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MK Yadav Sir

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## SKILL INDIA CENTRE
(Syllabus: GS Paper 2 – Social Issues-Education)

# Dharmendra Pradhan inaugurates first Skill India Centre in Sambalpur, Odisha

**Context:** Union Minister for Education and Skill Development inaugurated India's inaugural Skill India Centre (SIC) in Sambalpur, Odisha, affirming its role in enhancing the nation's workforce.

**Skill India Centre**

- **Aim**: To empower youth, bridge skill gaps, and drive socio-economic growth by preparing students for demand-driven industries.
- **Designed to**: Build the capabilities and knowledge of Yuva Shakti in trades that are high in demand such as Media & Entertainment, Leather, Tourism & Hospitality, and IT-ITeS.
- **Democratizing Skill Development**
  - **Accessible Education**: The Sambalpur Skill India Centre offers affordable courses to over 1200 students, focusing on sectors like Media & Entertainment, Leather, Tourism & Hospitality, and IT-ITeS, thus democratizing skill development by making it accessible to all.
- **A Curriculum for the Future**
  - **Practical Learning:** The curriculum at the Skill India Centre integrates classroom learning with real-world applications, ensuring students gain both theoretical knowledge and practical expertise crucial for success in their chosen fields.
  - **Industry Collaboration**: Through close ties with industry leaders and the support of the National Skill Development Corporation (NSDC), the centre fosters innovation and excellence in vocational training, enhancing employability prospects for students in Odisha.

**National Skill Development Corporation (NSDC)**

- **About**: NSDC stands as the principal architect of the skill ecosystem in India.
- **Nodal Ministry**: Ministry of Skill Development & Entrepreneurship (MSDE), Government of India.
- **Implementation Partner**: NSDC acts as the strategic implementation partner to the Skill India Mission.
- **Youth Empowerment:** NSDC's goal is to empower India's youth through efficient vocational training initiatives.
- **Futuristic Skill Development**: NSDC focuses on offering opportunities in futuristic skills to the potential workforce.

**INDIAN EXPRESS** Page 17

# ARTICLE 142 OF INDIAN CONSTITUTION

## (Syllabus GS Paper 2 – Polity)

## Art 142, why SC quashed Chandigarh mayor election, why it matters

HINA ROHTAKI & ANANTHAKRISHNAN G
CHANDIGARH, NEW DELHI, FEBRUARY 20

THE SUPREME Court has quashed the result of the January 30 election for the Mayor of Chandigarh after finding that presiding officer Anil Masih had deliberately invalidated eight ballots cast in favour of the AAP-Congress candidate Kuldeep Kumar 'Tita'.

The Bench, comprising Chief Justice of India (CJI) D Y Chandrachud and Justices J B Pardiwala and Manoj Misra, set aside the result as "contrary to law" and declared Kuldeep Kumar the "validly elected candidate", but refused to quash the election process itself.

**On what grounds did the Supreme Court strike down the result?**

The court used its power under Article 142 of the Constitution to do "complete justice" and protect the sanctity of electoral democracy. "Allowing such a state of affairs...would be destructive of the most valued principles on which the entire edifice of democracy in our country depends," it said.

The Bench said it was evident that "while the petitioner is reflected to have polled 12 votes, the eight votes which are treated as invalid were wrongly treated to be so", and "each of those...invalid votes were in fact validly cast...in favour of the petitioner".

It follows that Kuldeep Kumar had in fact got 20 votes, while Manoj Sonkar, the BJP candidate, had won 16. "We accordingly order and direct that the result of the election as declared by the presiding officer shall stand quashed and set aside," the court said.

Sonkar had resigned from his post on Sunday, ahead of the court's verdict passed on Tuesday.

**Why was this election important?**

The powers of the Mayor of Chandigarh Municipal Corporation are limited to calling meetings and deciding the agenda. Although the corporation has a five-year term, the Mayor is elected for only one year. The post is reserved for a woman candidate in the first and fourth year of each corporation. The last election to the corporation was held in 2021.

This year's election was politically significant because it saw an alliance, for the first time, between the AAP and Congress against the BJP, setting the stage for potential alliances for the Lok Sabha elections. The parties have been in talks for a seat-sharing deal in Delhi, even though they have decided to contest separately in Punjab.

**What was the situation before the polls?**

The elections were initially scheduled for January 18, but when AAP and Congress councillors reached the venue, they were told voting had been postponed as presiding officer Masih had taken ill. The Union Territory Administration wanted to hold the election on February 6, but Kuldeep Kumar approached the Punjab and Haryana High Court, which ordered the election to be held on January 30.

Ahead of the election, AAP had 13 councillors and the Congress 7, which gave the alliance a clear advantage in the 36-member House. The BJP had 15 votes — 14 of its councillors, plus the vote of its Chandigarh Lok Sabha MP (who has a vote under the rules) Kirron Kher. One councillor belongs to the Shiromani Akali Dal (SAD). The BJP said it had this councillor's support and, therefore, 16 votes in all.

On election day, after presiding officer Masih rejected eight votes of the AAP-Congress as invalid, the BJP's Sonkar was declared elected.

**What happened after the election?**

After videos showed Masih marking ballot papers so they could be declared invalid, Kuldeep Kumar moved the High Court and then the Supreme Court.

On February 5, CJI Chandrachud observed that it was obvious that Masih has defaced the ballots, and that "this man has to be prosecuted". The court said it was "appalled" at the "mockery" and "murder" of democracy, and summoned Masih on January 19.

On Tuesday, the court said that "the presiding officer has evidently put his own mark on the bottom half of the ballot for the purpose of creating a ground for treating the ballot to have been invalidly cast... so as to secure a result...by which the eighth respondent (Sonkar) would be declared...elected".

It said that Masih's conduct has to be deprecated because, "firstly,...he has unlawfully altered the course of the Mayoral election" and, "secondly, [by] making a solemn statement before this court on February 19, [he] has expressed a patent falsehood for which he must be held accountable".

Masih had told the court on Monday that he had marked the ballot papers that were already defaced, in order to avoid mixing them up with other ballots. On Tuesday, the court directed that a show cause notice be served on him.

Meanwhile, three AAP councillors joined the BJP on Sunday. Had the court ordered a fresh election instead of merely quashing the result, the AAP-Congress tally would have fallen to 17 from 20, while the BJP's votes would have risen to 19 (including the SAD councillor's vote), giving the party the majority (along with MP Kher's vote) of the 36 ballots that would be cast. Unlike in elections for Parliament or state Assemblies, there is no anti-defection law in municipal elections.

**Context**: In overturning the results of the January 30 elections for the post of Mayor of the Chandigarh Municipal Corporation, the Supreme Court invoked the sweeping powers conferred on the court under Article 142 of the Constitution.

### Article 142 of the Constitution

- **About:** Article 142 provides the Supreme Court with exceptional authority to ensure "complete justice" in situations where statutory laws may be insufficient to address a dispute adequately.
- **Exercise of Powers:** Over time, the Supreme Court has elucidated and defined the boundaries within which it can exercise its powers under Article 142 through various judgments.
- **Prem Chand Garg Case**: In the Prem Chand Garg case, the Supreme Court delineated the parameters for exercising its powers under Article 142(1). It emphasized that orders for complete justice must align with constitutional rights and statutory laws.
- **Bhopal Gas Tragedy Case**: The Bhopal gas tragedy case demonstrated the expansive interpretation of Article 142(1). The Supreme Court ordered compensation, showcasing the wide reach of its powers beyond ordinary laws.
- **Constitutional Supremacy of Article 142**: The Supreme Court underscored the supremacy of Article 142, emphasizing that it operates at a constitutional level, not bound by ordinary statutory limitations.
- **Overriding Statutory Prohibitions**: The court clarified that Article 142 powers are not subject to express statutory prohibitions, asserting that constitutional provisions hold primacy over ordinary laws.

### Criticism of Article 142

- **Ambiguity in Interpretation**: The Supreme Court's attempt to elucidate the concept of 'complete justice' remains opaque.
- **Confusion in Judgments**: Decisions by the Apex Court have spawned confusion, particularly regarding the invocation of Article 142.
- **Against Separation of Powers**: Critics argue against Article 142 on the basis of the separation of powers doctrine, cautioning against judicial intrusion into legislative domains.
- **Potential for Judicial Overreach**: Article 142's application, particularly in cases of statutory silence, raises concerns about judicial overreach and its role in filling legal voids.

PIB Feb 19

# INDUS-X
(Syllabus: GS Paper 2 – IR)

## A two-day INDUS-X Summit to be held in New Delhi

**Context**: The defence ministry said the 'INDUS-X' summit in Delhi marks a "significant milestone" in the collaborative efforts between the two countries.

**U.S.-India Defense Accelerator Ecosystem (INDUS-X)**

- **Launch**: INDUS X was launched in June 2023 during the state visit of the Prime Minister of India to the US.
- **Objective**: To expand strategic technology partnerships and defense industrial cooperation between governments, businesses, and academic institutions in India and the US.
- **Components**: INDUS X serves as a defense innovation bridge, encompassing Joint Challenges, Joint Innovation Fund, Academia engagement, Industry-startup connect, investment by private entities in defense projects, mentoring by experts, and niche technology projects.
- **Focus**: Advancing high-tech cooperation and fostering joint research, development, and production opportunities in the defense sector.
- **Aim**: To explore possibilities for co-producing jet engines, long-range artillery, and infantry vehicles.
- **Leadership**: India's Innovations for Defense Excellence (iDEX) and the Office of the Secretary of Defense (OSD), US, are leading INDUS-X activities.

**iDEX Initiative**

- **About:** The Government announced a central sector scheme named as Innovations for Defence Excellence (iDEX) for 5 years from 2021-22 to 2025-26.
- **Launched Under**: Defence Innovation Organisation (DIO) under the Ministry of Defence
- **Objective**: To foster innovation and technology development and to provide financial support to nearly 300 Start-ups/MSMEs/individual innovators and about 20 Partner Incubators through Defence Innovation Organisation (DIO).

DTE Feb 19

# GLOBAL RESOURCES OUTLOOK REPORT

(Syllabus: GS Paper 3 – Env and Eco)

## Extraction of raw materials could rise 60% by 2060 – and making mining 'greener' won't stop the damage

**Highlights of the Report**

- **Global Consumption**: Projected to surge by 60% by 2060, already four times higher than levels recorded in 1970.
- **Technosphere:** Comprising human-made products from airports to Zimmer frames, outweighing the biosphere since 2020.
- **Equity over GDP**: Emphasizing equity and human wellbeing metrics over sole GDP growth.
- **Anti-Green Production**: Advocates for reducing overall demand rather than solely increasing "green" production.
- **Critical Mineral Demand**: Relies on 'strategic and critical minerals,' demanding more energy for extraction. For instance, electric vehicles require nearly 10 times more critical raw materials than conventional cars.
- **Net Zero Transport**: Achieving zero transport emissions by 2050 necessitates a six-fold increase in critical mineral extraction within 15 years.
- **Extractive Activities**: Extractive activities like mining disrupt the planet's ecosystem balance.
- **Decline in Urban Mining**: Current economic structures favor cheaper and simpler extractive mining over urban mining, a process that retrieves waste from landfills for recycling and reuse, often requiring complex, state-enforced waste regulation.
- **Extractive Mining Economics**: Cheaper extraction due to inexpensive land in developing nations.

**Context**: The 2024 edition of the Global Resources Outlook Report will be tabled at the 6th UN Environment Assembly which is to be held in Nairobi, Kenya.

**Global Resources Outlook Report**

- **About**: It represents a leading report from the International Resource Panel of UNEP.
- **Launched in**: 2019
- **Published by**: International Resource Panel of UN.
- **Aim**: To offer consistent updates regarding the condition, effects, and future prospects of global resource utilization.

**UNEP**

- **About**: UNEP operates as a specialized agency within the United Nations system.
- **Origin:** UNEP was established following the United Nations Conference on the Human Environment in 1972.
- **Function**: To facilitate and coordinate environmental efforts across the United Nations.
    - UNEP bears overarching responsibility for addressing and managing environmental challenges within the United Nations' various agencies.

PIB

Feb 20

# DRAFT GUIDELINES FOR GREENWASHING

(Syllabus: GS Paper 3 – Economy)

## Central Consumer Protection Authority (CCPA) seeks public comments on Draft Guidelines for Prevention and Regulation of Greenwashing

**Context:** The Central Consumer Protection Authority has sought public comments on Draft Guidelines for Prevention and Regulation of Greenwashing.

**Greenwashing**

- **About**: It refers to the deceptive practice of making false or exaggerated claims about the environmental benefits of a product, service, or organization.
- **Origin**: Coined by environmentalist Jay Westerveld in 1986.
- **Tactics of Greenwashing**: Employing environmental imagery, misleading labels, and concealing tradeoffs are common tactics in greenwashing, drawing parallels to the concept of "whitewashing."
- **Effects on Consumers**: Greenwashing erodes consumer trust, leading to skepticism about the authenticity of green claims and potential damage to a brand's reputation.

**Guidelines of Greenwashing**

- Ensure all environmental claims in ads or communications are fully disclosed, either directly or through technology like QR codes or web links.
- Avoid selectively presenting data to favorably highlight environmental claims while hiding unfavorable aspects.
- Clearly define the scope of environmental claims, specifying whether they relate to products, manufacturing processes, packaging, product usage, disposal, services, or service provision processes.
- Comparative environmental claims that compare one product or service to another must be based on verifiable and relevant data.
- Substantiate specific environmental claims with credible certification, reliable scientific evidence, and independent third-party verification for authenticity.

**Central Consumer Protection Authority (CCPA)**

- **About:** CCPA is a regulatory body established in 2020 based on the provisions of the Consumer Protection Act, 2019.
- **Establishment**: In 2020
- **Control by**: Ministry of Consumer Affairs.
- **Composition:** Chief Commissioner as head, and only two other commissioners as members.
- **Objective**: To promote, protect and enforce the rights of consumers as a class.
- **Powers of the Authority**: Section 21 of the Act defines the powers given to the CCPA to crack down on false or misleading advertisements.

LIVEMINT

Front Page

# NEW RULE OF SEZ

## (Syllabus: GS Paper 3 – Economy)



mint primer

### Will new SEZ rules help fill up vacant offices?

BY MADHURIMA NANDY

The Centre's move to allow partial denotification of special economic zones (SEZs) into non-SEZs in IT and IT-enabled services parks has prompted developers and real estate investment trusts (REITs) to de-notify SEZ spaces. Will this impact vacancy levels? *Mint* explains.

Place for more

Office vacancy has risen every year since 2019

Office vacancy (top 7 cities, in %)

12.6 13.6 15.4 16.6 16.7

2019 2020 2021 2022 2023

Note: Top 7 includes MMR, NCR, Bengaluru, Chennai, Hyderabad, Pune and Kolkata

mint Source: JLL India

PRANAV BHARDWAJ/MINT

**1 What do the new SEZ rules mean?**

The Special Economic Zones Act, 2005 was introduced to drive exports by giving tax breaks to firms operating in SEZs. The tax benefits ended in 2020, but higher compliance requirements continued. As a result IT/ITeS SEZs lost their appeal and saw a gradual exit of tenants. On 6 December 2023, the Central government made amendments to the SEZ Act, permitting demarcation of parts of SEZ areas as non-SEZ areas after repayment of tax benefits availed till date. Demarcated areas are expected to have better occupancy and higher rental income, in line with existing non-SEZ spaces.

**2 How will they impact IT SEZ vacancy levels?**

Around 189 million sq ft of IT/ITeS SEZ space is available in the top seven housing markets, of which 30-35 million sq ft are vacant, says property advisor JLL India. Since 2020, vacancies across SEZs have risen every year. SEZ vacancies rose from 9.7% in December 2020 to 19.4% in September 2023. At least 15 million sq ft of SEZ space would be eligible for denotification, says JLL. Post conversion into non-SEZ space, vacancy levels will shrink as office park owners can attract new tenants for office spaces. Overall office vacancy, which is significant due to vacancies in SEZs, will also reduce gradually.

ISTOCKPHOTO

**3 Who have applied for denotification?**

Developers including DLF Ltd and the three listed office REITs—Embassy, Mindspace and Brookfield India—have applied for de-notification of SEZ spaces within their IT parks. Each has applied to convert around a mn sq ft. DLF's rental arm, DLF Cyber City Developers, has applied for denotification of 1.1 mn sq ft and hopes to start leasing it from Mar-end.

**4 Will it boost leasing and occupancy?**

Developers and REITs can lease non-processing areas to IT firms or global capability centres not engaged in exports, which will expand their tenant base. Partial de-notification is likely to result in freeing up of significant space, increase the attractiveness for diverse occupiers and help in achieving higher occupancy levels. With most of these IT SEZs based in prime locations, the buildings will be able to achieve full leasing once the changes kick in. Hence, it should also help in reviving office rental growth.

**5 How will they benefit REITs?**

The occupancy level of the three main office REITs is around 84%, and SEZ space accounts for 64% of the operational REIT portfolio, rating agency ICRA said. However, the occupancy for REIT portfolios has been declining for the last 12 quarters due to high vacancies in SEZs post removal of tax benefits. The new rules are particularly relevant for operational IT/ITes SEZs. Most REITs, which own largely completed assets, are expecting the benefits to start showing on their financials from the first half of FY25.

**Context**: The Centre's move to allow partial denotification of special economic zones (SEZs) into non-SEZs in IT and IT-enabled services parks has prompted developers and real estate investment trusts (REITs) to denotify SEZ spaces.

### Special Economic Zone

- **Definition**: It is a territory within a country that is typically duty-free (Fiscal Concession) and has different business and commercial laws chiefly to encourage investment and create employment
- **Origin**: The Special Economic Zone (SEZ) policy in India first came into inception on April 1, 2000.
  - SEZs in India functioned from 2000 to 2006 under the provisions of the Foreign Trade Policy and fiscal incentives were made effective through the provisions of relevant statutes.
- **Objective:** to enhance foreign investment and provide an internationally competitive and hassle free environment for exports.
- **SEZ act**: The Special Economic Zones Act was passed in 2005 and came into force along with the SEZ Rules in 2006.
- **Apex body**: The Board of Approval is the apex body and is headed by the Secretary, Department of Commerce (Ministry of Commerce and Industry).
- **Eligibility**: Any private/public/joint sector or state government or its agencies can set up an SEZ.
  - A foreign agency also can set up SEZs in India.

### New SEZ Rules

- **Special Economic Zones Act, 2005**: The SEZ Act, 2005 aimed to boost exports by offering tax incentives to companies operating within SEZs.
- **Changes Post 2020**: Tax benefits under the SEZ Act ceased in 2020, leading to increased compliance requirements for firms within SEZs.
- **Decline of IT/ITeS SEZs**: The cessation of tax benefits led to a loss of appeal for IT/ITeS SEZs, resulting in a gradual departure of tenants.
- **Amendments in 2023**: On 6 December 2023, the Central government revised the SEZ Act, allowing for the demarcation of SEZ areas into non-SEZ areas after the repayment of availed tax benefits.
- **Potential Benefits of Amendments**: Demarcated areas within SEZs are anticipated to experience improved occupancy rates and higher rental income, aligning with the performance of existing non-SEZ spaces.

TIMES OF INDIA

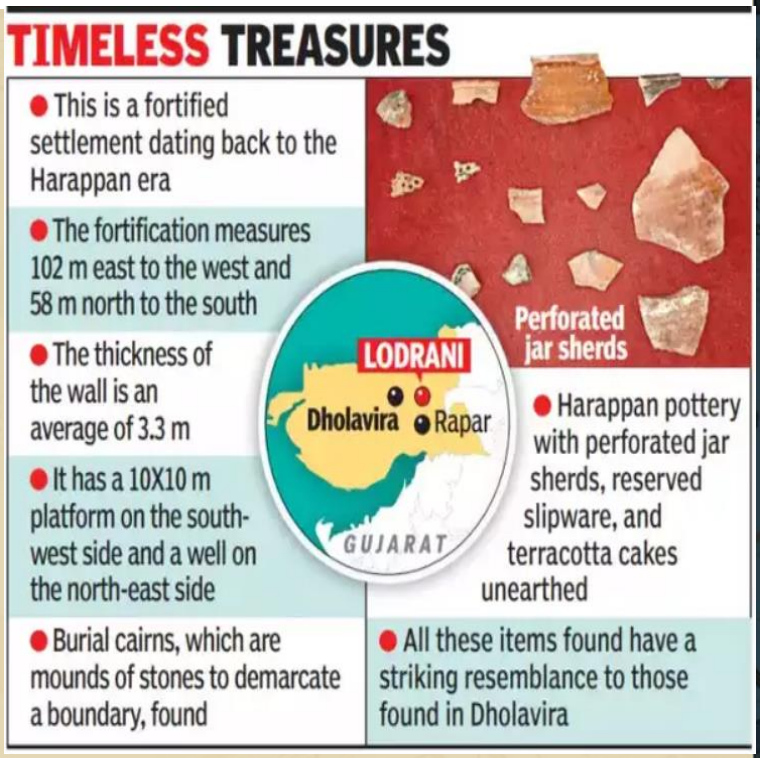
Feb 20

# MORODHARO

(Syllabus: GS Paper 1 – History)

## Kutch villagers' treasure hunt helps unearth Harappan site near Dholavira

**Context**: Archaeologists recently discovered a Harappan-era fortified settlement named Morodharo.




**Morodharo**

- **Location**: Kutch District, Gujarat
- **Timeline**: (2,600-1,900 BCE) to late (1,900-1,300 BCE) Harappan.
- **Features**
  - **Fortification**: The fortification of the settlement spans 102 meters from east to west and 58 meters from north to south, indicating substantial defensive measures.
  - **Sturdy Wall Construction**: The thickness of the wall averages 3.3 meters, highlighting the engineering sophistication of the Harappan civilization in defensive architecture.
  - **Strategic Platforms and Wells**: Notably, there is a 10x10 meter platform situated on the south-west side, likely serving strategic or ceremonial purposes. Additionally, a well located on the north-east side underscores the settlement's focus on sustainable water management.
  - **Presence of Burial Cairns**: Burial cairns, characteristic mounds of stones used to demarcate boundaries or burial sites, are discovered within the settlement, suggesting cultural practices and territorial delineations of the era.

**Harappan Civilization**

- **About**: The civilization is named Harappan because Dayaram Sahni first excavated its site in 1921.
- **Main Crops**: Two types of Wheat and Barley. Evidence of cultivation of rice in Lothal and Rangpur (Gujarat) only.
- **Town Planning**: Indus cities were well planned. The excavations at Harappa and Mohenjo-Daro have shown a lot of evidence of this. The city had two parts, i.e., the citadel and the outer city.
- **Roads**: The roads were wide and straight cutting each other at right angles.
- **Great Bath:** The Great Bath is one of the most remarkable structures discovered at the archaeological site of Mohenjo-Daro.

BUSINESS LINE

Feb 20

## ASEAN-INDIA TRADE AGREEMENT
## (Syllabus: GS Paper 2 – IR)

# India, Asean discuss review of trade agreement

**Context:** The 3rd meeting of AITIGA Joint Committee for undertaking the review of ASEAN-India Trade in Goods Agreement (AITIGA) was hosted by India in Vanijya Bhawan, New Delhi from 16-19 February 2024.

**ASEAN-India Trade in Goods Agreement**

- **About:** The AITIGA was signed in 2009.
- In September 2022, both sides tasked the AITIGA Joint Committee to undertake the review.
- **Formation of Sub-committees**: Eight Sub-committees have been constituted under the AITIGA Joint Committee.
  - These sub-committees focus on different policy areas related to the Agreement.
- **Focus Areas**: For further deliberations were outlined, updating the work programme for the Review.
- **Growth in India-ASEAN Trade**: India-ASEAN trade reached USD 131.58 billion in 2022-23.
  - AITIGA review aims to facilitate further expansion of trade in a balanced and sustainable manner.
- **4th meeting of AITIGA Joint Committee**: May 2024 in Kuala Lumpur, Malaysia.

**The ASEAN Free Trade Area (AFTA)**

- **About**: AIFTA means the ASEAN-India Free Trade Area under the Framework Agreement on Comprehensive Economic Cooperation between the Republic of India and the Association of Southeast Asian Nations;
- **It consists of three agreements**: The ASEAN Trade in Goods Agreement (ATIGA), the ASEAN Framework Agreement on Services (AFAS) and the ASEAN Comprehensive Investment Agreement (ACIA).
- **Objective**: It eliminates tariffs for trade in goods, investments and services within the ASEAN region.

**ASEAN**

- **Established:** In 1967, by the **Bangkok Declaration**.
- **Type:** A political and economic union of **10 member states** in Southeast Asia.
- **Members:** Indonesia, Singapore, Philippines, Malaysia, Brunei, Thailand, Cambodia, Lao PDR, Myanmar, and Vietnam.
- **Objective:** It promotes inter-governmental cooperation and facilitates economic, political, security, military, educational, and socio-cultural integration between its members and countries in the Asia-Pacific.
- **Secretariat:** Jakarta, Indonesia.

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# SECTION 125 OF CRPC
## (Syllabus: GS Paper 2 – Governance)

# On the right to maintenance for divorced Muslim women

Do personal laws debar divorced Muslim women from availing maintenance under Section 125 CrPC?

Aaratrika Bhaumik

**The story so far:**

The Supreme Court has decided to examine if a divorced Muslim woman is entitled to a claim of maintenance under Section 125 of the Criminal Procedure Code (CrPC) from her former husband – reigniting the debate on whether secular laws should be given precedence over distinct personal laws. On February 19, a Bench comprising Justices B.V. Nagarathna and Augustine George Masih reserved its verdict in the case.

**How has the law evolved?**

The law governing maintenance for destitute wives, children, and parents has been codified under Section 125 of the CrPC. It stipulates that if any person "having sufficient means neglects or refuses to maintain" his wife, – then a magistrate of the first class may, upon proof of such neglect or refusal, order such a person to make a monthly allowance for the maintenance of his wife at a monthly rate as the magistrate thinks fit. The explanation to this provision clarifies that a "wife" includes any woman who has been divorced by, or has obtained a divorce from, her husband and has not remarried.

The Muslim Women (Protection of Rights on Divorce) Act, 1986 (1986 Act), on the other hand, is a religion-specific law that provides a procedure for a Muslim woman to claim maintenance during divorce. Section 3 of the 1986 Act guarantees the payment of maintenance to a divorced Muslim woman by her former husband only during the period of *iddat* – a period, usually of three months, which a woman must observe after the death of her husband or a divorce before she can remarry. After the completion of the *iddat* period, a woman can approach a first-class magistrate for maintenance in case she has not remarried and is not in a position to take care of herself financially.

A Constitution Bench of the Supreme Court in the *Danial Latifi versus Union Of India* (2001) case upheld the constitutional validity of the 1986 Act by extending the right of a Muslim woman to get maintenance till she re-marries. It, however, reduced the period of maintenance to the completion of *iddat*. In 2009, a Division Bench of the Supreme Court reiterated a divorced Muslim woman's right to claim maintenance under Section 125 of the CrPC as long as she does not remarry. It highlighted that such a relief would be extended even after the expiry of the *iddat* period.

**How did the proceedings play out?**

The apex court pointed out that Section 3 of the 1986 Act begins with a non-obstante clause ("notwithstanding anything contained in any other law for the time being in force"), and thus it does not bar an alternative remedy under Section 125 of the CrPC. Senior advocate Gaurav Agrawal, the amicus, agreed with

**Context**: The Supreme Court has decided to examine if a divorced Muslim woman is entitled to a claim of maintenance under **Section 125 of the Criminal Procedure Code (CrPC)** against her former husband reigniting the debate on whether secular laws should be given precedence over distinct personal laws.

### Section 125 of the Criminal Procedure Code (CrPC)

- **Scope of Maintenance:** Maintenance encompasses the support provided to wives, children, and parents who are unable to sustain themselves financially.
- **Codification and Stipulations**: Section 125 of the CrPC governs maintenance for destitute wives, children, and parents.
- **Claimants Eligibility**:
  - **Wife**: A wife, especially if divorced and not remarried, can claim maintenance if she is incapable of supporting herself.
  - **Children:** Both legitimate and illegitimate children, below a certain age or disabled, have the right to claim maintenance from their parents.
  - **Parents**: Both biological and adoptive parents can claim maintenance from their children if they are unable to support themselves, subject to certain conditions.
- **Duration and Enforcement**: Maintenance can be temporary or permanent, and the court specifies the duration and mode of payment.
  - Non-compliance with maintenance orders can lead to legal consequences for the defaulter.
- **Exceptions for Wife's Entitlement:** A wife is not entitled to maintenance if she is living in adultery, refuses to live with her husband without sufficient cause, or lives separately by mutual consent.
- **Regional Amendments**: States have made amendments to limit maintenance amounts.

### Legal Interpretations and Court Rulings

- **Danial Latifi v. Union Of India (2001)**: Constitutional validity upheld with a limitation on maintenance till remarriage or iddat completion.
- **2009 Supreme Court Ruling**: Affirms the right of a divorced Muslim woman to claim maintenance under Section 125 of the CrPC.
- **2019 Patna High Court Decision**: Highlights the option for Muslim women to seek maintenance under both CrPC and the 1986 Act.

### The Muslim Women (Protection of Rights on Divorce) Act, 1986

- **Background and Purpose**: Introduced as a religion-specific law to address maintenance during divorce for Muslim women.
- **Response to Shah Bano Begum Case**: A response to a controversial Supreme Court decision perceived to challenge religious personal laws.
- **Provisions of the 1986 Act**
  - **Maintenance during Iddat**: Section 3 ensures maintenance during the iddat period.
  - **Procedure Post Iddat**: After iddat, a woman can seek maintenance from a first-class magistrate if she hasn't remarried.

ALL INDIA RADIO

Feb 20

# IBSA FUND

(Syllabus: GS Paper 2 – IR)

## India contributes 1 million US Dollars to Poverty and Hunger Alleviation Fund

**Context**: India recently contributed 1 million US Dollars to the Poverty and Hunger Alleviation Fund established by India, Brazil, and South Africa, IBSA.

**IBSA Facility for Poverty and Hunger Alleviation (IBSA Fund)**

- **About:** It stands as a testament to collaborative efforts aimed at eradicating poverty and hunger, fostering sustainable development, and achieving the SDGs by 2030.
- **Established in:** 2004, operational since 2006.
- **Founding Members**: India, Brazil, and South Africa, collectively known as IBSA countries.
- **Objective**: Aimed at identifying replicable and scalable projects to combat poverty and hunger.
- **Southern-Led Initiatives**: Supports Southern-led, demand-driven projects that aim for transformation in developing countries.
- **Fund Management**: Managed by the United Nations Office for South-South Cooperation (UNOSSC).
- **Financial Contributions**: Each IBSA country contributes 1 million USD annually.
  - India's total contribution exceeds 18 million USD.
- **Project Support**: Collaborates with local governments, national institutions, and implementing partners.
  - Projects encompass various areas such as food security, HIV/AIDS prevention, and safe drinking water access.

**IBSA**

- **About:** IBSA stands for India, Brazil, and South Africa, a unique forum uniting three major democracies and economies from distinct continents. It serves as a platform for these countries, which encounter similar challenges despite their diverse backgrounds.
- **Participating Countries**: India, Brazil, and South Africa are all developing nations characterized by pluralism, multiculturalism, multi-ethnicity, multilinguality, and multireligiosity.
- **Formation of the IBSA**: The IBSA Dialogue Forum was formalized following a meeting of the Foreign Ministers from India, Brazil, and South Africa in Brasilia on June 6, 2003.
  - The Brasilia Declaration, issued during this meeting, established the framework and objectives of the IBSA Dialogue Forum.
- **India's Role as the Current IBSA Chair:** India holds the position of the current Chair of the IBSA Forum, reflecting its commitment and leadership within the trilateral partnership.

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