

APRIL

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MK Yadav Sir

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Asian tigers get a boost: 10 countries pledge \$1 billion over a decade for habitat conservation

Context: Recently, the Bhutanese government hosted the **Sustainable Finance for Tiger Landscapes Conference on Earth Day 2024**, aiming to raise USD 1 billion over the next decade to conserve tigers and their habitats across Asia.

Sustainable Finance for Tiger Landscapes Conference

- **About:** The conference holds significance as it reviews progress towards the Global Tiger Recovery Programme and commitments to tiger conservation.
- **Objective:** It seeks to mobilise the amount of USD 1 billion over 10 years for the preservation of tiger landscapes.
- **Aim:** To raise huge funds will prove crucial to preserving tiger landscapes and ensuring the success of tiger and its stakeholders
- **Participants:** Bangladesh, Bhutan, Cambodia, China, India, Kazakhstan, Malaysia, Nepal, Thailand and Vietnam.
- **New initiative Launched:** The Tiger Landscapes Investment Fund. This emerging financial mechanism aims to promote nature-positive businesses with positive impacts on tigers, biodiversity and local communities.

Key Points of Conference

- **High-level Representation:** Ten tiger range countries delivered statements on conserving tiger landscapes.
- **Funding Sources:** The Global Environment Facility has contributed over USD 197 million since 2010, with additional co-finance of USD 880 million for tiger conservation.
- **Emphasis on Comprehensive Approach:** Majority of countries stressed the need for a holistic approach to tiger conservation, involving indigenous and local communities sharing tiger territories.
- **Growth in Tiger Population:** Global tiger population increased from 3,200 in 2015 to around 4,500 in 2022, highlighting progress in conservation efforts.

Tiger in India

- India currently harbours **almost 75% of the world's wild tiger population**.
- **Trend of population in India:** The number of tigers in India has increased from 2,967 in 2018 to 3,682 in 2022.
- **Distribution in India:** Madhya Pradesh has the maximum number (785) of tigers in the country, followed by Karnataka (563), Uttarakhand (560), and Maharashtra (444).
- **Status of Tiger Reserve:** The number of tigers “within the tiger reserve” is **highest in Corbett (260), followed by Bandipur (150), Nagarhole (141), Bandhavgarh (135), Dudhwa (135),**
 - **Tiger reserve** India's tigers are largely concentrated in 54 dedicated tiger reserves
- **Project tiger:** The Government of India has taken a pioneering initiative for conserving its national animal, the tiger, by launching the “Project Tiger” in 1973.

Art 244(A), the constitutional promise of autonomy for Assam tribal area

SUKRITA BARUAH
SILCHAR, APRIL 24

IN ASSAM'S tribal-majority Diphu Lok Sabha constituency, which votes on April 26, candidates of all parties have promised the implementation of Article 244(A) of the Constitution to create an autonomous 'state within a state'. This, in fact, has been the primary election promise in Diphu for decades.

What is the social profile of Diphu?

Diphu is the most sparsely populated of Assam's 14 Lok Sabha constituencies, with just 8.9 lakh voters. It is reserved for Scheduled Tribes (STs), and covers six legislative Assembly segments in three tribal-majority hill districts of Assam: Karbi Anglong, West Karbi Anglong, and Dima Hasao.

These three districts are administered under the provisions of the Sixth Schedule of the Constitution, which describes the "Provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram".

These areas come under two autonomous councils: the Karbi Anglong Autonomous Council (KAAC) and the North Cachar Hills Autonomous Council. Voters at the seat belong to various communities: Karbi, the third largest tribe in the state, Dimas, Hmar, Kuki, Rengma Naga, Zeme Naga, Bodo, Garo, Assamese, Bengali, Bihari, Gorkha, etc.

However, the seat has been represented by members of the Karbi community since 1977. Currently, all Assembly segments under the Diphu seat are with the BJP.

What is Article 244(A)?

Article 244(A) was inserted by The Constitution (Twenty-second Amendment) Act, 1969, which enabled Parliament to pass an Act to "form within the State of Assam an autonomous State comprising (whether wholly or in part) all or any of... [certain specified] tribal areas", including Karbi Anglong. This autonomous state would have its own Legislature or Council of Ministers or both. This provision goes a step further than the provisions under the Sixth Schedule, which are already in place in these areas.



The autonomous councils under the Sixth Schedule have elected representatives for more decentralised governance of these tribal areas, but they have limited legislative powers, do not have control over law and order, and have only limited financial powers.

When did the demand for autonomy start, and how has it played out so far?

The demand for autonomy is as old as the movement in the hill areas of undivided Assam, which began in the 1950s, seeking a separate hill state. This movement resulted

in the creation of the full-fledged state of Meghalaya in 1972 – however, because of the promise extended through Article 244(A), the leaders of the Karbi Anglong region opted to remain with Assam.

The Autonomous State Demand Committee (ASDC) – which was set up as a mass organisation to press for the region's autonomy, and which continues to operate today – along with student bodies in the region, signed a Memorandum of Settlement with the state and central governments in 1995 for enhancing the powers of the autonomous councils in the region by increasing the number of departments under their charge to 30 from 10.

The erstwhile Autonomous District Lok Sabha seat was represented by Jayanta Rongpi from 1991 to 1998 as a candidate of the ASDC. The ASDC has a candidate for the Diphu seat in the current election as well.

Over the years, as autonomy for the region remained elusive, the demand for implementation of Article 244(A) also took the form of an armed insurgency. However, the

BJP-led governments in Delhi and Guwahati have signed several peace accords with militant groups, including with the Karbi and Dimas.

In 2021, a peace settlement was reached with five militant groups in Karbi Anglong – Karbi People's Liberation Tigers, People's Democratic Council of Karbi Longri, Karbi Longri NC, Hills Liberation Front, Kuki Liberation Front, and United

People's Liberation Army – under which greater autonomy and a special development package of Rs 1,000 crore over five years were promised. Last year, an agreement was signed with the Dimas National Liberation Army along the same lines.

What are parties promising now?

The signing of the peace settlements has not succeeded in putting the lid on discussions around Article 244(A). The outgoing BJP MP from Diphu, Horen Sing Bey, is himself a former Karbi militant, who was general secretary of the United People's Democratic Solidarity, which had signed a

Memorandum of Settlement in 2011 with the Centre and the state for enhanced autonomy and special packages for the KAAC.

During the 2019 campaign, Horen Sing Bey spoke of his dedication to autonomy demanded by drawing on his days as a leader of the insurgency. All other candidates, however, also focused on the implementation of Article 244(A) as their primary campaign plank.

The BJP candidate for Friday's election is Amarsing Tisso, a KAAC Executive Member. He has presented a constituency-specific manifesto, the first promise of which is the implementation of Article 244(A).

Holiram Terang, a veteran member of the ASDC and its candidate in the 2019 election, said: "In every election, every political party highlights this issue, but once the election is done, there is never any forward movement. Even if the BJP candidate, or any other candidate, promises it here, the party itself is not with them. Not a single party mentions it in their national manifestos... The basic attitude of successive governments... has not been to grant more autonomy but to try and take powers back."

Context: In Assam's tribal-majority Diphu Lok Sabha constituency, recently, candidates from all parties have pledged to **implement Article 244(A)** of the Constitution, aiming to establish an autonomous 'state within a state'.

Article 244 (A) of Indian Constitution

- **About:** It was introduced by The Constitution (Twenty-second Amendment) Act, 1969.
- **Purpose:** It allows Parliament to create an autonomous state within Assam, encompassing specified tribal areas, including Karbi Anglong.
- **Features:** The autonomous state established under Article 244(A) would possess its own Legislature and Council of Ministers, or both.
- **Comparison with Sixth Schedule Provisions:** Article 244(A) extends beyond the provisions of the Sixth Schedule, providing for more autonomy.
 - Unlike autonomous councils under the Sixth Schedule, the autonomous state has broader legislative powers and potential control over law and order.

Diphu

- **Location and Population:** Diphu is situated in the state of Assam, India, and stands as the most sparsely populated Lok Sabha constituency among Assam's 14, comprising approximately 8.9 lakh voters.
- **Coverage Area:** Encompassing six legislative Assembly segments, Diphu spans across three tribal-majority hill districts of Assam: Karbi Anglong, West Karbi Anglong, and Dima Hasao.
- **Governance Framework:** The administration of these districts falls under the provisions outlined in the Sixth Schedule of the Constitution, specifically addressing the administration of tribal areas in states like Assam, Meghalaya, Tripura, and Mizoram.
- **Autonomous Councils:** Within this framework, Diphu and its surrounding areas operate under two autonomous councils: the Karbi Anglong Autonomous Council (KAAC) and the North Cachar Hills Autonomous Council.

Ministry Holds One-Day National Colloquium On Grassroots Government On National Panchayati Raj Day

Context: Recently, on National Panchayati Raj Day, the Ministry of Panchayati Raj organized a one-day National Colloquium on Grassroots Governance.

National Panchayati Raj Day

- **About:** The Ministry of Panchayati Raj in India designates April 24 annually as National Panchayati Raj Day.
- **Roots in National Development Council:** The idea of grassroots democratic governance was initially proposed by the National Development Council in the 1950s.
- **Unofficial Formation:** Despite the early recommendation, the formal establishment of Panchayati Raj remained unofficial until 1993.
- **73rd Constitutional Amendment Act:** The Panchayat system was officially implemented in rural regions through the 73rd Constitutional Amendment Act in 1993, marking a significant step towards decentralized governance.

Importance

- **Inclusive Growth Imperative:** With India's aspirations for inclusive growth and the need to tackle challenges like climate change and rural-to-urban migration, the significance of Panchayati Raj has grown.
- **Local Administration Necessity:** Effective local administration is crucial for addressing local demands and ensuring fair and feasible development.
- **Strategic Role of PRIs:** Panchayati Raj Institutions (PRIs) are strategically positioned to facilitate local-level development and respond to the unique needs of their respective areas.

Panchayati Raj System in India

- **About:** Panchayati raj is the system of local self-government in rural India, focused on villages, distinct from urban and suburban municipalities.
- **Components:** The system comprises Panchayati Raj Institutions (PRIs), facilitating village self-government, with responsibilities including economic development, social justice, and implementing government schemes.
- **Legal Provision:** Part IX of the Indian Constitution delineates the framework for Panchayats, specifying their structure and roles within the governance system.
- **Three-Tier Structure:** In states or Union Territories with populations exceeding two million, PRIs operate across three levels: gram panchayats (village level), panchayat samiti (block level), and district council (district level).

Understanding inheritance tax

The use of inheritance tax as a tool for redistribution of wealth to address income inequality has been discussed widely. Over the years, India abolished estate duty, wealth tax, and gift tax

ANANCHAL MAGAZINE
NEW DELHI, APRIL 24

AFTER SAM PITRODA, a former adviser to Rajiv Gandhi and an associate of Rahul Gandhi, described the inheritance tax in the United States as an "interesting law", Prime Minister Narendra Modi alleged on Wednesday that the Congress would snatch property left behind by people for their children – the party's mantra, he said, was "not", "zindagi le karahi hui, zindagi ke baad bhi" (both when you are alive and when you are dead).

During the day, an BJP leader seized on Pitroda's statement. Congress communications chief Jaatin Ramesh said there was "no plan whatsoever to introduce an inheritance tax", and it was in fact, the "Modi Sarkar" that had wanted to do so, "bringing an inheritance tax".

The use of inheritance tax as a tool for redistribution of wealth to address income inequality has been discussed widely. India did have an inheritance (or death) tax once. The tax, which was known as estate duty, was introduced in 1953, and was abolished in 1958 by the government of Rajiv Gandhi. India also had a wealth tax and a gift tax, which were abolished in 2015 and 1998 respectively.

There was some talk about the reintroduction of inheritance tax in the 2019 Lok Sabha election cycle – and the idea was discussed internally during the Budget making exercise that July.

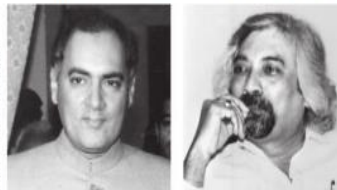
Calls to tax billionaires to build more equitable societies have been growing louder globally. There have been discussions about levying a global minimum corporate tax rate, and a proposal in the US to levy a minimum 25% tax on taxpayers with wealth over \$100 million. France and Brazil have pushed for a G20 declaration on taxing the super rich by July.

Ways to tax wealth

Taxes are levied on the flow of income on wealth or at the time of transfer of wealth or on the stock of wealth linked to the value of owned assets as a one-time levy. There can be a capital levy on income from wealth or ownership of assets resulting in capital gains, transfer taxes in the form of wealth tax, inheritance tax, estate tax, or gift tax at the time of transfer of wealth or assets.

Taxes can also be levied on a combination of income and wealth. As mentioned above, the Biden Administration has proposed legislation for a 'Billionaire Minimum Income Tax' of at least 25% on their full income, including unrealised gains.

The taxes in India



Sam Pitroda (right), whose comment on inheritance tax provoked Thursday's political controversy, was Rajiv Gandhi's adviser. Archive

■ The new abolished estate duty was inheritance tax with a threshold of Rs 1 lakh, and progressive rates from 5% to 40% on the principal value of the estate exceeding Rs 20 lakh. The Estate Duty Act, 1953 was amended in 1958 to change the definition of accountable person, lower the applicable threshold, and redefine slabs.

Even after its abolition, the idea of inheritance tax remained alive and was part of official and unofficial discussions. In December 2018, then Finance Minister Arun Jaitley said at a public event that hospitals, universities, and other institutions in developed countries receive large endowments due to factors like inheritance tax, but this practice is not prevalent in India.

■ The Narendra Modi government announced the abolition of the wealth tax and its replacement with a surcharge on the super rich in the Budget for 2015-16. Jaitley said while wealth tax was 1% on assets of Rs 30 lakh and above (excluding equities, bonds, and first house), the total wealth collection in 2013-14 was only Rs 1,000 crore. An additional surcharge of 2% was levied on individuals with taxable income of Rs 1 crore and above, which was expected to bring revenues of Rs 9,000 crore.

Cost and revenues

Wealthy taxpayers are seen as being sensitive to high rates of taxation, which often results in flight of capital and investment to tax havens or tax jurisdictions with favourable tax rates. Also, high tax rates do not make sense if the cost of collection and administration of these taxes are high compared to the revenues that arise.

In the initial years of estate duty, collections were lower than the budgeted estimates. For instance, the government had budgeted Rs 25 lakh as estate duty revenue in the first year of implementation in 1954-55, which was later revised down to Rs 8 lakh.

In the following year (1955-56), estate duty was budgeted at Rs 21 lakh, but came in much lower at Rs 13 lakh. The high cost of collection and double taxation in various forms of wealth tax were cited as reasons for abolishing estate duty.

In his Budget speech of 1985-86, then Finance Minister VP Singh said the existence of two separate laws for tax on property – wealth tax before death and estate duty after death – amounted to "procedural harassment" of taxpayers. He also said that estate duty had not achieved its objectives of reducing the unequal distribution of wealth and assisting states in financing their development schemes.

"While the yield from estate duty is only about Rs 20 crore, its cost of administration is relatively high. I therefore, propose to abolish the levy of estate duty in respect of estates passing on deaths occurring on or after 19th March, 1985," Singh said.

The issue with wealth tax was the same. "Should a tax which leads to high cost of collection and a low yield be continued or should it be replaced with a low cost and higher yield tax? The rich and wealthy must pay more tax than the less affluent ones. I have therefore decided to abolish the wealth tax and replace it with an additional surcharge of 2% on the super rich with a taxable

income of over Rs 1 crore," Jaitley said in his Budget speech for 2015-16.

Gift tax was abolished in 1998 citing lower revenues. "Gift tax has been levied in India since 1958. The revenue yield from this tax has been insignificant. Last year we collected barely Rs 9 crore. The Gift Tax Act has also not been successful as an instrument to curb tax evasion and avoidance. I therefore, propose to discontinue the levy of gift tax on gifts made after 30th September, 1998," then Finance Minister Yashwant Sinha said in his Budget speech in June 1998.

Gift tax was, however, revived in a different form later. In his Budget speech in July 2004, then Finance Minister P Chidambaram said there was a need to plug a loophole to prevent money laundering. Thus, purported gifts from unrelated persons above the threshold of Rs 25,000 (later raised to Rs 50,000) were decided to be treated as income. Gifts from blood relations, lineal ascendants and descendants, and gifts on occasions like marriage continued to be exempt.

Experience elsewhere

A March 2024 note by the International Monetary Fund (IMF), said tax rates on wealth have generally declined around the world over the past decades, with a decline in average corporate income tax rates being an important component across country groups of all income levels.

Citing data for the Organisation of Economic Co-operation and Development (OECD) countries, the IMF said 12 OECD members had wealth taxes in 1990, but only three (Switzerland, Spain, Norway) now levy a broad-based wealth tax.

Researchers have flagged low tax rates often paid by wealthy individuals. According to the EU Tax Observatory, an independent research laboratory at the Paris School of Economics, global billionaires have effective tax rates equivalent to 0.05% of their wealth due to the frequent use of shell companies to avoid income taxation. A global minimum tax on billionaires, equal to 2% of their wealth, could potentially raise close to \$250 billion from fewer than 3,000 individuals annually, it said in its Global Tax Evasion Report 2024.

Wealthy taxpayers often reduce the incidence of average tax rates by exploiting loopholes and preferential treatments of certain capital income, the IMF said in its note. Citing data from various studies, the IMF said the wealthiest 25 individuals in the US faced an effective average tax rate of only 0.32% while a rate of 9.4% was reported for the top 400 families.

Inheritance Tax

- **About:** It is a type of tax levied on the income earned by an individual from his/her ancestral property.
- **Transfer of Property:** Upon an individual's death, their properties transfer to legal heirs, such as children, grandchildren, or wards.
- **Historical Context:** India previously implemented an inheritance tax called estate duty from 1953 to 1985, under the government of Rajiv Gandhi.
- **Redistribution of Wealth:** There's been widespread discussion on using inheritance tax to redistribute wealth and tackle income inequality.
- **Abolishment of Related Taxes:** India has abolished various related taxes over time, including wealth tax in 2015 and gift tax in 1998.

Ways to Tax Wealth

- **Taxation on Income Flow:** Taxes can be imposed on the continuous flow of income generated from wealth.
- **One-Time Levy on Asset Value:** Governments may enact a one-time levy on the stock of wealth, often tied to the value of owned assets.
- **Capital Levy on Asset Ownership:** Capital levies can be imposed on the ownership of assets, particularly on the income generated as capital gains.

Estate Duty in India

- **About:** Estate Duty Act, 1953 imposed inheritance tax with rates ranging from 5% to 40% on estates exceeding Rs 20 lakh, with a threshold of Rs 1 lakh.
- **Amendments to the Estate Duty Act:** The Act was amended in 1958 to redefine accountable persons, lower the threshold, and modify tax slabs, reflecting evolving economic conditions.
- **Abolition of Estate Duty:** Despite ongoing discussions, the Estate Duty Act was eventually abolished, eliminating inheritance tax from India's tax regime.

Context: Indian Overseas Congress chief Sam Pitroda's remarks on the US's inheritance tax have sparked a political whirlpool here in India amid the ongoing Lok Sabha elections.

India successfully tests new 250 km strike range air-launched ballistic missile

Context: The Indian Air Force (IAF) has successfully carried out a test firing of a new version of an air-launched medium-range ballistic missile that is capable of hitting targets at a distance exceeding 250 km.

Crystal Maze 2

- **About:** Also known as ROCKS, is an air-launched medium-range ballistic missile developed in Israel.
- **Purpose:** The missile is designed to target high-value stationary and relocatable assets, including long-range radars and air defense systems of potential adversaries.
- **Features:** Distinguished from its predecessor, Crystal Maze 1, Crystal Maze 2 offers extended stand-off range capabilities as an air-to-surface missile.
- **Range and Warhead Options:** With a range of over 250 kilometers, it can be equipped with either a penetration or blast fragmentation warhead, making it capable of destroying both above-ground and well-protected underground targets.
- **Effectiveness in GPS-Denied Environments:** Crystal Maze 2 is specifically effective in GPS-denied environments, making it versatile in various operational scenarios.
- **Deployment Strategy:** The deployment strategy involves releasing the missile well outside the surface-to-air defended area, followed by a high-velocity trajectory to minimize risks to aircraft and missiles.

Ballistic Missile (BM)

- **About:** It is a projectile weapon designed to deliver warheads over long distances by following a ballistic trajectory.
- **Operation:** Ballistic missiles primarily utilize the force of gravity and internal guidance systems to navigate towards their target.
- **Characteristics:** Unlike traditional powered flight, ballistic missiles are powered only during initial launch stages, with most of their flight occurring in an unpowered state.
- **Classification by Range:** Short-range ballistic missiles (SRBM) typically operate within the Earth's atmosphere, while medium to intercontinental ballistic missiles (ICBMs) can traverse into space.

India Makes Strong Impact At GISEC 2024 In Dubai

Context: Recently, at the **Gulf Information Security Expo & Conference (GISEC) 2024** in Dubai, India's cybersecurity industry, represented by 22 companies curated by the **Data Security Council of India (DSCI)**, demonstrated its burgeoning prowess in the field.

Gulf Information Security Expo & Conference (GISEC)

- **About:** It stands as the foremost platform for cybersecurity professionals worldwide.
- **Converge:** Top global cybersecurity firms, CISOs of major corporations spanning the Middle East, Africa, and Asia, government officials, and cyber thought leaders assemble.
- **Collaboration for Cybersecurity:** The event fosters collaborative efforts to spearhead cybersecurity advancements across various industries and nations.
- **Extensive Showcase:** Over 750 leading cybersecurity brands will exhibit their latest innovations at the event.
- **Global Reach:** With an expected attendance of over 20,000 from more than 130 countries, the event reflects its global significance and reach.

Data Security Council of India

- **About:** It is a not-for-profit industry body focused on data protection in India.
- **Formation:** DSCI was set up by NASSCOM with a commitment to ensuring the safety, security, and trustworthiness of cyberspace.
- **Objective:**
 - **Commitment to Cybersecurity and Privacy:** DSCI aims to establish best practices, standards, and initiatives in cybersecurity and privacy to achieve its objectives.
 - **Engagement with Stakeholders:** DSCI actively engages with governments, regulatory bodies, industry sectors, associations, and think tanks for policy advocacy and capacity building.
 - **Capacity Building Initiatives:** DSCI conducts training and certification programs for professionals and law enforcement agencies in security, privacy, and cyber forensics.
 - **Activities:** DSCI engages stakeholders through various outreach initiatives, including events, awards, chapters, consultations, and membership programs.

Why was the BJP candidate declared winner in Surat?

Why was the Congress candidate's nomination paper not accepted? What does the Representation of the People Act, 1951 state with respect to requirements for valid nomination?

Rangarajan.R

The story so far:

The BJP's candidate from the Surat Lok Sabha constituency in Gujarat has been declared elected unopposed. This follows the rejection of the nomination paper of the candidate set up by the Congress party and the withdrawal of nominations by other candidates.

What is the law for nomination?

Section 33 of the Representation of the People Act, 1951 (RP Act) contains the requirements for a valid nomination. As per the RP Act, an elector above 25 years of age can contest Lok Sabha election from any constituency in India. The proposer(s) of the candidate should however be elector(s) from that respective constituency where the nomination is being filed. In case of a recognised party (national or State), the candidate needs to have one proposer. Candidates set up by

unrecognised parties and independents need to be subscribed by ten proposers. A candidate can file up to four nomination papers with different set of proposers. This is to enable the acceptance of nomination of a candidate even if one set of nomination paper is in order.

Section 36 of the RP Act sets out the law with respect to the scrutiny of nomination papers by the Returning Officer (RO). It provides that the RO shall not reject any nomination for a defect that is not of a substantial character. However, it specifies that signature of the candidate or proposer found not genuine is grounds for rejection.

What is the current issue?

In the present case, the candidate of the Congress party for the Surat constituency, Nilesh Kumbhani had filed three sets of nomination papers. The proposers for these three nomination papers were his brother-in-law, nephew and business partner. A BJP worker objected to Mr.

Kumbhani's nomination alleging that the signatures of his proposers were not genuine. The RO also received affidavits from the proposers claiming that they had not signed the nomination papers of the candidate. He sought reply/clarification from the candidate within a day on the objections raised. As the proposers could not be produced before the RO within the stipulated time for scrutiny, all three sets of nomination papers were rejected.

The election rules allow for a substitute candidate to be fielded by a political party. The nomination of this substitute candidate would be accepted if the nomination of the original candidate is rejected. In this case, the Congress party had fielded Suresh Padsala as its substitute candidate. However, the nomination paper of the substitute candidate was also rejected for the same reason, that is of the proposer's signature not being genuine. The other nominations were either rejected or withdrawn paving the way for BJP candidate Mukesh Dalal to

Context: The ruling party's candidate from the Surat Lok Sabha constituency in Gujarat has been declared elected unopposed when the opposition's nomination was rejected.

Nomination Requirements (Section 33 of RP Act)

- **About:** It contains the requirements for a valid nomination.
- **Eligibility Criteria:** An elector above 25 years of age can contest Lok Sabha election from any constituency in India.
- **Proposer's Requirement:** The proposer(s) must be elector(s) from the respective constituency where the nomination is filed.
 - A candidate from a recognized party (national or State) needs only one proposer.
 - Candidates from unrecognised parties and independents require ten proposers.
- **Multiple Nominations:** A candidate can file up to four nomination papers with different sets of proposers to ensure acceptance even if one set is in order.
- **The issue:** In absence of any fair nomination of the opposition, left the ruling party's nominee as the sole candidate in the race and was declared winner.

Nomination Scrutiny (Section 36 RP Act)

- **Scrutiny Procedure:** Section 36 outlines the process for scrutiny of nomination papers by the Returning Officer (RO).
- **Rejection Criteria:** The RO cannot reject nominations for non-substantial defects but can reject if the signature of the candidate or proposer is found not genuine.

ARTICLE 39 (B) OF INDIAN CONSTITUTION

(Syllabus: GS Paper 2 – Polity)

Won't go by 'Marxist interpretation' of wealth redistribution, says SC

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New Delhi: With the political slugfest over redistribution of wealth escalating, Supreme Court on Wednesday said it will not adhere to Justice V R Krishna Iyer's 1977 Marxian interpretation of Article 39(b) of the Constitution that a community's "material resources" would include private properties for reallocation to subserve the common good.

Engaged in interpreting the ambit of Article 39(b) of Directive Principles of State Policy in the Constitution, a nine-judge bench of CJI D Y Chandrachud and Justices Hrishikesh Roy, B V Nagarathna, S Dhulia, J B Pardiwala, Manoj Misra, R Bindal, S C Sharma and A G Masih said there must be a distinction between community resources, held in trust by the present generation for future generations,

'CANNOT TAKE PERSONAL PROPERTY'

► Bench says there must be a distinction between community resources, held in trust by the present generation for future generations, and privately owned property

► Community property would include natural resources as these too are held in trust for future generations, hints CJI

► Adds that Article 39(b) 'should not be taken to the level of taking someone's personal property for distribution'

and privately owned property.

"We don't have to go as far as the Marxist socialist interpretation by Justice Krishna Iyer [of Article 39(b) in Ranganatha Reddy case of 1977]. But community resources will surely include resources which the present generation holds in trust based on inter-generational equity," the CJI said.

He said there were two extreme views on this: "The Marxist socialist view is everything belongs to the state and the community. The capitalist view puts importance on individual rights. And there is the Gandhian view of holding resources in trust for protecting inter-generational equity."

Speaking for the bench, the CJI indicated community property would include natural resources, exploitation of which is governed by the SC-defined sustainable development norms, as these are held in trust by the present community for future generations. However, he caveated it by saying forests, lakes and mines, even if held privately would constitute community resources, benefits arising from which for the greater common good could not be stultified invoking individual rights.

► Art 39(b) not a vehicle, P 11

Article 39 (b) and (c) of Social and Economic Justice

- **Distribution of Material Resources:** Article 39 (b) emphasizes the importance of distributing the ownership and control of material resources in a community in a manner that serves the common good.
- **Common Good Subservient Principle:** This principle suggests that the arrangement of ownership and control should benefit society as a whole rather than a select few.
- **Preventing Wealth Concentration:** Article 39 (c) focuses on preventing the concentration of wealth and means of production, ensuring that economic systems operate in a way that benefits everyone and avoids common detriment.
- **Charter of Social and Economic Justice:** Together, these provisions form what is sometimes referred to as the charter of social and economic justice, highlighting their crucial role in creating fair and equitable societies.

Affirmation of Justice Iyer's Opinion by SC

- **About:** The Supreme Court affirmed Justice Iyer's interpretation of Article 39(b).
- **Reference to Sanjeev Coke Manufacturing Case (1983):** In this case, a five-judge Bench upheld central legislation nationalizing coal mines and coke oven plants, relying on Justice Iyer's ruling.
- **Scope of Article 39(b):** The SC held that Article 39(b) encompasses the transformation of wealth from private to public ownership, not just what is already publicly owned.
- **Absence of Minority Mention:** The judgment did not explicitly state that Justice Iyer's opinion was in the minority.
- **Influence on Subsequent Cases:** nine-judge Bench case's opinion in Mafatlal Industries Ltd v Union of India (1996) also relied on Justice Iyer's interpretation, extending the scope of "material resources" beyond public possessions to include all sources meeting material needs.

Context: The Supreme Court recently announced its departure from Justice V R Krishna Iyer's 1977 Marxian interpretation of Article 39(b) of the Constitution, which included private properties for redistribution to serve the common good.

"Hi, It's Me": NASA's Voyager 1 Phones Home From 15 Billion Miles Away

Context: NASA recently announced that the Voyager 1 probe is returning usable information to ground control.

Voyager 1

- **About:** It is a space probe launched by NASA on September 5, 1977, along with its twin Voyager 2, with the aim of exploring the outer Solar System and beyond.
- **Record Distance from Earth:** Currently, Voyager 1 holds the record for being the most distant human-made object from Earth.
- **Boundary Crossing:** Voyager 1 marked a historic milestone by becoming the first spacecraft to cross the heliosphere, the boundary where the influence of our solar system ends and that of interstellar space begins.
- **Discoveries at Jupiter and Saturn:** At Jupiter, Voyager 1 discovered a thin ring and two new moons, Thebe and Metis. At Saturn, it found five new moons and a new ring named the G-ring.
- **Golden Record:** Voyager 1 carries a golden record containing sounds and images representing the diversity of life and culture on Earth, intended for potential encounters with extraterrestrial life.

Voyager 2

- **About:** It is a space probe, was launched by NASA on August 20, 1977, as part of the Voyager program, which includes Voyager 1.
- **Objective:** To study the outer planets of our solar system along with their moons, followed by an interstellar journey.
- **Interstellar Achievement:** Voyager 2 holds the distinction of being the second spacecraft to venture into interstellar space, marking a significant milestone in space exploration.

NATIONAL CLEAN AIR PROGRAMME

(Syllabus: GS Paper 3 – Env and Eco)

On the National Clean Air Programme

Why has the implementation of Clean Air Action Plans been inconsistent? Why are cities not using the allocated funds set aside by the Ministry of Environment, Forest, and Climate Change? What are some of the tools which can improve our understanding of the origins of pollution?

EXPLAINER

Anirban Basu

The story so far:

When the Indian government launched the National Clean Air Programme (NCAP) in 2019, it was to cut the concentration of atmospheric Particulate Matter (PM) by 20-30% by 2024, from 2017 levels. This was later revised to 40% by 2026.

What is the NCAP?

Under NCAP, cities continuously violating annual PM levels in India need to prepare and implement annual Clean Air Action Plans (CAAPs). To facilitate this, the Ministry of Environment, Forest, and Climate Change has allocated ₹10,422.73 crore. Most cities proactively submitted their CAAPs yet their implementation has been inconsistent. On average, only 60% of the allocated funds have been used thus far, according to the Ministry, with 27% of cities spending less than 30% of their designated budgets. Visakhapatnam and Bengaluru have spent 0% and 1% of their NCAP funds, respectively.

Implementation delays hinder NCAP's success, particularly delays in approvals from the competent authorities (for example, the technical specification of tendering processes or for procuring products such as mechanical sweepers and electric buses).

There is also a lack of standard operating procedures for the implementation process. Time-consuming tasks required to implement control measures and the absence of well-defined timelines create further delays. Yet other reasons include bureaucratic red tape and lingering doubts regarding the effectiveness of proposed mitigation measures. After the recent findings over the ineffectiveness of outdoor smog towers, decision makers' hesitation is justified. But overcoming this also requires a systemic approach based



Clearing the air: An anti-smog gun spraying water in New Delhi on January 12. FILE PHOTO

on Emissions Inventory (EI), Air Quality (AQ) modelling, and Source Apportionment (SA).

How can scientific tools help?

EI and SA studies are critical to identify and understand the origins of pollution. EI provides insights into local pollution sources and their contributions, allowing experts to forecast future emissions based on demographic shifts and technological advancements across sectors, among other factors. EI also helps shape targeted pollution control strategies. They have their limitations, too, particularly in assessing the impact of transboundary pollution sources – such as when determining the effect of stubble-burning outside Delhi on the city's air quality. SA studies offer a detailed analysis of contributions from various pollution sources, including those located afar.

However, they aren't suited for predictive analysis and require substantial resources, including specialised personnel and equipment for chemical analysis. SA studies also can't distinguish between the origins of pollution, like, say, emissions from diesel trucks 200 m away and 20 km away, because diesel emissions have similar chemical signatures.

These gaps can be bridged through AQ modelling, which informs our understanding of pollution dispersion, including from distant sources.

How are these being used? Ideally, the cities should look into EI and SA data to pinpoint air pollutants and prepare mitigation measures targeting each polluting activity. According to the Portal for Regulation of Air Pollution in Non-Attainment cities, only 37% of cities have completed EI and SA studies,

meaning the remaining 63% don't have a clear idea about what is polluting their air. Thus, the effectiveness of CAAPs is questioned if the cities don't know the individual emissions reduction potentials of their proposed mitigation measures. Based on the potential and infrastructure requirements, cities need to set proper yearly targets and fund them.

Moreover, the NCAP's reliance on concentration data – a measure of population exposure to harmful pollution – further complicates the situation.

Pollution from high-emitting industries and other sources outside city limits, carried into urban areas by winds complicates urban air-quality management. Many existing control measures focus only on primary PM emissions, neglecting their secondary precursors. A shift towards

comprehensive strategies addressing both primary and secondary pollutants is thus important. Further, although one of the NCAP goals is to set up infrastructure to forecast AQ, no city barring Delhi, Pune, Mumbai, and Ahmedabad has a decision support system.

What does NCAP need to succeed?

Beyond the need for data and models, swift implementation on the ground is essential. For this, implementation agencies should seek to reduce bureaucratic red tape by utilising shared, standardised technical evaluations. As NCAP funding is linked with the performance of cities (based on the annual average PM concentration reduction), prior budgeting and time management play crucial roles. Technical feasibility, budgeting, and time estimates need to be part of the initial plans.

The journey towards cleaner air in India, as charted by NCAP, will be difficult but is necessary. NCAP's success hinges on a multifaceted approach that combines rigorous scientific studies, strategic funds, and swift and effective implementation of mitigation measures.

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THE GIST

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Context: The Indian government's National Clean Air Programme (NCAP) aimed to reduce atmospheric Particulate Matter (PM) concentration by 20-30% by 2024, initially, and later revised to 40% by 2026.

National Clean Air Programme (NCAP)

- **About:** This marks the inaugural attempt in the nation to establish a national framework for managing air quality, complete with a time-bound reduction objective.
- **Aim:** To improve air quality in 131 cities (non-attainment cities and Million Plus Cities) in 24 States/UTs by engaging all stakeholders.
- **Launched:** January 2019
- **Nodal Ministry:** Ministry of Environment, Forests and Climate Change (MoEFCC).
- **Target:** To achieve 20% to 30% reduction in concentrations of PM₁₀(particulate matter of diameter between 10 and 2.5 micrometer) and PM_{2.5}.
- **Implementation of NCAP:** The CPCB will execute a nationwide program to prevent, control, and reduce air pollution in accordance with the Air (Prevention and Control of Pollution) Act, 1981, specifically Section 16(2)(b), within the framework of the NCAP.

Objective

- Ensuring the rigorous enforcement of measures to prevent, control, and reduce air pollution.
- **Strengthening and improving the effectiveness** of the nationwide ambient air quality monitoring network to establish a comprehensive and dependable database.
- **Lack of Standard Operating Procedures:** Standard operating procedures for implementation are lacking, causing confusion and inefficiency.
- **Time-Consuming Tasks:** Implementing control measures involves time-consuming tasks, contributing to delays in the process.
- **Need for a Systemic Approach:** Overcoming hesitation requires a systemic approach, incorporating Emissions Inventory (EI), Air Quality (AQ) modeling, and Source Apportionment (SA).

Scientific Tool

- **Emissions Inventory (EI):** It is a listing, by source, of the amounts of pollutants actually emitted to the atmosphere over a period of time.
- **Air Quality (AQ) modelling:** It refers to the use of mathematics and computer programs to estimate concentrations of pollutants in the air.
- **Source Apportionment (SA):** It is the practice of deriving information about pollution sources and the amount they contribute to ambient air pollution levels.

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