

UPSC Daily Current Affairs 21 Jul 2021

SC annuls parts of the cooperative amendment

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

Why in the news?

- In a major boost for federalism, the Supreme Court has recently struck down parts of a constitutional amendment that shrank the exclusive authority of States over their cooperative societies.
- The judgment may be significant in the background of fears voiced by the States whether the new Central Ministry of Cooperation would disempower them.

More in the news

97th Amendment of 2012

- Part IXB, introduced in the Constitution through the 97th Amendment of 2012, dictated the terms for running cooperative societies.
- Part IX B, which consists of Articles 243ZH to 243ZT, has “significantly and substantially impacted” State legislatures’ “exclusive legislative power” over its cooperative sector under Entry 32 of the State List.

Court Observation

- In a majority judgment authored by Justice Nariman, the court held that cooperative societies come under the “exclusive legislative power” of State legislatures.
- The provisions in the amendment, passed by Parliament without getting them ratified by State legislatures as required by the Constitution, went to the extent of determining the number of directors a society should have or their length of tenure and even the necessary expertise.
- The court pointed out how Article 243ZI makes it clear that a State may only make law on the incorporation, regulation and winding up of a society subject to the provisions **of Part IXB of the 97th Constitution Amendment.**
- The 97th Amendment which inserts the chapter dealing with cooperative societies has not been so ratified by the States, though an amendment of the Constitution in the exercise of constituent power which differs from ordinary legislative power, such constituent power does not convert Parliament into an original constituent assembly.
- Parliament being the donee of a limited power may only exercise such power by both the procedural and substantive limitations contained in the Constitution of India.
- However, the court did not strike down the portions of Part IXB of the Amendment concerning "Multi-State Cooperative Societies" due to the lack of ratification.

Dissent note

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- In his dissent, Justice K.M. Joseph said the **doctrine of severability** would not operate to distinguish between single-State cooperatives and Multi-State Cooperative Societies (MSCS).
- The judge said the entire Part IXB should be struck down on the ground of absence of ratification.

About Co-operative Societies

- The 97th Constitutional Amendment Act of 2011 gave constitutional status and protection to cooperative societies.

In this context, it made the following three changes in the Constitution:

- The word “cooperatives” was added after “unions and associations” in Article 19(1) (c) under Part III of the Constitution.
- This enables all the citizens to form cooperatives by giving it the status of the fundamental right of citizens
- It included a new Directive Principle of State Policy (Part-IV) on the promotion of co-operative societies (Article 43-B).
- It added a new Part IX-B in the Constitution which is entitled as “The Co-operative Societies” (Articles 243-ZH to 243-ZT).

Co-operative Movement in Post-Independence Era

- After independence, cooperatives became an integral part of Five-Year Plans.
- In 1958, the National Development Council (NDC) had recommended a national policy on cooperatives and also for training of personnel and setting up of Co-operative Marketing Societies.
- **National Cooperative Development Corporation (NCDC)**, a statutory corporation, was set up under National Cooperative Development Corporation Act, 1962.
- In 1984, the Parliament of India enacted the Multi-State Cooperative Societies Act to remove the plethora of different laws governing the same types of societies.
- **The Government of India announced a National Policy on Co-operatives in 2002.**
- In 2021, a separate ‘**Ministry of Co-operation**’ has been created by the Central Government for realizing the vision of ‘Sahkar se Samriddhi’ (Prosperity through Cooperation) and to give a new push to the cooperative movement.

Note:

Doctrine of severability

- The doctrine of severability means that when some particular provision of a statute offends or is against a constitutional limitation, but that provision is severable from the rest of the statute, only that offending provision will be declared void by the Court and not the entire statute.

India is welcome to join the China-South Asia grouping

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

Why in the news?

- Recently, the Bangladesh Foreign Minister said that India can join the China-led South Asian initiative for COVID-19 vaccines and poverty alleviation too if it so desires.
- He is denying that a six-nation grouping launched earlier this month was meant to exclude India.

Purpose of Creating China-South Asia grouping

- The creation of the China-South Asian Countries Emergency Supplies Reserve, and a Poverty Alleviation and Cooperative Development Centre set up in China.

Countries involved

- China, Afghanistan, Bangladesh, Nepal, Pakistan and Sri Lanka

Minus India” initiative

- The absence of India from the grouping as well as from a series of consultations on COVID relief between the Chinese vice Foreign Minister and different combinations of all SAARC member countries (other than India and Bhutan) led some experts to suggest this was meant to be a “Minus India” initiative.
- India is the only country of all eight SAARC nations that has not requested or accepted Chinese COVID vaccines.

More Connectivity, Better Ties

South Asian Association for Regional Cooperation is losing steam amid Pakistan's intransigence over connectivity pacts

Regional connectivity vital for India as China is expanding its footprint in the region via OBOR initiative

Proposals for projects such as Dhaka-Chennai-Colombo air connectivity part of agenda during Sushma's recent Dhaka visit

Efforts are on to implement Bangladesh, Bhutan, India, Nepal motor vehicles pact

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India's Response

- The Ministry of External Affairs did not respond to a question on whether India had been invited to the forum or would consider joining the China-South Asia centre, now being established in the Southern Chinese city of Chongqing, in the future.

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- However, given continuing tensions over Chinese aggression at the Line of Actual Control in Ladakh, and New Delhi's firm stand that other bilateral relations cannot move ahead without a resolution of the boundary stand-off.
- It is understood that India would be unlikely to consider a new grouping involving China, especially one that could be seen to dilute its role in the SAARC region.

Conjugal rights

(Topic- GS Paper II- Polity and governance, Source- Indian Express)

- Recently, the Supreme Court is expected to begin hearing a fresh challenge to the provision allowing restitution of conjugal rights under Hindu personal laws.
- In 2019, a three-judge Bench of the Supreme Court had agreed to hear the pleas.

What are conjugal rights?

- Conjugal rights are rights created by marriage, i.e. the right of the husband or the wife to the society of the other spouse.
- The law recognises these rights— both in personal laws dealing with marriage, divorce etc and in criminal law requiring payment of maintenance and alimony to a spouse.
- **Section 9 of the Hindu Marriage Act recognises one aspect of conjugal rights — the right to the consortium** and protects it by allowing a spouse to move the court to enforce the right.
- The concept of restitution of conjugal rights is codified in Hindu personal law now, but has colonial origins and has genesis in ecclesiastical law.

What is the provision under challenge?

- Section 9 of the Hindu Marriage Act, 1955, which deals with restitution of conjugal rights, reads:
 - "When either the husband or the wife has, without reasonable excuse, withdrawn from the society of the other, the aggrieved party may apply, by petition to the district court, for restitution of conjugal rights and the court, on being satisfied with the truth of the statements made in such petition and that there is no legal ground why the application should not be granted, may decree restitution of conjugal rights accordingly."

Similar Provision in other Personal Law

- Similar provisions exist in Muslim personal law as well as the Divorce Act, 1869, which governs Christian family law.

Incidentally, in 1970, the United Kingdom repealed the law on restitution of conjugal rights.

Concern

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Violation of the fundamental right to privacy

- The law is being challenged now on the main grounds that it is violative of the fundamental right to privacy.
- The plea by two law students argues that court-mandated restitution of conjugal rights amounted to a "coercive act" on the part of the state, which violates one's sexual and decisional autonomy, and right to privacy and dignity.
- **In 2019**, a nine-judge Bench of the Supreme Court under **Puttaswamy v. India** recognised the right to privacy as a **fundamental right**.

Dam Rehabilitation and Improvement Project (DRIP) Scheme

(Topic- GS Paper II- Governance, Source- PIB)

Why in the news?

- Recently, under Dam Rehabilitation and Improvement Project (DRIP) scheme the state has been provided urgent finance to States for repair and maintenance of Dams.

About Dam Rehabilitation and Improvement Project (DRIP) Scheme

- The project was launched in 2012 by Central Water Commission (CWC) with assistance from World Bank.

The objectives of DRIP:

- To improve the safety and operational performance of selected existing dams and associated appurtenances in a sustainable manner, and
- To strengthen the dam safety institutional setup of participating States / Implementing Agencies.

Phase 1 of the Project:

- **The first phase of the DRIP programme covered 223 dams in 7 states.**

Phase II and Phase III.

- **In 2020**, the Cabinet Committee on Economic Affairs has approved the Dam Rehabilitation and Improvement Project (DRIP) Phase II and Phase III.
- It envisages comprehensive rehabilitation of 736 existing dams located across the country and complements the Dam Safety Bill, 2019.

Financial Assistance

- **Financial Assistance** is being provided by the World Bank (WB), and Asian Infrastructure Investment Bank (AIIB).

Duration

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- The Project will be implemented over a period of 10 years duration in two Phases, each of six years **duration with two years overlapping from April 2021 to March 2031.**

DRIP Phase II & Phase III envisages the following objectives:

- To improve the safety and performance of selected existing dams and associated appurtenances in a sustainable manner.
- To strengthen the dam safety institutional setup in participating states as well as at the central level.
- To explore the alternative incidental means at a few of selected dams to generate the incidental revenue for sustainable operation and maintenance of dams.

Need for the Scheme:

- India ranks third globally after China and the United States of America, with 5334 large dams in operation. In addition, about 411 dams are under construction at present.
- There are also several thousand smaller dams.
- Indian dams and reservoirs play an important role in the economic and agricultural growth of our country by storing approximately 300 billion cubic meters of water annually.
- These dams present a major responsibility in terms of asset management and safety.

The consequences of dam failure can be catastrophic, in terms of loss of human life and property, and damage to the ecology

S-500 air defence system

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

Why in the news?

- Russia has recently released the first footage of its advanced new S-500 surface-to-air missile defence system.
- Its predecessor, the S-400 system.

About S-500 system

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- The S-500 system is also called Prometheus.
- It is capable of destroying ballistic and cruise missiles, as well as planes and helicopters.
- It has an interception radius of around 600 km (373 miles).

Related Information

About S-400 Triumf

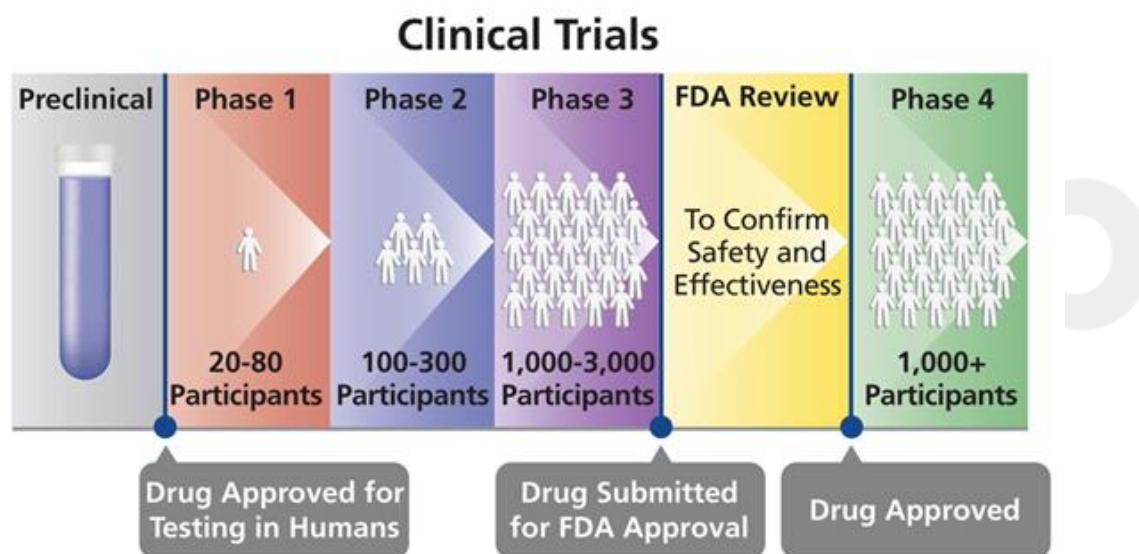
- It is a mobile, surface-to-air missile system (SAM) designed by Russia.
- It is the most dangerous operationally deployed modern long-range SAM (MLR SAM) in the world, considered much ahead of the US-developed Terminal High Altitude Area Defense system (THAAD).
- The S-400 Triumf can engage all types of aerial targets such as aircraft, ballistic and cruise missiles, unmanned aerial vehicles (UAV), which are within the range of 400km, at an altitude of up to 30km.
- It can track 100 airborne targets, including super fighters such as the American built F-35, and engage six of them simultaneously.

4 new vaccines in human trials stage

(Topic- GS Paper III- Science and Technology Source- The Hindu)

Why in the news?

- Recently, in a written reply to Rajya Sabha Science Minister said that the Centre is funding the development of four vaccines, which are currently in various stages of human trials.



- These vaccines are:
 - the DNA-based vaccine candidate by Cadila Healthcare, Ahmedabad, Gujarat
 - the protein subunit vaccine by Biological E Ltd, Hyderabad, Telangana
 - Adenovirus intra-nasal vaccine by Bharat Biotech Ltd, Hyderabad, Telangana
 - An mRNA vaccine by Gennova Biopharmaceuticals, Pune, Maharashtra.
- Cadila and Biological E vaccines are in Phase 3 trials, Bharat Biotech's in Phase 2, and Gennova's in Phase 2 trial.
- A fifth vaccine candidate, which was a "virus-like particle" by Genique Life Sciences, based out of Gurugram, Haryana was in the "advanced preclinical stage".
- At present, three vaccines — Serum Institute of India's Covishield, Bharat Biotech's Covaxin and Russian vaccine Sputnik V — are being administered in India.

Beta Titanium Alloy

(Topic- GS Paper III- Science and Technology Source- AIR)

Why in the news?

- Defence Research and Development Organisation (DRDO) has indigenously developed a 'High Strength Metastable Beta Titanium Alloy' containing Vanadium, Iron and Aluminium, **Ti-10V-2Fe-3Al** (non-ferrous near-beta titanium alloy) on an industrial scale for applications in aerospace structural forgings.

Significance

- The homegrown high strength titanium alloy is used in intricately configured components for aerospace applications.
- The higher strength, ductility, fatigue, and fracture toughness of the titanium alloy can replace steel and can lead to considerable weight savings
- The components which may be forged from **Beta Titanium Alloy include slat/flap tracks, landing gear, and drop link in landing gear among several others.**
- The high strength beta titanium alloys are unique due to design and durability, which makes them increasingly attractive for aircraft structural applications.
- Further, the lifetime cost of these are lower owing to their superior corrosion resistance as compared to steel

Some of the popular alloys in the aerospace industry include:

- Titanium Alloys
- Aluminium Alloys
- Copper Alloys
- Stainless Steel
- Superalloys
- Other Specialty Alloys

DB Shekatkar committee

(Topic- GS Paper III- Defense, Source- PIB)

Why in the news?

- The Committee of Experts (CoE) constituted by the Ministry of Defence under the chairmanship of Lt Gen (Retd) DB Shekatkar to recommend measures to **enhance combat compatibility and rebalance defence expenditure of the armed forces**, submitted its report in December 2016.
- The Report was taken up by the Ministry of Defence to frame key action points and a roadmap for implementation.

Measures recommended by the Committee and taken up for the implementation include:

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- a. Optimisation of Signals Establishments to include Radio Monitoring Companies, Corps Air Support Signal Regiments, Air Formation Signal Regiments, Composite Signal Regiments and merger for Corps Operating and Engineering Signal Regiments.
- b. Restructuring of repair echelons in the Army to include Base Workshops, Advance Base Workshops and Static/Station Workshops in the field Army.
- c. Redeployment of Ordnance echelons to include Vehicle Depots, Ordnance Depots and Central Ordnance Depots apart from streamlining inventory control mechanisms.
- d. Better utilisation of Supply and Transportation echelons and Animal Transport Units.
- e. Closure of Military Farms and Army Postal Establishments in peace locations.
- f. Enhancement in standards for recruitment of clerical staff and drivers in the Army.
- g. Improving the efficiency of the National Cadet Corps.

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