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MK Yadav Sir

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MERIT SYSTEM VS SPOIL SYSTEM

(Syllabus: GS Paper 2 – Governance)



On the controversy over lateral entry into the civil services

Why did the Prime Minister's Office intervene and withdraw the advertisement regarding lateral entry for different positions in government? What is a spoils system and how does it work?

Rangarajan. R

The story so far:

The Union Public Service Commission (UPSC) had withdrawn its advertisement pertaining to lateral recruitment for 45 posts of Joint Secretaries (JS), Directors and Deputy Secretaries (DS) in the government. This follows objections raised by coalition partners and the Opposition as well as the intervention of the Prime Minister's Office (PMO) about the need for reservation in such lateral recruitment.

What is merit versus spoils system?

Merit system entails appointments to government posts after a rigorous selection process by an independent authority. In India, this commenced in the year 1858 when the British introduced the Indian Civil Service (ICS) to select officers for administering the country. After independence, the UPSC conducts exams to select officers for IAS, IPS and other central services. The merit system is aimed at building career bureaucrats who are expected to function without any political leanings and provide independent advice to the incumbent political executive.

The spoils system on the other hand works on the adage 'to the victor belong the spoils.' It is a system where the incumbent political executive appoints its supporters to various posts in the government. It has its origins in the U.S., and continued until 1883 when it was replaced largely by a merit system. At present, out of more than 2.8 million federal government posts, only around 4,000 senior posts are directly appointed by the President.

What is lateral entry?

IAS and other central service officers with more than 15 years of experience are generally posted as JS to head various departments. It is a cutting-edge post where the officers prepare cabinet notes, handle parliamentary questions, liaise with officers of other ministries and State governments.

Lateral entry is when executives from the private sector, public sector undertakings and academia are appointed to senior and middle management positions in the government. There have been instances of lateral entrants who were technocrats being appointed at secretary level posts since independence. Notable examples include former Prime Minister Manmohan Singh, economist Montek Singh Ahluwalia, agriculture scientist M.S. Swaminathan etc. The Second Administrative Reforms Commission (2005) and the NITI Aayog in 2017 had also recommended lateral entrants to bring specialised knowledge and skills into governance.

What are the pros and cons?

Lateral entry brings with it certain tangible benefits. First, it brings much needed specialisation for niche areas of governance like emerging technologies, semiconductors, climate change, digital economy, cyber security etc. Second, it results in infusion of fresh ideas from experts to reinvigorate the system. Third, it also has the potential of making career bureaucrats more responsive thereby bringing in a positive change.

However, it has its own set of significant limitations. The domain expertise and specialisation of IAS officers is their field experience that is hard to match by outside entrants. There can be coordination issues with career bureaucrats. It may also result in opaqueness and conflicts of interests while hiring recruits from private sector.

What can be the way forward?

Notable lateral entrants in the past have been appointees at the secretary level which is the highest position in government departments. At this level, the lateral entrant will be capable of influencing policy decisions. Their performance will also be subjected to greater scrutiny. Even if appointments are to be made at more operational levels of JS, Directors and DS posts, it should be in line with public policy.

In his book *The Tyranny of Merit*, political philosopher Michael Sandel discusses the flaws of placing too much emphasis on merit without pursuing equity. Hence, appointment at these levels should coalesce technical competence with reservation and social justice. Therefore, the intervention from the PMO in the recent episode is welcome.

However, excessive focus on lateral entrants is missing the larger picture. The issues plaguing the system cannot be set right with just a handful of lateral recruits. While there can be genuine grievances about the red-tapism, inefficiency and corruption in administration, it is equally true that career bureaucrats work in a challenging environment. Since governments deal with public money, the system is bound by a plethora of rules. Government performs various roles where the objectives are intangible, which the private sector would not do. Compounding these operational challenges is excessive political interference. A merit system being morphed into a spoils system is a serious threat to Indian bureaucracy and various institutions headed by career bureaucrats.

Autonomy of career bureaucrats is essential for their effective functioning. This includes reasonable independence with respect to postings, tenures and transfers. In this regard, as per Supreme Court judgment in the *T.S.R. Subramanian* case (2013), Civil Service Boards headed by top bureaucrats should be effectively constituted and strengthened at the Centre and States.

Rangarajan. R is a former IAS officer and author of 'Polity Simplified'. Views expressed are personal.

Context: The UPSC has withdrawn its advertisement for lateral recruitment to 45 posts, including Joint Secretaries, Directors, and Deputy Secretaries in the government. This decision contrasts with the **"spoils system,"** where political appointments are made based on loyalty rather than merit.

Lateral Entry

- **About**: In 2017, NITI Aayog proposed the induction of professionals into central government roles at middle and senior management levels.

Pros of Lateral Entry

- Lateral entry introduces much-needed specialization in governance, particularly in emerging fields such as technologies, semiconductors, climate change, digital economy, and cyber security.
- Lateral entry has the potential to make career bureaucrats more responsive, leading to positive changes within the bureaucracy.

Cons of Lateral Entry

- The field experience of IAS officers offers domain expertise and specialization that is difficult for lateral entrants to match.
- Lateral entry could lead to coordination challenges between career bureaucrats and external experts.
- Recruiting from the private sector may introduce risks of opaqueness and potential conflicts of interest during the hiring process.

Merit System vs Spoil System

- **Appointment Process:** The merit system involves appointments to government posts through a rigorous selection process conducted by an independent authority.
- **Historical Background**: In India, the merit system began in 1858 with the British introduction of the Indian Civil Service (ICS) to select officers for administering the country.
- **Modern Application:** After independence, the Union Public Service Commission (UPSC) was established to conduct exams for selecting officers for the Indian Administrative Service (IAS), Indian Police Service (IPS), and other central services.
- **Purpose:** The merit system aims to build career bureaucrats who are expected to function without political biases and provide independent advice to the political executive.
- **Spoils System Definition**: The spoils system operates on the principle of "to the victor belong the spoils," where the incumbent political executive appoints its supporters to government posts.
    - **Historical Context**: The spoils system originated in the United States and continued until 1883 when it was largely replaced by the merit system.
    - **Current Scenario**: Today, out of over 2.8 million federal government positions in the U.S., only about 4,000 senior posts are directly appointed by the President.

INDIAN EXPRESS

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JIU-JITSU

(Syllabus GS Paper 1 – Art and Culture)

JIU-JITSU, AIKIDO

Two martial arts which trace their origin in Japan, and are popular around the world for self-defence

RAHUL GANDHI, the Leader of Opposition in Lok Sabha, on Thursday said that he had "a daily routine of practising jiu-jitsu every evening" during his Bharat Jodo Nyay Yatra which saw him interact with young boys and girls.

"Our goal was to introduce these young minds to the beauty of the 'Gentle Art' – a harmonious blend of meditation, jiu-jitsu, Aikido, and non-violent conflict resolution techniques," he posted on X.



Rahul Gandhi during one of his yatra's martial arts sessions. PTI

Jujutsu, the 'gentle art'

A family of martial arts originating in Japan, jujutsu translates to "gentle art" – "*ju*" means "soft/ supple/ gentle" and "*jutsu*" means "art/technique". Jiu-jitsu is a somewhat inaccurate (in terms of pronunciation), albeit popular Romanisation of the Japanese word.

Jujutsu likely originated in late 16th century Japan, during the age of the samurai – Japan's warrior class which held significant political power between the 12th and 19th centuries. Samurai warriors developed various grappling and self-defence techniques for situations in which they were disarmed during battle.

Since striking with bare hands against armoured samurai was ineffective, practitioners came up with efficient ways of neutralising the opponent in the form of pins, joint locks, and throws. At the heart of these techniques was the principle of manipulating the opponent's energy against them, rather than directly opposing it.

Aikido, a jujutsu derivative

Aikido is an offshoot of jujutsu, which was developed by martial artist Morihei Ueshiba in the early 20th century. Aikido literally means the "way of harmonising energy", and its goal is to defend oneself while not hurting the opponent. Aikido practitioners, thus, deflect strikes rather than overpower their adversary, and try to "match the opponent's force".

According to Ueshiba's teachings, an aikido practitioner's primary goal is to overcome oneself rather than cultivating violence or aggression. This is why there are no aikido competitions. Rather, practitioners carry out demonstrations, and engage in a number of practices for their holistic mental and physical growth.

Some have criticised aikido's worth as a real-world fighting technique, arguing that aikido practitioners cannot hold their own against other, more violent forms of fighting. Others say that the techniques and discipline that it inculcates are important not just for self-defence but also as life skills.

Jujutsu's many offshoots

Jujutsu also boasts many other offshoots, both originating in Japan and elsewhere in the world. These include:

- Judo, which was developed in the late 19th century from several traditional styles of jujutsu, and became an Olympic sport in the 1964 Tokyo Games;
- Sambo, developed by the Soviet Red Army in the 1920s to improve soldiers' hand-to-hand combat abilities;
- Brazilian jiu-jitsu was developed in the 1920s, and is today one of the most popular self-defence styles, which revolves around the principle of a smaller, weaker person defeating a bigger, stronger opponent with the help of leverage and weight distribution; and
- Mixed martial arts (MMA), the most popular combat sport today, borrows heavily from jujutsu and other styles which it has influenced.

ENS

Context: The Leader of Opposition in Lok Sabha, said that during his Bharat Jodo Nyay Yatra earlier this year he had "a daily routine of practising jiu-jitsu every evening" which brought together young martial arts students from towns where they stayed.

Jiu-jitsu

- **Meaning:** Jujutsu, a family of martial arts from Japan, translates to "gentle art" with "ju" meaning "soft/supple/gentle" and "jutsu" meaning "art/technique".
- **Origin**: Originating in late 16th century Japan, jujutsu was developed by samurai warriors for situations where they lost their weapons in battle.
- **Combat Techniques**: Samurai created techniques like pins, joint locks, and throws to neutralize heavily armored opponents by using the opponent's energy against them.
- **Offshoots of Jujutsu**
  - **Judo**: Developed in the late 19th century from traditional jujutsu styles and became an Olympic sport in 1964.
  - **Sambo**: Created by the Soviet Red Army in the 1920s to enhance soldiers' hand-to-hand combat skills.
  - **Brazilian Jiu-Jitsu**: Evolved in the 1920s, focusing on allowing smaller individuals to defeat larger opponents through leverage and weight distribution.
  - **MMA (Mixed Martial Arts)**: The most popular combat sport today, influenced heavily by jujutsu and its offshoots.
- **Modern Popularity**: Interest in Brazilian jiu-jitsu surged after Royce Gracie's success in the first UFC in 1993, where he defeated larger opponents using submission holds rather than strikes.

Aikido

- **About:** It is derived from the martial art of jujutsu.
- **Founded by:** It was developed in the early 20th century by the martial artist Morihei Ueshiba.
- **Modern Martial Art:** Aikido is one of the youngest among Japan's martial arts.
- **Meaning**: The term Aikido literally translates to the "way of harmonising energy".

DTE

Aug 29

DUMBUR DAM

(Syllabus: GS Paper 1 – Geography)

India has no role in Bangladesh flood, Dumbur dam opens automatically for last 50 years: Tripura official

Context: The Tripura government has dismissed claims by some Bangladeshi media that the opening of the Dumbur dam on the River Gumti, 120 kilometers upstream from the Bangladesh border, caused severe flooding in 11 districts of Bangladesh, affecting millions.



Dumbur Dam

- **Location:** Built on the Gumti River in Tripura.
- **Height**: Stands 30 meters tall.
- **Power Generation**: Contributes to the local grid.
- **Cross-Border Power Supply:** Bangladesh draws 40 MW from this dam.
- **Purpose**: Mainly for hydroelectric power and irrigation.

Dumboor Lake

- **Location**: Situated in Gandacherra, near Agartala.
- **Formation**: Created by the confluence of Raima and Sarma rivers.
- **Annual Event**: Hosts 'Poush Sankranti Mela' every January 14th.
- **Hydel Project**: Close to the Tirthamukh Hydel Project, the Gomati River's source.

Gumti River

- **Source**: Originates in Dumur, Tripura.
- **Mouth**: Flows into the Meghna River.
- **Course**: Travels through Tripura and Comilla, Bangladesh.
- **Also known as**: Gomti, Gumati, or Gomati.
- **Tributaries**: Raima and Manu on the left, and the Deo and Khowai on the right.

PIB

Aug 29

ANUBHAV AWARDS

(Syllabus: GS Paper 1 – Art & culture)

Shri V. Srinivas, Secretary, Department of Pension & Pensioners' Welfare confers the 5 Anubhav Awards and 10 Jury Certificates in 7th Anubhav Awards Ceremony

Context: The Department of Pension and Pensioners' Welfare (DoPPW) recently held the 7th Anubhav Awards ceremony to honor the contributions of Central Government employees during their service.

ANUBHAV Awards

- **About**: It is a means for retiring employees to showcase significant achievements made during their service period.
- It also provides them with an opportunity to convey information related to contribution in enhancing the effectiveness of the various Government policies.
- **Launch**: March 2015
- **Conferred by**: Department of Pension and Pensioners Welfare
- **Objective**: It is envisaged that this culture of leaving notes by retirees will become the foundation stone of good governance and administrative reforms in future.
  - Leverage retiring employees' expertise for national development.
  - Help Ministries/Departments adopt practical and replicable suggestions.
- **Categories**: 20
- **Eligibility**: Retiring Central Government employees/pensioners can submit their Anubhav write-ups 8 months before or up to 1 year after retirement.
- **Cash award**: Rs. 10,000/- a Medal
- **ANUBHAV Awards Portal**: It provides a Platform to retiring Government Employees for sharing their experiences while working in different Ministries/Departments of the Government of India.

INCOME-TAX ACT 1961

(Syllabus: GS Paper 3 – Economy)



Reducing complexities in the current law

HER BUDGET speech in July 2024, finance minister Nirmala Sitharaman had said that the government would be undertaking a comprehensive review of the Income-Tax Act. The potential new direct tax code would be written in simple, easy-to-understand language with the following objectives: simplified taxes, improved taxpayer services, providing tax certainty and reducing litigation. Besides, the new tax code will be written keeping in mind the Prime Minister's vision of a seamless, painless and faceless taxation system.

Keeping it relevant

THE INCOME-TAX ACT, 1961, (I-T Act) was introduced in the twelfth year of India becoming a republic. The economic status of the country, the purchasing power of the people, etc., at that point of time were very different from that of today. Over the years, the I-T Act has been subject to many amendments to keep pace with the changing times and economic needs. With 23 chapters, 298 sections and over 1000 sub-sections / clauses, the I-T Act is quite complex. For instance, Explanation 1 to Section 2 (42A) has 6 subclauses. Section 47, which deals with transactions not regarded as transfer of capital assets, has over 40 clauses.

MAKING TAX LAWS SIMPLE

Why we need a new Income-Tax Act

The government has constituted a committee to review the Income-Tax Act, with the exercise expected to be completed before the next Budget. *Sudhakar Sethuraman* explains how overhauling the existing law can help reduce compliance burdens and improve clarity for taxpayers

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BUDGET ESTIMATE FOR PERSONAL INCOME TAX COLLECTIONS IN FY25

THERE IS A NEED TO REDUCE THE NUMBER OF TAX BRACKETS IN PERSONAL TAXATION

23

CHAPTERS, 298 SECTIONS AND OVER 1000 SUB-SECTIONS / CLAUSES ARE IN THE INCOME-TAX ACT

Impact of the Direct Tax Code, 2009

THE DIRECT TAX Code (DTC) was aimed at simplifying and streamlining the direct tax system in the country. It had provisions aligning with international practices on emerging issues. Many of those provisions have been incorporated in the I-T Act. To name a few, Place of Effective Management (POEM), general anti-avoidance rules as proposed in the DTC have been subsequently included in the I-T Act.

Fewer personal income tax slabs

THERE IS A need to review and reduce the number of tax brackets in personal taxation. Directionally, the government's thrust towards the new tax regime is gaining significant impetus. The government can look at either increasing the exemption threshold or optimising the tax slab rates. The Direct Taxes Code Bill, 2010 did increase the slabs for individuals substantially for income up to ₹25 lakh.

Global tax avoidance rules

THE GLOBAL TAX reforms aimed at addressing artificial structures designed for tax avoidance are poised to benefit all countries grappling with tax avoidance, including India. A key component of these reforms involves the taxation of the digital economy, achieved through the redistribution of tax rights in market economies and the implementation of jurisdictional minimum tax rates, as outlined in Pillar 1 and Pillar 2, respectively, of the Base Erosion and Profit Shifting (BEPS) action plan.

However, there is a growing perception that Pillar 1 and Pillar 2 reforms may disproportionately favour developed economies. This has led to calls for development of international tax rules under the auspices of the United Nations rather than the OECD, which is predominantly composed of developed countries. As a sole significant voice of the Global South, India is expected to play a crucial role in advocating for a more equitable framework.

Streamlining taxation of savings

THE CHOICE BETWEEN the EET (Exempt-Exempt-Taxed) and EEE (Exempt-Exempt-Exempt) tax regimes is not merely a fiscal matter but also a policy decision, typically reflecting the maturity of the economy. Regardless of the status of the DTC, the government continuously evaluates and reviews these tax regimes to align with evolving economic and policy objectives.

Pending reforms in corporate tax

IN TERMS OF corporate taxation, the objective appears to be the establishment of a simplified tax regime featuring a lower corporate tax rate, without the need for tax holidays. One area worth evaluating is the implementation of group tax consolidation, which would allow for the interchangeable use of tax attributes across entities without requiring legal consolidation.

The capital gains tax regime has undergone an overhaul in the 2024 Union Budget. Now there are fewer classifications based on applicable tax rates as compared to the previous regime, making it easier for the taxpayer to comply with the rules.

The writer is Partner, Deloitte India

Context: The government is undertaking a comprehensive review of the Income-Tax Act, with the exercise expected to be completed before the next Budget.

Income-Tax Act 1961

- **About**: It is the charging statute for Income Tax in India, detailing the levy, administration, collection, and recovery of income tax.
- **Enforcement**: 1962
- **Introduction of Direct Taxes Code**: The Government of India proposed the "Direct Taxes Code" to replace both the Income Tax Act, 1961, and the Wealth Tax Act, 1957.
- **Purpose**: The Act outlines all taxation-related processes, including levy, collection, administration, and recovery of income tax.
- **Consolidation and Amendment:** The primary goal of the Act is to consolidate and amend taxation rules in the country.
- **Detailed Sections**: The Income Tax Act contains numerous sections addressing various aspects of taxation in India.

Impact of the Direct Tax Code, 2009

- **Simplification and Alignment:** The Direct Tax Code (DTC) aimed to simplify and streamline the direct tax system, aligning with international practices on emerging issues.
- **Incorporation into the Income Tax Act:** Many provisions from the DTC, such as Place of Effective Management (POEM) and general anti-avoidance rules, have been incorporated into the Income Tax Act.

Global Tax Avoidance Rules

- **Purpose of Global Reforms**: Global tax reforms aim to address tax avoidance through artificial structures and benefit all countries, including India.
- **Key Components**: The reforms include taxation of the digital economy via the redistribution of tax rights and jurisdictional minimum tax rates, outlined in BEPS Pillars 1 and 2.
- **Concerns of Inequality:** There is concern that these reforms might disproportionately benefit developed economies.
- **Call for Equitable Rules:** There is a push for developing international tax rules under the UN rather than the OECD, with India expected to advocate for a fairer framework as a significant voice of the Global South.

DTE

Aug 29

CYCLONE ASNA

(Syllabus: GS Paper 3 – Disaster Management)

Cyclone Asna formation due to unusual monsoon wind system: Expert

Context: The deep depression that has been causing torrents of rain over Gujarat for the past three days is going into intensify into a tropical cyclone over the Arabian Sea according to the India Meteorological Department (IMD). When it forms, it would be called Cyclone Asna.

Cyclone Asna

- **About:** This is the first cyclone that has formed in August in the North Indian Ocean (NIO) region since 1981 and first in the Arabian Sea since 1976, according to cyclone data from the IMD.
  - Cyclone Asna will be the first cyclonic storm to develop over the Arabian Sea in August since 1976 as only three cyclonic storms have developed over the Arabian Sea in August from 1891 to 2023.
- **Direction:** It is anticipated to travel from the Saurashtra-Kutch location of Gujarat in the direction of the Oman coast.
- **Name Suggested by**: Pakistan when it intensified into a cyclone storm.
- **Unusual Behavior**: The current storm has maintained consistent intensity over recent days, which is atypical.
- **Excess Rainfall:** From June 1 to August 29, Saurashtra and Kutch received 799 mm of rain, 86% above the normal rainfall.
- **Reason of Formation**: The reasons for the formation and intensification of the current deep depression and the other system that formed in the beginning of August over land may lie in the behaviour of the monsoon winds in the current season, apart from the moisture from the Arabian Sea and soil moisture from the lands that they have traversed in their journeys.

Historical rarity of August Cyclones

- Cyclones inside the Arabian Sea in August are extraordinarily rare. Only 3 such storms have been recorded between 1891 and 2023, with the ultimate incidence in 1976.
  - **1944 Cyclone:** Intensified after emerging into the Arabian Sea but weakened in the middle of the sea.
  - **1964 Cyclone**: Developed near South Gujarat and weakened close to the coast.
  - **1976 Cyclone**: Developed over Odisha, crossed into the Arabian Sea, and in the end weakened near the Oman coast.

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CRITICAL TECHNOLOGY TRACKER REPORT

(Syllabus: GS Paper 3 – Sci and Tech)

India among critical tech leaders, behind only US and China in AI

Among top five countries in 45 of 64 critical technologies



SURAJEET DAS GUPTA
New Delhi, 29 August

India has emerged as a global research powerhouse, ranking among the top five countries in 45 out of 64 critical technologies in 2023, up from 37 a year before. According to the *Critical Technology Tracker* report by the Australian Strategic Policy Institute, the country has secured the second position in seven technologies.

In 2023, India also overtook the US to claim the second spot in two emerging fields of technological research: biological manufacturing and distributed ledger technology.

In the fast-evolving field of artificial intelligence (AI), India ranks just behind the US and China in various key segments, including advanced data analytics, AI algorithm, hardware accelerator, machine learning, advanced integrated circuit design and fabrication, natural language processing, and adversarial AI.

This marks a big leap from 2003–2007, when India ranked in the top five for only four technologies, according to the report. The tracker covers critical technologies across a wide range of fields, including space, defence, energy, environment, AI, robotics, biotechnology, cybersecurity, advanced computing, advanced material, and quantum technology. It compiles data spanning from 2003 to 2023, tracking high-impact research — defined as the top 10 per cent of the most-cited papers — as an indicator of a country's research performance, strategic goals, and future technological potential.

China tops the global research charts, dominating in 57 out of 64 critical technologies. In contrast, the US, which led in 60 technologies between 2003 and 2007, now holds the top spot in just seven areas (based on 2019-2023 rankings), including quantum computing and vaccine and medical countermeasures.

The UK has also seen a decline in its standing, now ranking in the top five in 37 technologies, down from 44 last year. The European Union, counted as a bloc, leads in two areas — small satellite and gravitational force sensor — and ranks second in 30. Germany remains strong, placing in the top five for 27 technologies.

Although India has yet to lead in any critical technology, it has secured the second position in areas such as high-specific machine process, advanced composite material, mesh and infrastructure-independent network, smart material, and biofuel.

India also ranks third in several key technologies, including electronic warfare, autonomous underwater vehicle, sonar and acoustic sensor, photonic sensor, post-quantum cryptography, photovoltaic, nuclear waste management, supercapacitor, and advanced aircraft engine.

However, the report highlights a big drawback of India's research efforts: the lack of standout research performers. Only five Indian institutions feature in the top five across the 64 technologies over the past two decades (2003-2023).

"This lack of standout performers (where research is very fragmented) may be limiting India's ability to attract foreign research talent and motivate Indian scientists and technologists to stay at, or come back to Indian institutions," the report observes.

Context: India has emerged as a global research powerhouse, ranking among the top five countries in 45 out of 64 critical technologies in 2023, up from 37 a year before. According to the Critical Technology Tracker report.

Critical Technology Tracker Report

- **About:** It is a large data-driven project that now covers 64 critical technologies spanning defence, space, energy, the environment, artificial intelligence, biotechnology, robotics, cyber, computing, advanced materials and key quantum technology areas.
- **Published by**: Australian Strategic Policy Institute.
    - The country has secured the second position in seven technologies.
- **Launched**: March 2023
- **Objective**: It provides a leading indicator of a country's research performance, strategic intent and potential future science and technology capability.
- **About Report**: This report introduces a significant update to ASPI's Critical Technology Tracker website, showcasing leading scientific and research innovation in critical technologies.

Key Highlights of Report:

- **High-Impact Research as an Indicator**: The report highlights top 10% of highly cited papers to indicate research performance, strategic intent, and potential future S&T capability.
- **Coverage of Critical Technologies**: The Tech Tracker now includes 64 critical technologies and fields, expanding from five years of data (2018–2022) to 21 years (2003–2023).
- **China's Growth in Technology:** China's leadership has surged from three technologies in 2003–2007 to 57 of 64 technologies in 2019–2023, reflecting a dramatic increase in its research dominance.
- **Emergence of India**: In 2023, India also overtook the US to claim the second spot in two emerging fields of technological research: biological manufacturing and distributed ledger technology.
    - India ranks just behind the US and China in various key segments, including advanced data analytics, AI algorithm, hardware accelerator, machine learning, advanced integrated circuit design and fabrication, natural language processing, and adversarial AI.
- **Other Nations**: Despite rising S&T powers, the US, UK, and various European, Northeast Asian, and Middle Eastern countries retain strong positions in certain high-impact research areas.

INDIAN EXPRESS Page 11

ASSAM'S MUSLIM MARRIAGE BILL 2024

(Syllabus: GS Paper 1 – Social Issues/Marriage)



Assam's Muslim marriage law

Bill passed by the Assembly seeks to prevent child marriage, check polygamy, and end the role of *kazis* in the process of registration of marriages. Some have called the new procedure needlessly complex

SUKRITA BARUAH
GUWAHATI, AUGUST 29

THE ASSAM Legislative Assembly on Thursday passed the Assam Compulsory Registration of Muslim Marriages and Divorces Bill, 2024, a proposed law with the stated objectives of preventing "child marriages" and "marriages without the consent of the parties", and to "check polygamy".

The Assam Assembly also repealed an existing 89-year-old Act for the registration of Muslim marriages and divorces in the state, confirming an Ordinance promulgated five months ago.

The now-repealed law

The registration of marriages and divorces between Muslims in Assam had been taking place under the colonial-era Assam Muslim Marriage and Divorce Registration Act, 1935.

This Act was in line with Muslim personal law, and authorised the state to grant a licence to "any person, being a Muslim" to register such marriages and divorces. There were 95 such Muslim registrars or *kazis* across the state, and they were deemed to be public servants.

Govt's rationale for repeal

The Cabinet decided to scrap the law in February this year. In March, the government notified an Ordinance repealing the 1935 Act with immediate effect. There has been no legislation governing the registration of marriages and divorces between Muslims in Assam since then.

On Thursday, the Assembly passed the Assam Repealing Bill, 2024 to replace the Ordinance.

The government's main argument for doing away with the 1935 Act was that it allowed the registration of marriages of and between minors.

It had in particular pointed to Section 8 of the repealed Act that lay down the procedure to make an application to the registrar, which said, "... provided that if the bride and groom, or both, be minors, application shall be made on their behalf by their respective lawful guardians...".

Section 10 of the Act, which laid down the procedure for making entries in the marriage register, had the same provision.

Features of the new law

The Bill passed by the Assembly on Thursday regulates marriage between two Muslim persons which "includes 'nikah' or any other ceremony by which two persons are made husband and wife following Muslim personal law and Islamic rituals".

■ There is no role for *kazis* in registering marriages under the new law. The registering officer shall be the government's Marriage and Divorce Registrar in that jurisdiction, who is the Sub-Registrar.

■ For a marriage to be registered under the new law, seven conditions must be fulfilled. Important among these conditions: the woman should have attained 18 years of age and the man 21 years of age before the marriage; "the marriage has been solemnized on free consent of both parties"; at least one of the parties must be resident within the district of the Marriage and Divorce Registrar for 30 days before giving notice of registration to the officer; and the parties shall not be within the prohibited degree of relationship as per Muslim law.

■ The parties are required to give the registering officer at least 30 days' notice before the intended registration, with documents attesting to their identities, age, and place of residence. This provision is similar to one in the Special Marriage Act.

■ Objections to the marriage are allowed within the 30-day period on grounds of violation of any of the conditions laid down in the Bill, which will then be inquired into by the Registrar. If the Registrar after inquiry refuses to solemnize the marriage, the Bill provides for two stages of appeal, to the District Registrar and then, the Registrar General of Marriages.

■ The registering officers must act if they find that either of the parties is underage. If the officer makes this discovery during the scrutiny of documents, she must immediately report it to the jurisdictional Child Marriage Protection Officer appointed under the Prohibition of Child Marriage Act, 2006, and transmit all relevant records "for the effective prosecution of persons contravening the provisions of the...Act and for initiating appropriate legal action".

■ An officer who "knowingly and willfully" registers a marriage that violates any of the conditions is liable to be imprisoned for up to a year and fined up to Rs 50,000.

■ The Bill states that its provisions "shall be in addition to and not in derogation of the provisions of the prevailing Muslim personal laws." However, under Muslim personal law, the marriage of a bride who has attained puberty is considered valid — and puberty is presumed, in the absence of evidence, on completion of the age of 15 years. Earlier this month, the Supreme Court agreed to an early hearing of a plea by the National Commission for the Protection of Child Rights seeking an authoritative pronouncement on whether Muslim personal law allowing child marriages will prevail over the Prohibition of Child Marriage Act, 2006. This is a question on which different High Courts have made differing observations.

Assam Chief Minister Himanta Biswa Sarma in Guwahati on Wednesday. PTI

Debate in the House

Aminul Islam, MLA of the opposition AIUDF from Mankachar, questioned the need to repeal the 1935 Act if the primary objective was to prevent child marriages — this objective could have been achieved by amending Sections 8 and 10 of the old Act, he said.

Islam argued that the 1935 Act had been amended as recently as in 2010 to make registration under the Act compulsory; it had been voluntary originally.

Chief Minister Himanta Biswa Sarma responded that these amendments would not have sufficed, and that the government's intention was also to end the role of the *kazis*. He referred to the government's crackdown against child marriages last year, in which more than 4,000 people had been arrested — mostly men who had married underage girls, and their relatives and religious functionaries who had solemnized these marriages.

"...We found that the *kazis* register child marriages... When the cases came up in the High Court, they said that they have the power to register child marriages...and...the High Court gave them bail because *kazis* have the power to register child marriages under the Muslim Marriage and Divorce Registration Act... It means that they (*kazis*) are not opposed to child marriage in principle," the chief minister said, adding that registration by a government officer will increase accountability.

Sarma referred to the Supreme Court's 2006 verdict in *Seema vs. Ashwani Kumar* in which the court had directed the central and state governments to ensure compulsory registration of marriages. "That means that the state has been given the responsibility of getting marriages registered. The state can't rely on a *kazi* arrangement for this," he said, referring to *kazis* as "private entities".

Islam also said that the simpler process of registering under the older Act had been replaced by a more complex one, drawn from the provisions of the Special Marriage Act.

"Most of the provisions have been drawn from the Special Marriage Act which is an option for inter-religious marriages... It can be terrible...to make the registration of marriages between two Muslims so difficult," he said, pointing out that "lakhs of people" would be impacted.

Context: The Assam Legislative Assembly passed the **Assam Compulsory Registration of Muslim Marriages and Divorces Bill, 2024**, a proposed law with the stated objectives of preventing "child marriages" and "marriages without the consent of the parties", and to "check polygamy".

Assam Compulsory Registration of Muslim Marriages and Divorces Bill, 2024

- **About:** The Bill regulates marriage between two Muslim persons which "includes 'nikah' or any other ceremony by which two persons are made husband and wife following Muslim personal law and Islamic rituals".

Features of Bill:

- **Role of Registering Officer:** There is no involvement of kazis in marriage registration. Instead, the Marriage and Divorce Registrar (Sub-Registrar) in the jurisdiction will handle the registration.
- **Conditions for Marriage Registration**: Seven conditions must be met for registration, including the age requirements (woman 18, man 21), free consent from both parties, residency requirement, and adherence to Muslim law regarding prohibited degrees of relationship.
- **Notice Requirement**: Parties must give at least 30 days' notice to the registering officer, accompanied by documents verifying identity, age, and residence, similar to the Special Marriage Act.
- **Objections and Appeals**: Objections to the marriage can be raised within the 30-day notice period.
    - If objections are upheld, the Registrar's decision can be appealed first to the District Registrar and then to the Registrar General of Marriages.
- **Penalties for Non-Compliance**: Officers who knowingly and willfully register a marriage violating any conditions face imprisonment for up to a year and a fine of up to Rs 50,000.

Previous Law

- **About:** The registration of marriages and divorces between Muslims in Assam had been taking place under the colonial-era Assam Muslim Marriage and Divorce Registration Act, 1935.
- This Act was in line with Muslim personal law, and authorised the state to grant a licence to "any person, being a Muslim" to register such marriages and divorces. There were 95 such Muslim registrars or kazis across the state, and they were deemed to be public servants.

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WMCC ON INDIA-CHINA BORDER

(Syllabus: GS Paper 2 – IR)

India, China hold 31st WMCC meeting to iron out issues

The two countries agree for intensified contact through diplomatic and military channels to narrow down differences, find resolution to issues

The Hindu Bureau
NEW DELHI

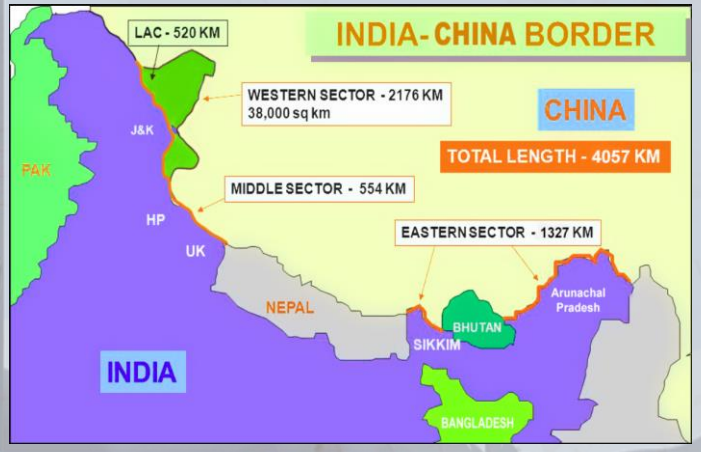
India and China had a "frank, constructive and forward-looking exchange of views" on the situation along the Line of Actual Control (LAC) to "narrow down the differences" and find an "early resolution" of the outstanding issues, at the 31st meeting of the Working Mechanism for Consultation & Coordination on India-China Border Affairs (WMCC) in Beijing on Thursday, according to a statement from the Ministry of External Affairs (MEA).

The meeting comes within a month of the 30th WMCC meeting held on July 31. "... The two sides had a frank, constructive, and forward-looking exchange of views on the situation along the LAC to narrow down the differences and find early resolution of outstanding issues. For this, they further agreed for intensified contact through diplomatic and military channels," the statement said.

The Indian delegation was led by Gourangalal Das, Joint Secretary (East Asia) in the MEA, while the Chinese delegation was led by Hong Liang, Director General of the Boundary & Ocean Affairs Department of the Chinese Ministry of Foreign Affairs. Both sides decided to "jointly uphold" peace and tranquillity on the ground in border areas in accordance with relevant bilateral agreements, protocols, and understandings reached between the two governments.



Peace pact: India and China has decided to 'jointly uphold' peace and tranquillity on the ground in the border areas. AFP



Context: India and China held a "frank and constructive" discussion at the 31st WMCC meeting in Beijing, focusing on narrowing differences and seeking an early resolution of issues along the LAC, according to the Ministry of External Affairs.

Working Mechanism for Consultation and Coordination on India-China Border Affairs (WMCC)

- **Year Established**: The Working Mechanism for Consultation and Coordination (WMCC) was established in 2012.
- **Purpose:** It serves as an institutional mechanism for managing and coordinating India-China border areas.
  - **Restoring Normalcy**: A key objective is to bring back normalcy in bilateral relations between India and China.
  - **Peace Along LAC**: The WMCC aims to restore and maintain peace along the Line of Actual Control (LAC).
- **Focus Areas**: The WMCC facilitates consultation and coordination between India and China on border management.
- **Leadership Structure:** The WMCC is headed by joint secretary-level officials from both sides.
  - These officials assist the special representative for boundary talks, a role currently held by NSA Ajit Doval.
- **Significance:**
  - **26th Meeting Context**: The 26th meeting was crucial due to ongoing tensions following the 2020 Galwan Valley clashes.
  - **Diplomatic Importance**: This meeting highlighted efforts to ease tensions and maintain dialogue between India and China.

SOLAR PARABOLOID TECHNOLOGY
(Syllabus: GS Paper 3 – Sci and Tech)

Explainer: Solar paraboloid technology - The next frontier in renewable energy

Context: As the world faces the urgent need to shift to renewable energy, solar paraboloid technology is emerging as a potentially transformative solution.

Solar Paraboloid Technology

- **About**: It is designed to harness solar energy more efficiently by using a parabolic-shaped reflector.
- **Focus:** This technology focuses sunlight onto a small focal point, concentrating the solar energy for conversion into thermal or electrical power.
- **High-Temperature**: It is highly effective for generating solar power and is also suitable for applications that require high-temperature heat.
- **Structure:** The primary component is a parabolic dish, which is a reflective surface shaped like a paraboloid of revolution. It captures and directs solar rays towards a central receiver.
- **Working Principle:** By focusing sunlight onto a receiver, the paraboloid dish can generate high temperatures, which can be used for heating fluids, driving turbines, or producing electricity.
- **Types**: There are mainly two types—solar parabolic dishes and parabolic troughs, with the dish having a three-dimensional paraboloid shape and the trough being a two-dimensional parabolic shape.

Applications of Solar Paraboloid Technology

- The concentrated solar power (CSP) produced by paraboloid dishes can be used to run Stirling engines or steam turbines for electricity generation.
- Industries that require high-temperature heat, such as metal processing or chemical manufacturing, can use this technology to reduce fossil fuel dependence.
- Solar paraboloid systems can be utilized in solar desalination plants to convert seawater into freshwater, leveraging concentrated solar heat.
- Small-scale parabolic dishes are used in solar cookers and water heaters, especially in remote or off-grid areas.

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