

UPSC Daily Current Affairs 16 Jul 2021

Anti-defection law

(Topic- GS Paper II- Governance, Source- The Hindu)

Why in the news?

- Recently, the Lok Sabha Secretariat has issued notices to MPs Sisir Adhikari, Sunil Kumar Mondal and K. Raghu Rama Krishna Raju under the anti-defection law.

About Anti-defection law

- Anti-Defection Law was inserted in the Indian Constitution in 1985 by the **52 nd Amendment Act of 1985**.
- The **52nd amendment of the Constitution inserted the Tenth Schedule** in which provisions were made by which legislators can be disqualified on the grounds of defection to any other political party.
- The issue of disqualification on the ground of defection may be raised by any member of the house and is referred to the Chairman or the Speaker of House.
- The decision of the Chairman/Speaker of the concerned house is final and binding.
- The Anti-Defection law is applicable to both the houses of Parliament and also to the state assemblies.

Judicial Reviews

- The decision of the Speaker or the Chairman of the house is open **for judicial review**.

Practice in another country

- Anti-Defection law is in practice not only in India, but it is practiced in various other countries of Asia and Africa like Bangladesh, South Africa, Kenya etc

Grounds of Defection

- For Members belonging to any political party – A legislator who is a member of any political party may be disqualified if:–
 - If any legislator voluntarily gives up his membership from such political party.
 - If any legislator belonging to any political party votes or abstains from voting in the House contrary to the directions already issued by that political party.

For nominated members of a House

- A nominated member of a house may be disqualified if a nominated member of a house declares to joins any other political party after six months of taking her/ his seat in that house after complying with the provision of **Article 99 or Article 188**.

For Member elected otherwise than as a candidate set up by any political party

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- A member of the house who is elected as an independent candidate may be disqualified on the ground of defection if he joins any political party after the election.

Exceptions under the Anti-Defection Law

- The changing of a political party by a legislator does not always lead to defection under the Anti-Defection Law.
- The Anti-Defection law allows a political party to merge with any other party subjected to the fulfillment of the following condition –
 - A legislator shall not be disqualified if his original/ initial political party merges with any other political party, and:
 - She/ He and other members of her/ his old political party takes the membership of the new political party, or
 - She/ He and other members of her/ his old political party do not accept the merger and decide to function as a separate group.

New drone policy of MoCA

(Topic- GS Paper II- Governance, Source- The Hindu)

Why in the news?

- Ministry of Civil Aviation (MoCA) has recently released the updated – The Drone Rules, 2021 for public consultation.
- The Drone Rules, 2021 will replace the UAS (unmanned aircraft system) Rules 2021 that was released on 12 March 2021.

Key takeaways from the Draft Drone Rules, 2021 include:

Unique identification number

- Operating drones without unique identification number will not be allowed, unless exempted.
- Drone operators will have to generate a unique identification number of a drone by providing requisite details on the digital sky platform.
- It have safety features such real-time tracking beacon, and geo-fencing, which are expected to be notified in future and a six-month lead time will be provided for compliance.

Interactive airspace map

- The new rule also state that an interactive airspace map with green, yellow, and red zones will be displayed on the digital sky platform.
- While yellow zone has been reduced from 45 km to 12 km from nearby airport perimeter, no flight permission is required up to 400 feet in green zones and up to 200 feet in the area between 8 and 12 km from the airport perimeter.

Licence

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- No pilot licence will be required for micro drones used for non-commercial use, nano drones and for research and development (R&D) organizations operating such drones.

Other Provisions

- There will be no restriction on drone operations by foreign-owned companies registered in India.
- Import of drones and drone components will be regulated by Directorate General of Foreign Trade.
- Security clearance will not be required before any registration or licence issuance.
- There will be no requirement of certificate of airworthiness, unique identification number, prior permission and remote pilot licence for R&D entities.
- MoCA will also facilitate development of drone corridors for cargo deliveries and a drone promotion council will be set up to facilitate a business-friendly regulatory regime.

Related Information

Digital sky platform

- It is an initiative by MoCA to provide a secure and a scalable platform that supports drone technology frameworks, such as NPNT (no permission, no take-off), designed to enable flight permission digitally and managing unmanned aircraft operations and traffic efficiently.
- Digital sky platform will also be developed as a business-friendly single-window online system with minimal human interference and most permission will be self-generated.

India's Afghan investment

(Topic- GS Paper II- IR, Source- Indian Express)

Why in the news?

- As the Taliban push ahead with military offensives across Afghanistan, preparing to take over after the exit of US and NATO forces, India faces a situation in which it may have no role to play in that country.
- It would be a reversal of nearly 20 years of rebuilding a relationship that goes back centuries. Afghanistan is vital to India's strategic interests in the region.

Projects across the country

- India has undertaken 400 plus projects in all 34 of Afghanistan's provinces".
- The fate of these projects is now up in the air.

Some of these projects are

SALMA DAM

- It is a 42MW dam in the Herat province.
- It has been inaugurated in 2016 and known as the Afghan-India Friendship Dam.

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ZARANJ-DELARAM HIGHWAY

- The project was the 218-km Zaranj-Delaram highway built by the Border Roads Organisation.
- Zaranj is located close to Afghanistan's border with Iran.
- The highway goes along the **Khash Rud river to Delaram** to the northeast of Zaranj, where it connects to a ring road that links Kandahar in the south, Ghazni and Kabul in the east, Mazar-i-Sharif in the north, and Herat in the west.

Strategic important

- With Pakistan denying India overland access for trade with Afghanistan, the highway is of strategic importance to New Delhi, as it provides an alternative route into landlocked Afghanistan through Iran's Chabahar port.

PARLIAMENT

- The Afghan Parliament in Kabul was built by India at \$90 million.
- It was opened in 2015.
- Modi described the building as India's tribute to democracy in Afghanistan.
- **A block in the building is named after former PM AB Vajpayee.**

STOR PALACE

- In 2016, Afghan President Ashraf Ghani and Prime Minister Modi inaugurated the restored Stor Palace in Kabul, originally built in the late 19th century, and which was the setting for the 1919 Rawalpindi Agreement by which Afghanistan became an independent country.

POWER INFRA

- Other Indian projects in Afghanistan include the rebuilding of power infrastructure such as the 220kV DC transmission line from Pul-e-Khumri, capital of Baghlan province to the north of Kabul, to beef up electricity supply to the capital.
- Indian contractors and workers also restored telecommunications infrastructure in many provinces.

HEALTH INFRA

- India has reconstructed a children's hospital it had helped build in Kabul in 1972 — named Indira Gandhi Institute for Child Health in 1985 — that was in a shambles after the war.
- 'Indian Medical Missions' have held free consultation camps in several areas.

TRANSPORTATION

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- According to the MEA, India gifted 400 buses and 200 mini-buses for urban transportation, 105 utility vehicles for municipalities, 285 military vehicles for the Afghan National Army, and 10 ambulances for public hospitals in five cities.
- It also gave three Air India aircraft to Ariana, the Afghan national carrier, when it was restarting operations.

OTHER PROJECTS

- India has contributed desks and benches for schools, and built solar panels in remote villages, and Sulabh toilet blocks in Kabul.
- New Delhi has also played a role in building capacity, with vocational training institutes, scholarships to Afghan students, mentoring programmes in the civil service, and training for doctors and others.

ONGOING PROJECTS

- At the Geneva Conference in November 2020, External Minister has announced that India had concluded with Afghanistan an agreement for the construction of the Shatoot Dam in Kabul district.
- He also announced the start of some 100 community development projects worth \$80 million.

Aga Khan Heritage project

- In 2020, India pledged \$1 million for another Aga Khan heritage project, the restoration of the Bala Hissar Fort south of Kabul, whose origins go back to the 6th century.
- **Bala Hissar went on to become a significant Mughal fort, parts of it were rebuilt by Jahangir, and it was used as a residence by Shah Jahan.**

Dismissal of J&K govt employees

(Topic- GS Paper II- Governance, Source- Indian Express)

Why in the news ?

- Recently, Lt Governor Manoj Sinha has dismissed 11 Jammu and Kashmir government employees for alleged terror links under provisions of Article 311(2) (c) of the Constitution.

About Article 311

- Article 311 of the Constitution deals with 'Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State'.

Subsections under Article 311

- Article 311(1): It says that no government employee either of an all India service or a state government shall be dismissed or removed by an authority subordinate to the town that appointed him/her.

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Article 311(2)

- It says that no civil servant shall be dismissed or removed or reduced in rank except after an inquiry in which s/he has been informed of the charges and given a reasonable opportunity of being heard in respect of those charges.

Provided further that this clause shall not apply

(a) where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

(b) where the authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry; or

(c) where the President or the Governor, as the case may be, is satisfied that in the interest of the security of the State, it is not expedient to hold such inquiry

Note:

- Section 126 of the constitution of the erstwhile state of Jammu and Kashmir too, while providing safeguards to civil servants/government employees like in Article 311 of the Indian Constitution, laid down exceptions under which a person could be dismissed without holding an inquiry.

Remedy available

- The only available remedy to terminated employees is to challenge the government's decision in the High Court.

Earlier instances

- In 1986, the coalition government of G M Shah's National Conference (K) and Congress in the erstwhile state of Jammu and Kashmir dismissed over a dozen employees from service on charges of challenging the sovereignty of India.

Supreme Court strikes down Tribunals Ordinance provision fixing 4-year term for members

(Topic- GS Paper II- Governance, Source- The Hindu)

Why in the news?

- The Supreme Court has recently struck down certain provisions of the Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021 relating to minimum age requirement of 50 for appointment as Chairperson or Members and fixing their tenure at four years.

About the Case

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- The judgment came on a petition by the Madras Bar Association, which challenged the Tribunals Reforms Ordinance, 2021 to the extent it amends Sections 184 and 186 of the Finance Act 2017.
- The court held certain provisions of Section 184 of the Finance Act, 2017, introduced by Section 12 of the Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021 as void, inoperative and unconstitutional.

Provisions struck down by the Supreme Court

Appointment

- The Supreme Court has struck down the provisions requiring a minimum age for appointment as Chairperson or Members as 50 years and prescribing the tenure of four years.
- The court said that these provisions were contrary to the principles of separation of powers, independence of judiciary, rule of law, and Article 14 of the Constitution.
- Further, the court said that the term of Chairperson of a tribunal shall be five years or till she or he attains the age of 70, whichever is earlier. Further, the term of a Member of a tribunal shall be five years or till she or he attains the age of 67, whichever is earlier.

Appointment Duration

- The provision prescribing that the Union Government should make appointments “preferably within three months” of recommendation by the Search-cum-Selection committee has been struck down.

Background

- The Centre has recently amended 10 laws to remove several appellate bodies through an ordinance – the Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021.

Amendments to the Finance Act, 2017:

- Section 184 of the Finance Act, 2017 has been amended to empower the Central Government to make rules for qualifications, appointment, term of office, salaries and allowances, resignation, removal and other terms and conditions of service of Members of Tribunals.
 - It provides the Chairperson and Members of the Tribunals will be appointed by the Central Government on the recommendation of a Search-cum-Selection Committee.
 - It also provides the composition of the Committee, to be headed by the Chief Justice of India or a Judge of the Supreme Court nominated by him.

Tenure

- The Chairperson of a Tribunal shall hold office for a term of 4 years or till he attains the age of 70 years, whichever is earlier.

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- Other Members of a Tribunal shall hold office for a term of 4 years or till he attains the age of 67 years, whichever is earlier.
- It states that a person who has not completed the age of fifty years shall not be eligible for appointment as a Chairperson or Member.

Other Amendments

The Ordinance omits the following **Tribunals/ Appellate Authorities** from the purview of the Finance Act:

- Airport Appellate Tribunal established under the Airport Authority of India Act, 1994.
- Appellate Board established under the Trade Marks Act, 1999
- Authority for Advance Ruling established under the Income Tax Act, 1961
- Film Certification Appellate Tribunal established under the Cinematograph Act, 1952.
- It substitutes the National Consumer Disputes Redressal Commission established under the erstwhile Consumer Protection Act, 1986 with a National Consumer Disputes Redressal Commission established under the Consumer Protection Act, 2019.

About Tribunals

- It is a quasi-judicial institution that was set up to deal with problems such as resolving administrative or tax-related disputes.
- Tribunals were added to the Constitution by Constitution (Forty-second Amendment) Act, 1976 as Part XIV-A which has only two articles:
 - a. Article 323-A deals with Administrative Tribunals.
 - b. Article 323-B deals with tribunals for other matters.

Fit for 55

(Topic- GS Paper III-Environment, Source- The Hindu)

Why in the news?

- Recently, the European Commission's plan, "Fit for 55," calls for its 27 member states to cut their output of greenhouse gases by 55% by 2030, compared with 1990 levels.

More on the news

- The European Union's target is more aggressive than that of the United States, which committed to reduce emissions by 40% to 43% over the same period, but behind Britain, which pledged a 68% reduction.
- **China, the world's largest emitter, has only said it aims for emissions to peak by 2030.**

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Doppler radars

(Topic- GS Paper III- Science and Technology, Source- Indian Express)

Why in the news?

- Recently, the India Meteorological Department's (IMD) only Doppler radar in Mumbai has stopped working again, when the city was witnessing rainfall.

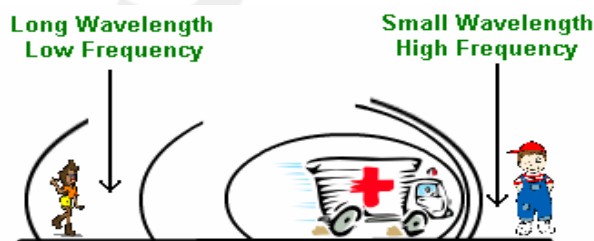
About Doppler radar

- In India, Doppler radars of varying frequencies — S-band, C-band and X-band — are commonly used by the IMD to track the movement of weather systems and cloud bands, and gauge rainfall over its coverage area of about 500 km.
- The radars guide meteorologists, particularly in times of extreme weather events like cyclones and associated heavy rainfall.
- X-band radar** is used to detect thunderstorms and lightning whereas **C-band** guides in cyclone tracking.

Working Principal

- It is a specialized radar that uses the Doppler effect to produce velocity data about objects at a distance

About Doppler Effect



The Doppler Effect for a Moving Sound Source

- When the source and the signal are in relative motion to each other there is a change in the frequency observed by the observer.
- If they are moving closer frequency increases and vice versa.
- It does this by bouncing a microwave signal off a desired target and analyzing how the object's motion has altered the frequency of the returned signal.
- This variation gives direct and highly accurate measurements of the radial component of a target's velocity relative to the radar.

UV-C technology

(Topic- GS Paper III- Science and Technology, Source- Indian Express)

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Why in the news?

- Recently the Union Minister of State for Science and Technology has said that Ultraviolet-C or UV-C Disinfection Technology will soon be installed in Parliament for the “mitigation of airborne transmission of SARS-COV-2”.

About UV-C technology

- The UV-C air duct disinfection system was developed by CSIR-CSIO (Central Scientific Instruments Organisation).

About Ultraviolet (UV)

- Ultraviolet (UV) is a type of light or radiation naturally emitted by the Sun.
- It covers a wavelength range of 100-400 nm. The human visible light ranges from 380–700 nm.
- **UV is divided into three bands:**
 - a. **UV-C (100-280 nm)**
 - b. **UV-B (280-315 nm)**
 - c. **UV-A (315-400 nm)**
- UV-A and UV-B rays from the Sun are transmitted through our atmosphere and all UV-C is filtered by the ozone layer.
- UV-B rays can only reach the outer layer of our skin or epidermis and can cause sunburns and are also associated with skin cancer.
- UV-A rays can penetrate the middle layer of your skin or the dermis and can cause aging of skin cells and indirect damage to cells' DNA.

UV-C radiation

- UV-C radiation from man-made sources has been known to cause skin burns and eye injuries.
- UV-C radiation (wavelength around 254 nm) has been used for decades to disinfect the air in hospitals, laboratories, and also in water treatment.

Effectiveness on SARS-COV-2

- Recently a paper published in June 2020 in Scientific Reports noted that UV-C radiation can destroy the outer protein coating of the SARS-Coronavirus.
- They showed that 222-nm, known as ‘far-UVC light’, efficiently kills airborne human coronaviruses – alpha HCoV-229E and beta HCoV-OC43.
- This is different from SARS-CoV-2 virus.
- There is very limited data on the required wavelength and duration needed to inactivate SARS-CoV-2.