i.e. not enforceable in law.
- **Offence and penalty** - The Bill makes declaration of talaq a cognizable and non-bailable offence.
- A husband declaring talaq can be imprisoned for up to 3 years along with a fine.
- **Allowance** - A Muslim woman against whom talaq has been declared is entitled to seek subsistence allowance from her husband.
- This applies to the woman and her dependent children.
- The amount of the allowance will be decided by the Magistrate.
- **Custody** - A Muslim woman against whom such talaq has been declared, is entitled to seek custody of her minor children.
- The determination of custody will be made by the Magistrate.

Shortfalls

- **SC judgement** - The Supreme Court, earlier, invalidated the triple talaq practice by calling it arbitrary and unconstitutional.
- Logically, the pronouncement of talaq-e-biddat does not dissolve the marriage, and this is the law of the land under Article 141.
- Contradictorily, the Bill presumes that the “pronouncement” of talaq can instantaneously and irrevocably dissolve the marriage.
- The bill thus seems to be misreading the SC’s judgment on talaq.
- **Offence** - After rendering talaq-e-biddat inoperative, considering it a cognisable and non-bailable offence seems illogical.
- It raises questions on the validity of the law that criminalises an act after conceding that it does not result in a crime.
- **Post-divorce issues** - Making provisions on post-divorce matters like subsistence allowance and the custody, when the pronouncement (instant talaq) itself does not dissolve the marriage appear baseless.

6.6 The Indian Institute of Petroleum and Energy Bill, 2017

Parliament has recently passed “The Indian Institute of Petroleum and Energy Bill, 2017”.

- The Bill establishes the Indian Institute of Petroleum and Energy, Vishakhapatnam, Andhra Pradesh.
- The Institute aims to provide high quality education and research focussing on the themes of petroleum, hydrocarbons and energy.
- The Institute is required to maintain a fund which will be credited with the funds that it receives from the central government, fees and money received from any other sources (grants and gifts).
- The accounts of the Institute shall be audited by the Comptroller and Auditor- General of India.
- The bill declares the Institute as an Institution of National Importance (INI).

6.7 National Medical Commission (NMC) Bill 2017

Key provisions

- **Commission** - The NMC bill seeks to replace the Medical Council of India with National Medical Commission as the top regulator of medical education.
- The 20 members **National Medical Commission** will be at the top of a four-tier structure for regulation.
- NMC will comprise of a Chairperson, a member secretary, eight ex-officio members and 10 part-time members.
- Out of the 8 ex-officio members, four shall be presidents of the boards constituted under the act.
- The remaining four shall be nominees from three ministries viz. Health, Pharmaceuticals, HRD and one from Director General of Health Services.
- **Autonomous Boards** - The Bill sets up under the supervision of the NMC certain autonomous boards which are:
 - i. the Under-Graduate Medical Education Board (UGMEB) and the Post-Graduate Medical Education Board (PGMEB)
 - ii. the Medical Assessment and Rating Board (MARB)
 - iii. the Ethics and Medical Registration Board
- Each board will consist of a President and two members, appointed by the central government.
- **Medical Advisory Council** - It will be a platform for the states/union territories to put forth their views and concerns before the NMC.
- Essentially, the Council will advise/make recommendations to and oversee the functions of the NMC.
- **Exam** - Students have to clear the common entrance exam NEET for MBBS.
- Besides, the **National Licentiate Examination** will be mandatory for medical graduates before practising/pursuing PG.
- Under specified regulations, the NMC can also permit a medical professional to perform surgery or practise medicine without qualifying the licentiate (exit) exam.
- **AYUSH practitioners** - On completion of a **bridge course**, practitioners of Indian systems of medicine, including Ayurveda and homoeopathy would be allowed to practise allopathy.
- The rationale is to address the shortfall of rural doctors by creating a new cadre of practitioners.
- **Private college** - The government, under the NMC, can dictate guidelines for fees up to 40% of seats in private medical colleges.
- This is aimed at giving students relief from the exorbitant fees charged by these colleges and is a standout feature of the bill.

Contentions

- **Registry** - Graduates of Bachelor of Ayurvedic Medicine and Surgery, and Bachelor of Homeopathic Medicine and Surgery are already registered with their respective councils.
- The NMC registry, in addition to this, could result in dual registration, which is neither open nor permissible.
- **Corruption** - The bill aims to overhaul the corrupt and inefficient Medical Council of India.
- This is sought to be accomplished through an independent Medical Advisory Council.
- However all members of the Council are members of the NMC as well, thereby undermining the council's independence and its very purpose.
- **Bridge Course** - The provision has created widespread resentment among allopathy doctors.

6.8 RTE amendment bill 2017

- The Right of Children to Free and Compulsory Education (Second Amendment) Bill, 2017 is yet to be passed.



- The Right to Education Act, 2009 prohibits detention of children till they complete elementary education i.e., class 8.
- The Bill amends this provision to state that a regular examination will be held in class 5 and class 8 at the end of every academic year.
- If a child fails the exam, he will be given additional instruction, and take a re-examination.
- If he fails in the re-examination, the relevant central or state government may decide to allow schools to detain the child.

6.9 Laws to Prevent Damage to Public Property

The J & K government has recently **proposed legislation**, seeking monetary recovery for damages to public property, from protestors of the 2016 unrest.

- **Original law** - The J&K public property (Prevention of Damage) Act, 1985 - contains penal provisions against individuals who damage public property.
- The maximum sentence is five years in prison, along with a fine, which can extend up to 10 years in case of damage by fire or explosive substances.
- Bail is possible only after the prosecution gets a chance to oppose it in court.
- **Amendment** - The new law seeks to recover the market value of public or private properties damaged during the protests from protestors.
- It also states that all persons participating in protests would face imprisonment, even if they weren't directly involved in damaging properties.
- It also increases the minimum punishment from six months in jail to two years imprisonment and non recovery of damages could extend the term further.
- **Why** - The amendment is aimed at deterring protestors from indulging in violence and damaging property.
- Notably, the pelting of police stations with stones during the wave of protests was a strong provocation for bringing these clauses.
- **Prosecution** - Situations where damage to property is anticipated can be videographed and submitted as proof in the court.
- For establishing a person as a protest organiser, additional proof is required.
- **Opposition** - The separatists and the opposition parties in the J&K assembly protested against the legislation, as it could be misused.
- They have stated that such laws have been opposed even in the parliament and other state assemblies as this could stifle even reasoned dissent.
- Additionally, it has been stated that J&K already has a multitude of laws in the same domain like - AFSPA and Public Safety Act.

Other significant developments

- Punjab and Haryana High Court recently ruled to recover damages from the “Dera”, whose followers were involved in vandalism.
- In 2007, the SC took suo motu cognizance of issues related to damage to properties during public protests.
- Two committees were constituted to look into the matter - headed by retired SC judge K T Thomas, and the eminent jurist Fali S Nariman respectively.
- **Thomas Committee** – It recommended an amendment to the parliamentary law “Prevention of Damage to Public Property (PDPP) Act, 1984”, holding leaders of the agitating group guilty of abetment – but the parliament hasn't tabled such an amendment yet.
- **Nariman Committee** – It had asked the apex court to “evolve a principle of liability, punitive in nature, on account of vandalism and rioting.
- The liability should lie with the actual perpetrators of the crime as well as organizers of the event giving rise to the liability.

INTERNATIONAL RELATIONS

7. INDIA & ITS NEIGHBOURHOOD

7.1 India China Border Talks

The 20th round of the Special Representative (SR) talks between India and China on the border question was recently held.

- India was represented by National Security Advisor Ajit Doval and China was represented by State Councillor Yang Jiechi (member of the Polit Bureau).
- Significantly, Polit Bureau is the chief decision making body in China and this is first time that an official of such high-rank spearheaded the talks.
- It was guided by the Modi-Xi agreements of 2017, including the ‘Astana consensus’ that “differences must not become disputes”.
- Agreement on “Political Parameters and Guiding Principles for the Settlement of the India-China Boundary Question” formulated in 2005 is the key focus.
- The three major parameters of discussion were
 - Defining the guidelines for the settlement of border disputes
 - Formulating a framework agreement on its implementation
 - Completing border demarcation
- This meet is also important as it comes after a long pause of 20 months after the previous round (usual gap is 1 year) and after the 70 day Doklam standoff.

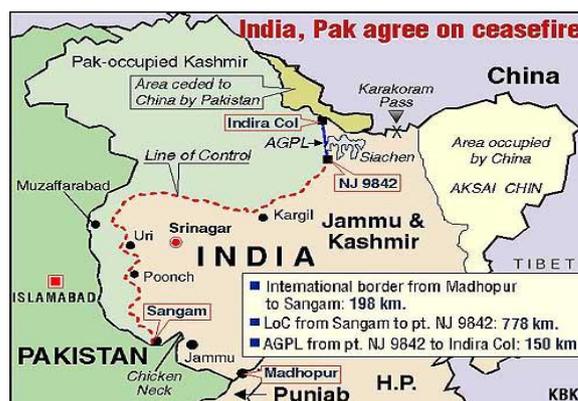
7.2 Ceasefire Violations in LoC

2017 has marked highest number of Cease fire violations between India and Pak in LoC.

- The ceasefire between India and Pakistan has been in place since 2003, but there are increasing breaches in the agreements from both the sides.
- The 2003 cease fire agreement between India and Pakistan came just four years after the Kargil war, and soon after both the countries almost went to war following the December 13, 2001 terrorist attack on the Indian Parliament.
- Pakistan Prime Minister announced a unilateral ceasefire on the Line of Control.
- India accepted Pakistan's offer and suggested including the Siachen heights.
- The ceasefire was eventually extended to the International Boundary.
- The Line of Control is under the operational control of the Army.
- The J & K shares both the Line of Control and International Border with Pakistan.
- Punjab, Rajasthan and Gujarat shares only the International Border with Pakistan.
- It had resulted in a dramatic drop in military casualties, and thousands of border residents had been able to return home from temporary shelters on both sides.

A CEASEFIRE ONLY IN NAME			
	2015	2016	2017*
Ceasefire violations	152	228	820
Infiltration attempts	310	270	130
Infiltrating militants killed	30	37	59
Infiltration attempts foiled	18	27	33
Armysoldiers dead in J&K	33	63	61

(Data from official sources; *Until December 26)



7.3 Multiplicity of Challenges in Myanmar

Besides the infamous Rohingya crisis, Myanmar also saw multiple challenges on the fronts like press freedom and the “Panglong peace process” in 2017.

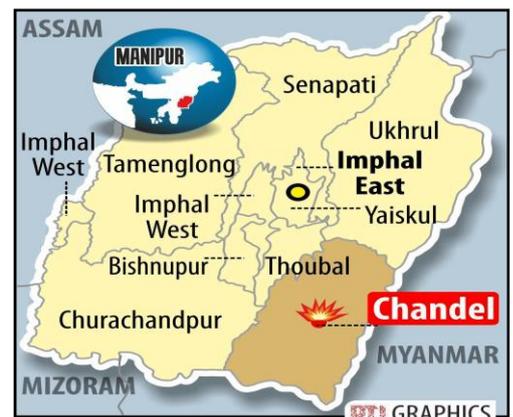
- The issues of threats to press freedom, Rohingya refugee crisis, and peace process with the country’s armed ethnic groups got international attention.
- **Press Freedom** - At least 11 journalists of (both Myanmar and foreigners) have been arrested in the past year on trivial charges.
- Notably, two Reuters reporters were arrested on the charges under the colonial-era “Official Secrets Act” for ‘illegally acquiring information’.
- **Rohingya Crisis** - The UN has called the militaristic crackdown in Rakhine as “ethnic cleansing”, and media has been blacked out in the region.
- Besides the Rohingyas, there are multiple armed ethnic rebels in Myanmar and Ms. Suu Kyi has been prioritising peace with them.
- Consequently, the 2nd session of “**Panglong Peace Conference**” was convened in May 2017, to discuss on a 41 point agenda.
- This brought together the government, military and ethnic rebel leaders and agreement was reached on 37 issues.
- The rebel groups agreed to recognize a democracy union with federalist polity that gives considerable rights for ethnic self-determination.
- On its part, the government agreed to treat all ethnicities equally and privileged the provinces to write their own sub-constitutions within Myanmar.



7.4 Myanmar Dam near Manipur

Myanmar is building a new dam, close to the border near Manipur. This has raised some concerns among the border villages in Manipur.

- The dam, called Tuidimjang, is being built on the Twigem River.
- Twigem River flows into Myanmar from Manipur.
- The dam is barely 100 metres from the zero line separating the two countries.
- International rules warrant border countries to check activities in No Man’s Land.
- This applies to a 150-metre strip on either side of the boundary line.
- Border villagers in Kengjoi subdivision of Manipur’s Chandel district are concerned of the project. The residents of **Khangtung village** recently reported to the Chandel district officials.
- Khangtung is inhabited by the Thadou tribe and is 137 km south of Manipur capital Imphal.



- If the dam comes up, Khangtung and other Indian villages will be submerged. Villagers will have to be relocated and rehabilitated.

Internal dams in Manipur

- **Mapithel dam** - Thoubal Multipurpose Project. In June 2015, a tribal village named Chadong in Ukhrul district was submerged due to this.
- **Khuga dam** - It lies south of Manipur's Churachandpur town.
- **Tipaimukh** - It is a mega hydroelectric project proposed on river Barak in Manipur 35 years ago.
- Bangladesh is against this project, as Barak flows into it from Manipur through southern Assam.
- It feeds the Surma and Kushiara rivers in Bangladesh.

7.5 India and Nepal

A stable government has emerged in Nepal after decades of uncertainty. The leftist coalition has risen to power with a clear majority.

- **Stability** - PM K.P.Sharma Oli's government has a comfortable majority in the Parliament, and the regime is expected to last its full term unlike previous regimes.
- Singular majority of Mr. Oli will facilitate the easy implementation of the Constitution.
- The central socio-political task would be to establish inclusive governance by giving Madhesi and Janajathi people a sense of state ownership.
- **Issue** - The hill-plain polarisation escalated during the constitution-writing process.
- The plains based Madeshi groups became more vocal due to tacit Indian backing.
- **India** - India became progressively intrusive in Nepal, as internal crisis intensified there during and after the Maoist insurgency.
- India seemed to treat Nepal as a mere extension of its own territory.
- India is apprehensive as the Chinese geo-economic judgement has been trying to infiltrate into Nepal.
- **Qinghai-Tibet Railway** is expected to reach Nepal's northern border by 2020, and is expected to be a game-changer for the region.
- **Madhesi** is a minority group residing in the Terai of Nepal, long demanding a redrawing of federal boundaries.
- They expect the constitution to reflect the fact that the community residents of the Terai area, and other minority groups are in a majority in some new provinces.
- **Janajati** is one of the primitive ethnic groups. It is a sub-group of the Newars, who lived in Kathmandu Valley of Nepal.



7.6 India and Maldives - Recent Developments

Maldives Foreign Minister and its President's special envoy to India, Mohamed Asim visited India.

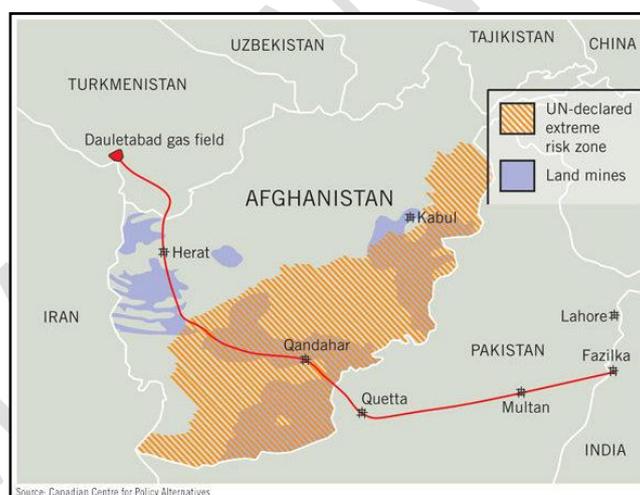
- The visit was aimed at overcoming the "trust deficit" between the two countries and reset the strained relations
- Maldives foreign minister reiterated Maldives' "**India first**" policy.



- It was conveyed that Maldives would stay **sensitive to India's concerns** over peace and security in the Indian Ocean region
- The emphasis is an attempt to allay India's concerns over Maldives' growing proximity towards Beijing.
- Maldives recently signed its **Free Trade Agreement with China**.
- This is Maldives's first FTA with any country and China's second FTA with any country in South Asia after Pakistan.
- The trade pact would open Maldives to Chinese goods and tourists in unprecedented numbers.
- The Maldivian President had earlier promised that Maldives would be an integral link in China's Belt and Road Initiative
- Besides, the Maldives government recently **suspended three members of a local body**, which was notably on charges of meeting the Indian Ambassador without seeking prior approval.

7.7 TAPI gas Pipeline

- TAPI is 1800 Kilometre long trans-country natural gas pipeline from Turkmenistan-Afghanistan-Pakistan-India (TAPI).
- The project will be funded by Asian Development Bank (ADB).
- It is expected to be operational by 2019.
- It starts from the Galkynysh gas field in Turkemistan and passes along Kandahar–Herat Highway in western Afghanistan and Multan in Pakistan.
- The final destination will be the Indian town of Fazilka, in Punjab near the Pakistan-India border.



8. BILATERAL RELATIONS

8.1 RIC Trilateral Foreign Minister's Meet

- The 15th foreign ministerial meeting of the trilateral grouping, Russia, India and China (RIC) was held in New Delhi.
- It comes in the backdrop of months of tense relations between India & China on multiple issues.
- This would also be the first high profile Chinese official visit after Mr. Xi was assured a 2nd term with greater popularity.
- Joint statement released after the meeting mention freedom of navigation, but made no reference to the South China Sea specifically.
- It references a range of issues that each of the three countries care about, including climate change, terrorism (without explicitly naming Pakistan-based groups), regional connectivity, tensions on the Korean Peninsula, in eastern Ukraine, and Afghanistan.

8.2 India's Entry into Wassenaar Arrangement

India has been admitted as the 42nd member of Wassenaar Arrangement.

- Wassenaar arrangement focuses on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.
- It is a multilateral export control regime which became operational in 1996.
- It is designed to regulate the export of sensitive technologies that could possible lead to destabilizing accumulations.
- The Secretariat is located in Vienna (Austria).



- Export controls are implemented by each individual participating State based on the Wassenaar Arrangement list.
- Member states exchange information on their transfers of conventional weapons and dual-use goods to states outside of the arrangement.
- All decisions are taken by consensus and the deliberations are kept in confidence.
- It is not a treaty, and therefore is not legally binding.
- Members are admitted based on the consensus of the existing members.
- Barring China, all permanent members of UNSC are signatories.
- A country must also meet certain criteria such as compliance to a range of global non-proliferation treaties including NPT to get admitted to the arrangement.
- U.S backed the admission of India in the aftermath of signing of civil nuclear cooperation in 2005.
- Upon becoming the member, India will get access to high technology which will help address the demands of Indian Space and defence sectors.
- It will also boost India's chances of joining Nuclear Suppliers Group (NSG).

NSG

- The Nuclear Suppliers Group (NSG) is a group of nuclear supplier countries that seeks to contribute to the non-proliferation of nuclear weapons.
- It has 48 members and India is not a member of this group.
- Support of international efforts towards non-proliferation of weapons of mass destruction is the main consideration for the participation in the group.
- The NSG Guidelines authorise a member country to transfer only when satisfied that the transfer would not contribute to the proliferation of nuclear weapons.

MTCR

- Missile Technology Control Regime (MTCR) was established in April 1987 by Japan.
- It aims to limit the spread of ballistic missiles and other unmanned delivery systems that could be used for chemical, biological, and nuclear attacks.
- It has 35 members, which include most of the world's key missile manufacturers, India is a member in this group.
- It seeks to restrict the exports of missiles and related technologies of any type of weapon of mass destruction.

8.3 India and Australia Group

Recently the Australia Group decided to admit India as its 43rd participant.

- The Australia Group (AG) is an informal forum of countries which, seeks to ensure export controls over development of chemical or biological weapons.
- It seeks to ensure that exports do not contribute to the development of chemical or biological weapons.
- By this AG nations would fulfill their obligations under the Chemical Weapons Convention and the Biological and Toxin Weapons Convention to the fullest extent possible.
- India's entry would contribute to international security and non-proliferation objectives.

8.4 'India Japan Australia' Trilateral

- The fourth trilateral between Foreign Secretaries of India, Japan and Australia was recently held in Delhi.
- Three sides resolved for greater collaboration on maritime security, counter terrorism and disaster response capabilities.

- In a perceived jibe at China, the importance of peace, democracy, economic growth and a rule-based order was stressed.
- Also, commitment to regional connectivity, project transparency, financing, environmental & labour standards were reiterated.
- A statement underlining ASEAN's centrality in the political and security architecture of the Indo-Pacific region was also made.
- This further indicated the possibility of the trilateral grouping also co-operating with East Asian nations in the security domain.

8.5 US Security Doctrine and its Impact on India

India has welcomed Mr. Trump's recently announced 'National Security Strategy' (NSS), which has openly criticised many nations.

- **Implications for India** - NSS perceives India positively, affirms India's stature and acknowledges India's emergence as a leading global power.
- It supports Indian leadership in the region's development and outlines India's primacy for ensuring security in the Indian Ocean.
- It also sees China's aggression as an assault on the "sovereignty" of the neighbouring nations in the region.
- Pakistan's continued support to terror groups has also been noted.
- All of these are aligned with India's concerns, and indicate the growing convergence between US and India on strategic issues.
- **Implications for other nations** - NSS had singled out five countries (China, Pakistan, Russia, Iran and North Korea) for criticism – which on expected lines have reacted negatively.
- Particularly, China and Russia have been accused of using their military might to deny the US, access to "critical commercial zones".
- In response, China had said that the US is struck in its Cold War mindset and Russia accused the US of practicing neo-imperialism.
- Iran and North Korea have been critiqued for their nuclear programs, and Pakistan for its faltering to honour its security commitments.

8.6 US India Proposal on Defence Ties

US has proposed to have reciprocal military liaison officers at India- US combatant commands.

- Currently US has arrangements for military liaison officers with some of its NATO allies and close defence partners.
- These countries are Australia, Canada, Japan, Republic of Korea, Philippines, New Zealand and Great Britain.
- In the same lines US has proposed to have ties with India, this will place India in the orbit of America's closest allies.
- According to this plan, liaison officers will be commissioned by Pacific Command of the US defence forces in Indian military headquarters.
- India-US signed the foundational military agreement, Logistics Exchange Memorandum of Agreement (LEMOA) in 2016.
- Earlier US administration designated India a Major Defence Partner, current administration is also taking the same stand.
- As a component of taking bilateral strategic relationship, to a new level US promised to take the element of military cooperation between the two countries.
- To deal with an assertive Chinese transgressions into Indian Territory, US ties would help India for geo-political manoeuvre to secure its interests.

- India seeks greater clarity over the role and charter of liaison officers to understand the value and quality of information that will be shared between the two militaries.
- Due to some hard experiences from the US, India seeks greater economic concessions from US rather considering any military arrangements in first place.

8.7 New US legislation on H1B visa

The Immigration Innovation (I-Squared) Act-2018 was introduced recently in the US Senate.

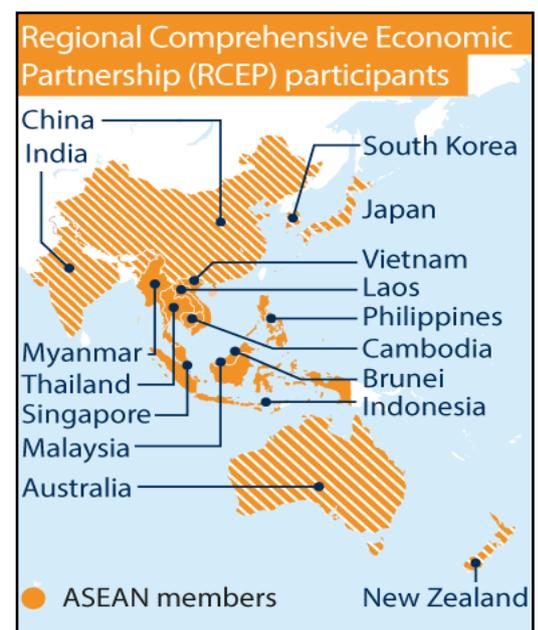
- The H1B is a common work visa granted to high-skilled foreigners to work at companies in the US.
- Its validity is three years and can be renewed for three more years.
- The present Act seeks to increase the annual H1B visa quota.

Key provisions

- The Act advocates **increasing the number of base H1B visas** from 65,000 to 85,000 a year.
- This is to encourage the migration of talented engineers to the United States.
- It also puts forth the creation of a plan that allows the issuance of these visas based on market demand.
- The new Bill seeks to **prevent the H1B visa programme from being used for outsourcing jobs or undercutting American wages.**
- It allows the US government to raise as much as \$ 1 billion from increased visa fees.
- This is to fund science, technology, engineering, and mathematics (STEM) education as well as train workers in the country.
- The act provides work authorisation for spouses and dependent children of H-1B visa holders.
- It also establishes a grace period during which H-1B visa holders can change jobs without losing legal status.
- **Impacts** - The top American IT companies would have the world's best and brightest to fill jobs in highly technical, specialised fields.
- Notably there is a shortage of American labour in this front.
- Logically, the major beneficiaries of this would be companies like Google, Microsoft, Facebook, etc.
- On the other hand, if the Bill was approved, it could be a big setback for Indian IT services companies.
- This is in the context of higher salary norm and the threat of increased brain drain.
- The minimum salary would be increased to \$100,000 and so top companies can attract talent.
- However, due to a higher minimum salary, the number of people going to the US from other smaller Indian firms would come down.
- Notably, many IT firms have once been the biggest beneficiaries of the H1B visa regime.
- But with stricter norms, dependency on such visas has consistently been reduced and local hiring in the US increased.
- In all, the measure would mean a trend away from offshoring and outsourcing to India.

8.8 India-ASEAN Commemorative Summit - Delhi Declaration

India-ASEAN Commemorative Summit was held recently, marking 25 years of India-ASEAN ties. The 'Delhi Declaration' was released after the summit.

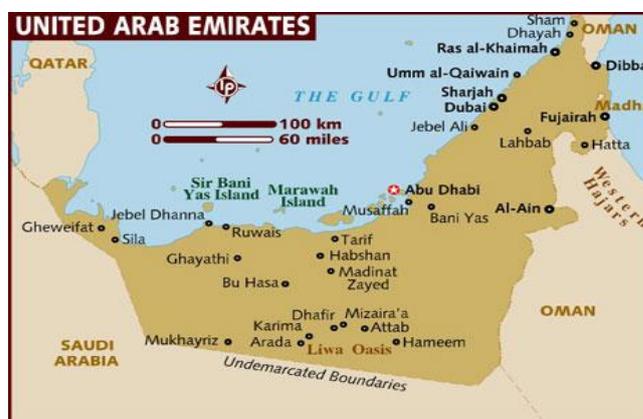


- **MARITIME** - ASEAN-India **cooperation in the maritime domain** was one of the key focus areas.
- Growth and development for the **Indo-Pacific region** was the prime objective behind this agenda.
- Shared vision for peace and prosperity through a **rules-based order for the oceans and seas** was emphasized.
- Respect for international law, notably **UNCLOS** (United Nations Convention on the Law of the Sea) was stressed as critical.
- The reference to **freedom of navigation** and UNCLOS came in the backdrop of China's position on the disputed South China Sea.
- Humanitarian and disaster relief, and security cooperation were also agreed as areas of cooperation.
- Support for the implementation of Declaration on the Conduct of the Parties in the **South China Sea (DOC)** was expressed.
- **TERRORISM** - Close cooperation among countries for combating terrorism, especially **cross border movement** of terrorists found mention.
- **ECONOMY** - The declaration called upon the states to intensify efforts towards finalising the Regional Comprehensive Economic Partnership.
- India proposed a framework to ASEAN for cooperation in the **blue economy** sector.
- It offered to set up **digital villages** in Cambodia, Laos, Myanmar and Vietnam.
- This would be by utilising the \$1 billion line of credit for connectivity.
- Besides, 2019 will be marked as the **year of India-ASEAN tourism** by both the sides.

8.9 India-UAE Agreements

India and UAE have signed five new agreements related to energy sector, railways, manpower and financial services.

- **Concession on oil** - An MoU between the Indian Consortium (OVL, BPRL & IOCL) and the Abu Dhabi National Oil Company (ADNOC) was signed for the acquisition of a 10% participating interest in the Abu Dhabi's offshore.
- The concession on oil will be for 40 years from 2018 to 2057. 60% of the participating interest will be retained by ADNOC and remaining 30% will be awarded to other international oil companies.
- This is the first Indian Investment in upstream oil sector of UAE, transforming the traditional buyer-seller relationship to a long-term investor relationship.



- **Contractual employment** - An MoU that aims to institutionalise the collaborative administration of contractual employment of Indian workers in the Gulf country was signed, to cooperate in the field of manpower.
- This will help end the existing malpractices, combat trafficking and organise collaborative programs for education and awareness of contractual workers.

- **Infrastructure** - An MoU for technical cooperation in railways was also signed between the two sides. It aims at cooperation in infrastructure sector, especially railways.
- This will facilitate development of joint projects, knowledge sharing, joint research, and technology transfer and envisages formation of a Joint Working Group.
- **Finance** - To deepen bilateral cooperation in the field of finance, an MoU between Bombay Stock Exchange and Abu Dhabi Securities Exchange was signed.
- This will enhance cooperation between both the countries in financial services industry and facilitate investment in financial markets by investors from both the countries.
- **J&K** - An MoU between the Government of Jammu and Kashmir and DP World was also signed.
- This was to establish multi-modal logistics park and hub in Jammu, comprising warehouses and specialised storage solutions.

8.10 Rafale Deal Controversy

The Defence Minister refused to share the price details on Rafale purchase, citing the Security Agreement provisions.

- Rafale is a twin-engine medium multi-role combat aircraft.
- It is manufactured by the French company Dassault Aviation.
- Dassault claims Rafale has 'Omnirole' i.e capable of performing several actions at the same time.
- Rafale can carry out both air-to-ground as well as air-to-air attacks.
- It can also carry out interceptions during the same flight.
- Indian Air Force (IAF) raised the requirement for Medium Multi Role Combat Aircraft (MMRCA) in 2007.
- On PM's visit to France in 2015, India's intention to buy 36 Rafale aircraft in "fly-away" condition was announced.
- Subsequently, the deal for the acquisition of 36 aircraft was signed by the Defence Ministers of India and France in 2016.
- This was done through a government-to-government deal.
- The current deal has a 50% offset component.
- Accordingly, Dassault will manufacture items worth 50% of the deal in India.
- However, the absence of transfer of technology (ToT) component is raised as an issue.
- Also, no role is guaranteed for any Indian public sector company, including HAL.
- The present deal of direct government-to-government agreement, as against the earlier open tender, is criticised.
- Also, the 36 fighters are said to be purchased at a much higher price than earlier negotiated.
- Defence Minister recently refused to share the price of the aircrafts.
- It was said that the price details were "classified information".
- This was as per the Inter-Governmental Agreement (IGA) between the Governments of India and France.
- It has generally been the practice to share the cost of defence deals with Parliament.
- However, in some cases, the details have been kept secret for reasons of national security.
- Nevertheless, the government is duty-bound to share the pricing details with Comptroller and Auditor General (CAG) and the Public Accounts Committee (PAC) of Parliament.

8.11 Farzad-B gas Field

The fate of the Farzad-B gas field contract seems doomed.

- Iran accuses India of inflexibility.
- India charges Iran with "changing goal posts" and adopting "delay tactics" in an attempt at negotiating a more favourable deal.

- The Indian consortium discovered gas reserves in the Farzad-B field under an exploration contract signed in 2002.
- The field is in the Persian Gulf.
- It holds about 19 trillion cubic feet of gas.
- With the lifting of U.S sanctions, Indian companies renewed efforts to secure the rights to the field.
- Initially, the deal was meant to be completed by February 2017.
- It has been delayed due to protracted negotiations.
- Iran wants India to sell gas at current international rates.
- India says that it is a very difficult field to extract gas, and the gas itself is very impure, so there are additional costs involved to clean it.

8.12 India and Canada

Canadian PM Justin Trudeau recently made a visit to India.

Significance

- **Indian Diaspora** comprises 3.6% of the Canadian population and is well-educated, affluent and politically affluent.
- They have also become a major investor in India.
- There is also a significant number of persons of Indian origin as members in the House of Commons, with a majority among them being Sikhs.
- **Pulse import** from Canada is a significant aspect in bilateral trade, along with the other multiple agri-tech collaborations.
- **Liberal Visa** - As migration has been tightened in Britain and US, Indian students have begun heading in large numbers to Canada for higher education.
- An added attraction is that Canada routinely provides a 3-year work visa upon completion of studies.
- **Ties** - During PM Modi's Canadian visit in 2015, both sides agreed to elevate their bilateral relations to a strategic partnership.
- Comprehensive Economic Partnership Agreement (CEPA) and Investment Promotion and Protection Agreements (BIPPA) between the two countries are pending for long.

Khalistan issue

- The Khalistan movement is a Sikh nationalist movement that wants to create an independent Sikh state of 'Khalistan'.
- Canada has a significant population of the Indian origin Sikhs.
- In early 1980s, the movement had emerged as a major separatist movement, fed mostly by the bias of Indian Government against Punjab in the case of Chandigarh and sharing of Ravi-Beas waters.
- The resurgence of anti-India activities in Canada due to pro-Khalistani elements is forming a stress point in Indo-Canada relations.
- Jaspal Atwal, an earlier blacklisted Khalistani militant, was invited to a dinner honouring Canadian PM Trudeau during his visit to India. Atwal was part of the Canadian delegation.

Blacklist

- Blacklist is a list of persons against whom a "look out circular" (LOC) has been issued.
- It could contain the names of both Indian citizens and foreigners.



- The blacklist is maintained by the Foreigners Division of the Ministry of Home Affairs (MHA).
- It is sent to all Indian diplomatic missions across the world, as well as to immigration checkpoints within the country.
- The list is reviewed from time to time, based on the recommendations made by central agencies or state police.
- A “look out circular” (LOC) is a coercive measure used by the investigating agencies and the courts. It is used to compel the suspects who are awaiting trial to surrender.
- Notably, after the Operation Blue Star in 1984 which involved Army action at the Golden Temple in Amritsar, Punjab, many protesting seekers who sought political asylum in foreign countries were included in the blacklist.

8.13 SAREX – 18

- It is a joint search and rescue exercise between India and Japan to help increase mutual understanding in Anti-Piracy operations.
- During the exercise, helicopters of the Japan and Indian Coast Guard will perform cross landing operations to improve compatibility between the two forces.
- This year, it will be held in Chennai.
- Japanese coast guard ship “Tsugaru”, a patrol vessel with helicopters will participate in this exercise.

9. INTERNATIONAL ISSUES

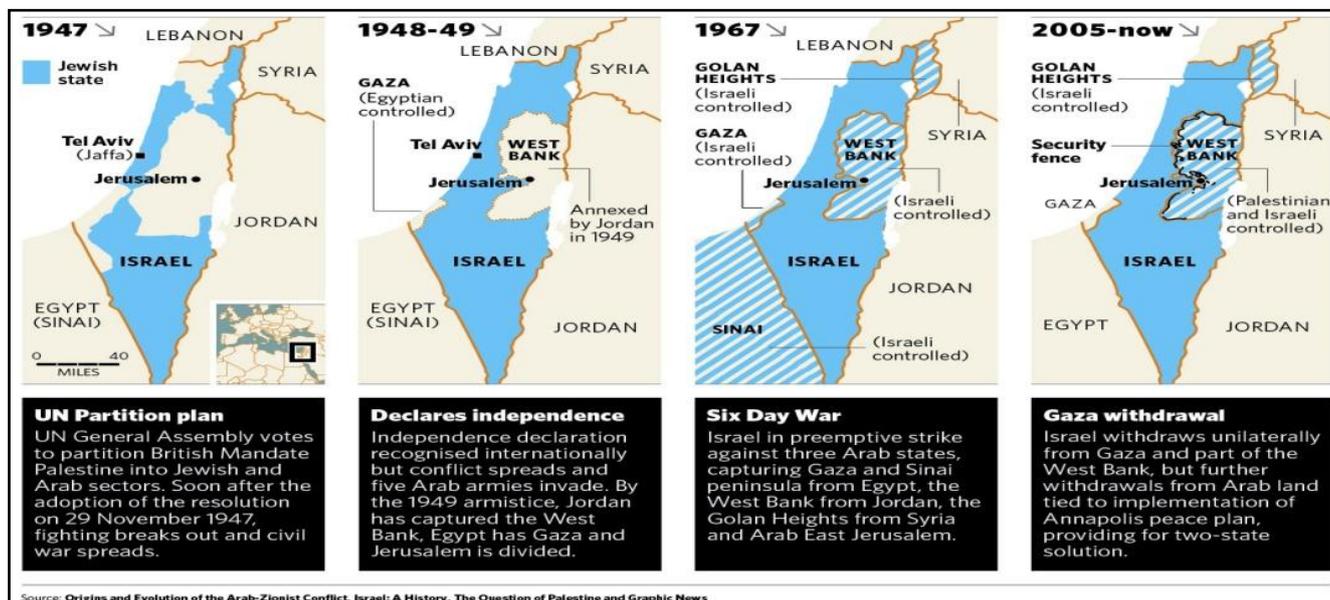
9.1 Jerusalem as Israel's Capital - US

U.S. President Trump reversed the decades old policy, and recognised Jerusalem as the capital of Israel. The US administration would also begin a process of moving the U.S. embassy in Tel Aviv to Jerusalem.

- Jerusalem is in ways **symbolic of the Israel-Palestine conflict** itself.
- Jerusalem is almost the key to stability of the entire Middle East.
- It has many shrines that are equally significant for the Jews, the Muslims and the Christians.
- The tussle centres on who gets to control the ancient city.
- After the end of the First Arab-Israel War in 1948, Jerusalem was partitioned into **West and East, under Israeli and Palestinian control respectively.**
- But in 1967, during the Six-Day Arab-Israel War, **Israel snatched East Jerusalem** from Jordanian forces.
- Israel’s Parliament also declared the territory had been **“annexed to Israel” and Jerusalem had been “reunited”.**
- The predominantly **Palestinian population in the east** lives under full **Israeli control**, but cannot vote in parliamentary elections.
- This marginalised the Palestinians, who wanted East Jerusalem to be their capital under the “two-state solution”.

- **Zionism** - The Jewish people in the 19th century were convinced that they could never survive outside a country of their own. This fear led to an increasing emphasis on Zionism.
- Zionism is Israel's national ideology which believes Judaism is a nationality as well as a religion, and Jews deserve their own state in their ancestral homeland, Israel.
- **Palestinians** - Palestinians are the Arab population who hail from the land which is under Israel, but are against the ideology of Zionism.
- Arabs often see Zionism as a species of colonialism and racism aimed at appropriating Palestinian land and systematically excluding the Palestinians that remain.
- The Palestinians thus want to establish a separate territory named Palestine on all or part of the same land.

- Israel was undeterred by the refusal of the international community to endorse the annexation.
- It further added over 200,000 Jewish settlers to the once-almost entirely Arab East Jerusalem.



- Meanwhile, in 2016, the **UN reaffirmed** that Jerusalem's Palestinian territories were under **“hostile occupation”**.
- The international community considers east Jerusalem illegally occupied by Israel.
- Notably, **foreign embassies to Israel are in Tel Aviv** and not Jerusalem.
- India for its part has traditionally backed a two-state solution, and assured that the Indian embassy would stay in Tel Aviv.
- Trump expressed hope for start of the peace process and reiterated his commitment to the two-state solution to the Israel-Palestine conflict.
- The UN Secretary General voicing dissent had said that the issue on the holy city must be resolved only through direct negotiations.

9.2 UN Resolution on Jerusalem

A resolution was passed in the UN with the support of 128 nations against USA's recent stand on the status of Jerusalem.

- A resolution calling for compliance with the UN's long standing view on Jerusalem was mooted in the UN Security Council by Egypt.
- While all members except US supported the resolution, US vetoed it and thereby obstructing its passing.
- Subsequently, Egypt swiftly piloted the same in the General Assembly, where it had to muster a two-third majority to get it passed.
- Despite the US openly threatening member countries against supporting the resolution, it sailed through with a comfortable 128 up-votes.
- Notably, all members of the EU, ASEAN and GCC supported the resolution and only six countries that included “Israel, Honduras, Guatemala, and three Pacific island nations” voted against it.
- Significantly, 35 others, including neighbours Canada and Mexico abstained from the vote, with Bhutan being the only abstainer from south Asia.
- While the resolution doesn't even mention US by name and is **non-binding**, it does have significant symbolic value and has made its point.



- **India too supported the resolution** despite its domestic political compulsions and its growing closeness with Israel and US.
- Hence, the vote is a timely reassurance that India abides by its principled long-standing policy on Palestine.

9.3 Outcomes of the WTO Ministerial

The 11th biennial ministerial conference of the 'World Trade Organisation (WTO)' recently ended.

- **Developed countries** wanted the ministerial to see the fast-tracking of e-commerce talks but they didn't make much headway.
- **Developing Countries** such as India and China submitted a joint proposal to end the trade-distorting farm subsidies of Western nations.
- **Food Security Issue** - Currently, a temporary 'Peace Clause' is in effect.
- This bars countries from lodging complaints with the WTO against the subsidised food security programs of the developing world.
- In this backdrop, India pushed for a 'permanent solution' to replace the 'Peace Clause' and to safeguard its grain stockpiling & public procurement programs.
- While a permanent solution was thwarted by the US, the current 'peace clause' remains in place – thereby retaining status quo.
- **Fishing subsidies** – These are provided mainly by the developing world to help their fishermen who are predominantly subsistence fishers.
- These subsidies have been alleged to be distorting the markets as it affects the businesses of the high-tech industrial fisher countries like Japan & Canada.
- The developed countries also stressed that, unsustainable fishing was on the rise due to such subsidy policies.
- Due to opposition from the developing world, this issue has been pushed to the next ministerial in 2019.
- US, EU & Japan issued a joint statement aimed at China, on trade-distorting practices such as over-capacity and mandating technology transfer policies.
- The U.S. even argued that the 'Developing Nation' tag was being misused by some countries that were rich in absolute GDP terms.
- For India, although none of its 'offensive' interests were achieved, its 'defensive' interests remain protected.
- Hence, despite the stalemate, it has been regarded a partial success for India.

Evolution of talks in WTO meeting

- As WTO was also ushering such a world order, the developing world countries raised their grievance in WTO's **Doha Ministerial of 2001**.
- These prominent issues raised were –
 1. **Agriculture** - Undoing the trade-distorting subsidies provided in the developed countries for farming
 2. **Medicines** - Relaxing IPR norms for life saving drugs in developing countries
 3. **SDT** - Special & Differential Treatment was sought for goods from the weaker countries (to make them competitive internationally)
- The developed countries have been keen to move on to newer issues like 'e-commerce' but the developing countries want the Doha issues to settled first before taking up newer things.

9.4 US threats to WTO

U.S is holding up the appointments to WTO's appellate body, its dispute settlement mechanism.

- The appellate body is the court of appeal for issues of law and legal interpretation arising from decisions rendered by the dispute resolution panels.
- It has been viewed as the central element in enforcing the rights and obligations of WTO members.
- It is unique as its judgments are enforced through gentle suasion and the stick of authorised trade retaliation.
- **Composition** - It is composed of seven permanent members appointed by WTO members by consensus.
- The initial appointment of an appellate body member is for a four-year term, with possible reappointment for a second term.
- The appellate body members can continue to adjudicate an appeal even after expiry of their tenure, on cases to which they were appointed during their term.

- **Recent move** - US blocked the reappointment for a second term of one of its own nationals to the appellate body for the reason that she refused to comply with the U.S in some disputes.
- By January 2020, the appellate body would be left with only one member.
- **Reasons behind U.S' move** - In many instances appellate body has imposed some restrictions on the ability of the U.S to resort aggressive unilateralism at the WTO.
- The practice of the appellate body members continuing to **adjudicate an appeal even after expiry of their tenure** is also concerning US.

9.5 EU's PESCO defence pact

25 'European Union' nations signed the landmark PESCO pact to establish closer defence ties. The project is seen as a major step towards establishing the 'European Defence Union'.

- Establishing a military headquarters for co-ordinating overseas European security operations was approved earlier this year.
- This was followed by the announcement for setting up a 5.5-billion euro European Defence Fund. ‘
- Currently, the **Permanent Structured Cooperation** (PESCO) has been signed.
- Touted as EU's most ambitious project, PESCO's primary focus is slated to be defending Europe and complementing NATO.
- **Membership** - Participation in PESCO is voluntary and those opt out now can join later if all founding members approve of it.
- Currently, Britain, Denmark, Malta & Ireland are the only EU members who haven't taken up the deal.
- PESCO has provisions for **non-member non-EU countries to take part in specific missions** but without a role in decision making.
- **Commitments** - A commitment to regularly increase defence budgets in real terms has been reached.
- Countries have pledged to provide 'substantial support' in the form of personnel, equipment, training & infrastructure for joint European military missions.
- Significantly, PESCO will subject member countries to an annual review and failure to meet commitments could lead to termination of membership.
- This seeks to tighten defence & improve coordination in the development of new military hardware among signatory countries.
- **Crisis Response Core & Cyber Rapid Response Teams** are to be developed under German & Lithuanian leadership respectively.
- **Harmonising weapons systems** by developing new equipments such as tanks & submarine drones are expected to be taken up.
- PESCO may also lead to the creation of a European military hospital or logistics hub in future.

9.6 Fiscal Shutdown in the U.S

Democrats have successfully obstructed the "spending Bill" in the US senate. This was done to force the Trump administration to protect undocumented child immigration from deportation.

- USA's "Spending Bill" is an agglomerated "Appropriation Bill" for drawing money for various budgetary allocations.
- Unlike in parliamentary democracies, the failure of an Appropriation Bill doesn't lead to the fall of the government in presidential systems such as US.
- To become a law, any bill in the US will have to pass through both houses of the Congress namely – "Senate" and the "House of Representatives" and then get the assent of the president.
- The US senate has 100 seats and any bill needs a majority (which is 50% + 1) of the total votes casted to be passed.

- The “Republican Party” (Trump’s party) currently holds 51 seats in the senate, while the “Democrat Party” holds 47 and 2 is held by independents.
- Since Senate has only a limited number of working days, many a times some senators have resorted to obstructionist debates to block bills.
- This practice of blocking bills is called “filibustery” and to break this, a guillotine motion was commissioned.
- To guillotine a debate, a three-fifth majority of those present and voting is needed, which accounts to 60 if the house votes in full attendance.
- If guillotine doesn’t succeed, then a bill eventually lapses with the Senate session, which is what happened to the current spending bill.
- While the current Spending Bill sailed through the Congress with a 230-197 vote, it was blocked in the senate due to Democrat Senators.
- Notably, congress has been struggling since October to pass this spending Bill, which is being held hostage due to the child immigration issue.
- The current stalemate means that the government will now face a complete shutdown due to lack of funds, which has happened only thrice since 1995.

9.7 Anti-Government Protests in Iran

Iran is witnessing large scale anti-government protests.

- The protests began in Mashhad, Iranian city.
- Mashhad is also the second-largest city of Iran.
- It is considerably the holiest, the resting place of Imam Reza, the only one of the 10 Imams of Shias buried in Iran.
- The 12 Imams are the spiritual and political successors to the Islamic prophet Muhammad in the Shia belief.
- Protests were initially focussed on deteriorating economic situation, official corruption and lack of social freedoms.
- However, it gradually turned into political rallies and expanded to several cities.
- President Hassan Rouhani acknowledged the public’s anger over the deteriorating economy. However, he strongly condemned the resort to violence and showed tough resistance through the security forces.



9.8 Unrest in Tunisia

At a time when Tunisia must be cherishing the 7th anniversary of the “**Jasmine Revolution**”, the country has crept back to turmoil.

- Tunisia is a small country in northern Africa, along the southern Mediterranean coast.
- The country saw intense civil unrest in 2011, which led to the ousting of the 23-year-old authoritarian regime of president “Zine El Abidine Ben Ali”.
- This **jasmine revolution** subsequently inspired similar demonstrations around the Arab world, which came to be known as **Arab Spring**.
- While the country was stable thus far, recent austerity budget cuts and the economic situation have led to some unrest, which could spell danger.



9.9 Gaining from UN Peacekeeping Operations

Despite troop contributions to UN peacekeeping missions, the returns in UN power play for India have been low. Also, China's grip on UN affairs is increasing to the detriment of India.

- The United Nations Security Council has the power and responsibility to take collective action to maintain international peace and security.
- It thus authorizes peacekeeping operations to help countries that are conflict ridden and to create conditions for lasting peace.
- In the emerging geopolitical scenario, China is increasingly taking a centre stage in the world affairs.
- Amidst this, in UN peacekeeping missions, China has become the **largest troop contributor** among the permanent members of the UNSC.
- More importantly, China is now the **third-largest contributor to the UN's regular budget**.
- And the second-largest contributor to the peacekeeping budget.
- Sadly, India's contribution is below 1%, when compared to China's around 8% and U.S.'s 20% plus.
- China's participation in UN operations offers a low-cost means of demonstrating their commitment to global stability.
- Also an assertion of its military and economic strength and its quest for great power status.
- What is more concerning for India is China's greater involvement in selective peace operations with a **self-serving motive**.
- E.g. China was against sending UN peacekeepers to Guatemala and Macedonia because they had established diplomatic ties with Taiwan.
- This is evident of increasing front-lining of China in international affairs via the UN.
- The current system excludes the troop and police-contributing countries (T/PCCs) from the process of framing the mandates.
- India thus demands an enhanced role for troops contributing countries in the decision-making process of UN peacekeeping missions.

9.10 Post WWII Germany

The recent political developments in Germany largely seem to hold the influence of the resultant factors of cold war.

- After WWII the Germans lost the war, ceding the former Nazi power to victory allies consisting of US, UK, USSR and France.
- As compensation for the land lost during the war, Germany was divided into four zones.
- The USSR took over the zone in the east, forming German Democratic Republic (GDR).
- UK, US, and France occupied their own zones and formed a Federal Republic of Germany (FRG).
- Notably, the western part of the country has a liberal market but the eastern part which is controlled by USSR has socialistic principles.
- **Berlin wall** - Technically Berlin was in USSR's Zone.
- But since Berlin was the capital of Germany and former home to Nazi rule, it held significant historical and political value.
- For this reason, Berlin was also divided into four zones, same like the rest of Germany.
- After the demarcation of the zones the communist countries of USSR restricted the trade movements between West and East Germany; also made emigration restrictions from the other half of the Germany.
- These created a virtual restriction known as soviet blockade and made way for cold war.
- It led to the construction of massive border known as Inner German Border (IGB) running down the middle of the country.
- Due to their liberal principles, the West Germans prospered more than the easterners under communists.
- This made the movement of East Germans bypassing the boarders.



- To completely restrict the movement of people from eastern Berlin to West Berlin, USSR erected 100 miles long concrete walls along the borders of GDR Berlin.
- The wall served as a division between the west and east Berlins for nearly three decades from 1961-1989.
- **At Present** - In 1989 the barrier was demolished and the borders were made open. But the problems between East and West persisted.
- When the Berlin wall fell, the West Germany which flourished through liberal policies encapsulated their weaker counterpart.
- This high unemployment rate, business failures and brain-drain to the west, all leading to social and economic differences.
- The inequalities led to the emergence of extreme right wing and neo-Nazi forces which is seen as a threat to the present German administration.

9.11 Oxfam International

Oxfam international's staffs were involved in a sexual misconduct during an operation in Haiti (recovery and relief effort post- earthquake). Britain's charity regulator, the Charity Commission opened a statutory inquiry into Oxfam.

- Oxfam International is a confederation of 20 independent charitable organizations around the world.
- It is based in UK, but has its operations across 90 countries.
- Oxfam international releases the **Global Inequality Report** annually.
- Oxfam works to find practical, innovative ways for people to lift themselves out of poverty and thrive.
- Oxfam works with partner organizations and alongside vulnerable women and men to end the injustices that cause poverty.

9.12 US Special Watch list

- US placed Pakistan on 'Special Watch List' for 'severe violations' of religious freedom.
- Pakistan was the first country to be put under the **newly-formed list**.
- In accordance with the International Religious Freedom Act of 1998, US annually designates governments that have engaged in or tolerated systematic, ongoing, and egregious violations of religious freedom as 'Countries of Particular Concern'.
- The Special Watch List is for countries that engage in or tolerate severe violations of religious freedom but may not rise to the level of the CPC.
- The Special Watch List designation is being seen as a step below designating it as Country of Particular Concern, which would have automatically kicked in economic and political sanctions.
- US re-designated Burma, China, Eritrea, Iran, North Korea, Sudan, Saudi Arabia, Tajikistan, Turkmenistan, and Uzbekistan as Countries of Particular Concern (CPC) on December 22, 2017.
- The United States Commission on International Religious Freedom has been advocating for designating Pakistan as a CPC since 2002.

9.13 Polar Silk Road

- China has recently released its first official Arctic policy white paper which outlined its ambitions to develop a "Polar Silk Road" of new Arctic shipping lanes opened up by global warming.
- China, despite being a non-Arctic state, is increasingly active in the polar region and became an observer member of the Arctic Council in 2013.
- The project is the latest extension of Belt and Road Initiative, which aims to connect China to Europe, the Middle East and beyond via massive infrastructure project.
- The white paper revealed that it would encourage enterprises to build infrastructure and conduct commercial trial voyages, paving the way for Arctic shipping routes.

9.14 Pyeong Chang Winter Games

2018 Winter Olympics took place in Pyeong Chang in South Korea.

- The Winter Olympic Games is a major international sporting event.
- It is held once every four years. It includes sports practised on snow and ice.
- PyeongChang is expected to help in easing tensions between the North and South Korea through people to people contact.
- **Russia's ban** - Russia was earlier banned from the Olympics because of an alleged state sponsored doping at the 2014 Sochi Games in Russia.



- The International Olympic Committee (IOC) upheld the ban of Russia from the Pyeongchang Winter Games as well.
- However, the IOC approved a team of 168 clean athletes competing as “Olympic Athletes from Russia” (OAR).
- But athletes competing as “Olympic Athletes from Russia” were denied the right to march in the opening ceremony under their country’s flag.
- It is to be noted that the Russia's Olympic membership had been restored by the International Olympic Committee (IOC) just days after the end of the Winter Games.
- This is despite two OAR athletes failing drugs tests during the games. All 168 OAR competitors had been required to prove they were clean before being cleared to participate.
- **IOC** - The IOC is a not-for-profit independent international organisation made up of volunteers.
- The International Olympic Committee is the supreme authority of the Olympic Movement. It's role is coordination of preparation for all Olympic Games.
- It acts as a catalyst for collaboration between all parties of the Olympic family, from the National Olympic Committees (NOCs).
- **NOC** - The National Olympic Committees is to develop, promote and protect the Olympic Movement in their respective countries.
- The NOCs are the only organisations that can select and designate the city which may apply to organise Olympic Games in their respective countries.

9.15 Eastern Ghouta - Syria

High civilian casualties are being reported in the Syrian regime’s offensive to retake control from the rebels.

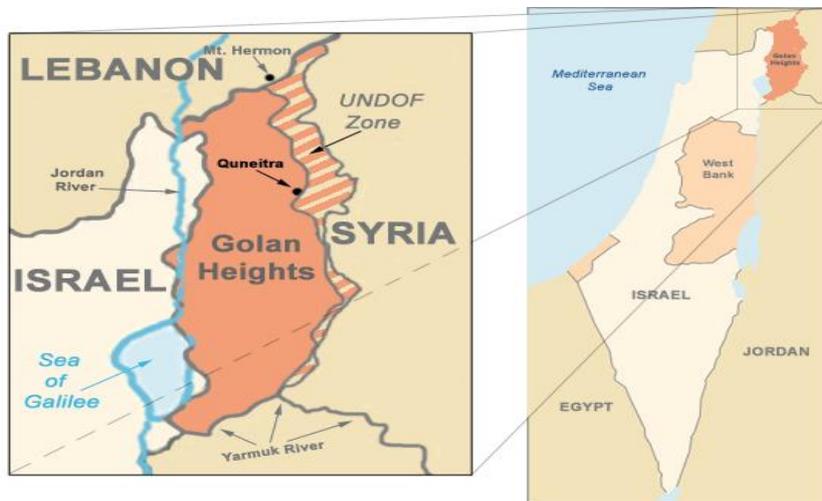
- Eastern Ghouta, is a locality on the outskirts of the capital city of Damascus, with an estimated population of 4 lakhs.
- It was taken over by the rebels during the early phase of the civil war (7 years ago), and is currently one of the last significant areas held by them.
- A wide range of militant groups are believed to be active here, including the Saudi and Qatar funded groups, and the Syrian branch of al-Qaeda.
- The recent airstrikes and bombardments launched by government forces to wash out the rebels from here saw many civilians dying.
- Years-long blockade has deprived Eastern Ghouta of food and medicines.
- Significantly, it was also here that chemical weapons were used in 2013, killing hundreds of people.
- The UN called for a 30 day cease fire.



9.16 Israel - Syria hostility

Israel got itself involved into the Syrian war in order to contain increasing Iranian influence in Syria.

- In the 1967 war, Israel captured the strategic “**Golan Heights**” on the Israeli-Syria border from Syria, and it continues to occupy the region even now.



- In the 1980s, Syria intervened in Lebanon and helped militants like Hezbollah who were resisting Israeli occupation of Lebanon.
- While Syria and Israel do not have formal diplomatic ties, they’ve not had a direct confrontation for more than 50 years now.
- Despite the hostility towards the current longstanding Assad regime, Israel’s border with Syria has been very calm for years.
- But as the Syrian civil war evolved into a regional conflict over the years, Israel’s strategic calculations seems to have changed too.
- It is not regime change but the growing Iranian influence in Syria that concerns Israel, for which it is supporting rebel elements.

9.17 Financial Action Task Force

An international agreement to curtail terror financing by Pakistan was recently reached at FATF, with strong Indian backing.

- The Financial Action Task Force (FATF) is an inter-governmental body established in 1989 and is headquartered at Paris, France.
- Its objective is to combat money laundering, terrorist financing and other related threats to the integrity of the international financial system.
- It nudges nations to legislate on concerned subjects by setting standards for effective implementation of legal, regulatory and operational measures.
- Currently, FATF consists of 35 member countries and 2 regional organisations, the European Commission and the Gulf Co-operation Council.
- Notably, most major economies (including India) are members but Pakistan is not a member.
- The FATF also works in close co-operation with a number of international and regional bodies like the UN, World Bank and Interpol.
- **Pakistan** - Recently, Trump announced a major cut in military assistance to Pakistan for its non-compliance on the terror front.
- Following this, the Financial Action Task Force (FATF) recently cautioned Pakistan with economic sanctions if it funds terror groups against Afghanistan and India.
- International financial institutions and banks will now find it difficult to conduct business in Pakistan.
- The list would make it harder for foreign investors and companies to raise funds overseas.
- It would also make it more expensive to get and repay loans from international lenders like the IMF and the World Bank.



- While China (a close ally of Pakistan) could have blocked the action, it had not done so, which may be indicative of China's changing worldview.
- Despite these problems, all countries have been showing keen interest in the TAPI pipeline project which runs across these countries at differences.

10. MAJOR DEFENCE EXERCISES

Joint Exercises conducted by Army

S. No.	Country	Exercise
1.	Australia	Ex AUSTRAL HIND
2.	Bangladesh	Ex SAMPRITI
3.	China	Ex HAND IN HAND
4.	France	Ex SHAKTI
5.	Indonesia	Ex GARUDA SHAKTI
6.	Kazakhstan	Ex PRABAL DOSTYK
7.	Kyrgyzstan	Ex KHANJAR
8.	Maldives	Ex EKVURIN
9.	Mongolia	Ex NOMADIC ELEPHANT
		Ex KHAN QUEST
10.	Nepal	Ex SURYA KIRAN (BIANNUAL)
11.	Oman	AL NAGAH (SUCCESS)
12.	Russia	Ex INDRA
13.	Seychelles	Ex LAMITIYE
14.	Singapore	Ex AGNI WARRIOR
		Ex BOLD KURUKHESTRA
15.	Sri Lanka	Ex MITRA SHAKTI
16.	Thailand	Ex MAITREE
		Ex COBRA GOLD (Observer Plus)
17.	UK	Ex AJEYA WARRIOR
18.	USA	Ex YUDHABHAYAS
		Ex VAJRA PRAHAR

Joint Exercises conducted by Navy

S. No.	Country	Exercise
1.	Australia	AUSINDEX
		KAKADU
2.	Brazil & South Africa	IBSAMAR
3.	Brunei	ADMM+ Exercise (Multilateral)
4.	France	VARUNA



5.	Indonesia	IND-INDO CORPAT (Bi-annual)
		IND-INDO BILAT
		Ex KOMODO (HADR) (Multilateral)
6.	Malaysia	ARF DIREx
7.	Myanmar	IMCOR
8.	Oman	Naseem-al-Bahr
9.	Russia	INDRA NAVY
10.	Singapore	SIMBEX
11.	Sri Lanka	SLINEX
		IN-SLN SF Exercise
12.	Thailand	INDO-THAI CORPAT (Bi-annual)
13.	UK	KONKAN
14.	USA	MALABAR
		RIMPAC (Multilateral)

Joint Exercises conducted by Air Force

S. No.	Country	Exercise
1.	France	Ex GARUDA-V
2.	Oman	Ex EASTERN BRIDGE-IV
3.	Russia	Ex AVIAINDRA-14
4.	Singapore	JOINT MILITARY TRAINING
5.	Thailand	SIAM BHARAT
6.	UAE	Ex DESERT EAGLE-II
7.	UK	Ex INDRADHANUSH-IV
8.	USA	Ex RED FLAG

Pralay Sahayam - The exercise was conceptualised as Humanitarian Assistance and Disaster Relief (HADR) exercise based on an urban flooding scenario in the twin cities of Hyderabad & Secunderabad.

The Exercise synergised the efforts of all stakeholders Army, Navy, Air Forces, NDRF, civil administration, CAPFs and other civil agencies.

Op Sahayam -In the aftermath of cyclone 'Ockhi' the IAF unrelentingly pursued HADR along with NDRF team.
