1. No move for nationwide NRC exercise: Centre

Mains Paper 1: Social issues | Population & associated issues

Why in News?

The ruling BJP’s election promise to implement the National Register of Citizens across the country, if voted back to power for a second term, contradicts the Centre’s stand in the Supreme Court and Parliament.

On October 8 last year, a petition was filed by the Tripura People’s Front and others in the Supreme Court to update the NRC in Tripura as is being done in Assam, to detect and deport “illegal immigrants” from Bangladesh. The petition asked the SC to direct the authorities to update the NRC by taking July 19, 1948 as the cut-off date.

Background:

On December 6, 2013, the government issued the first notification setting a deadline of three years for completion of the entire NRC process. Since then, five extensions have been given by the government. The draft NRC was published on July 30 and included the names of 2.9 crore people of the total 3.29 crore applicants.

What is National Register of Citizens (NRC)?

- National Register of Citizens, 1951 is a register prepared after the conduct of the Census of 1951 in respect of each village, showing the houses or holdings in a serial order and indicating against each house or holding the number and names of persons staying therein.
- The NRC was published only once in 1951.

Why is NRC being updated in Assam?

- Officially, the NRC process will address the issue of illegal migrants, specifically from Bangladesh
- The National Register of Citizens was first published in 1951 to record citizens, their houses and holdings
- Updating the NRC to root out foreigners was a demand during the Assam Agitation (1979-1985)

Who is a citizen in Assam?

Follow Us - Facebook, Telegram, Twitter, Instagram, Official Website
The Citizenship Act of 1955 was amended after the Assam Accord for all Indian-origin people who came from Bangladesh before January 1, 1966 to be deemed as citizens.

Those who came between January 1, 1966 and March 25, 1971 were eligible for citizenship after registering and living in the State for 10 years while those entering after March 25, 1971, were to be deported.

Why is March 24, 1971 the cut-off date?

- There have been several waves of migration to Assam from Bangladesh, but the biggest was in March 1971 when the Pakistan army crackdown forced many to flee to India.
- The Assam Accord of 1985 that ended the six-year anti-foreigners’ agitation decided upon the midnight of March 24, 1971 as the cut-off date.

Who is a D-voter?

- Short for ‘dubious’ or ‘doubtful, this is a category of voters disenfranchised by the government for alleged lack of proper citizenship documents.

Who is a declared foreigner?

- D-voters are tried by special tribunals under the Foreigners’ Act.
- If they fail to defend their citizenship claim they are marked as declared foreigners and sent to any of six detention camps, which are within jails for criminals, for deportation.

What happens to the excluded 40 lakh?

- They will have to file for claims and objections and submit relevant documents for re-verification.
- The documents will be verified and accepted or rejected for the final NRC to be published on an unspecified date.
- The cases of those left out of the final NRC will be heard in the Foreigners’ Tribunals, after which applicants can approach the High Court.
2. Govt. issues order on 10% quota for EWS

Mains Paper 2: Governance

Why in News?

- The Karnataka state government has issued an order that mandates 10% reservation to individuals from economically weaker sections (EWS) in the general category for government jobs and educational institutions.
- This is in line with the order issued by the Union government, which stated that for the 2019-20 academic year, reservation for students belonging to Scheduled Castes, Scheduled Tribes and other backward classes would be intact.
- The reservation for EWS in the general category would be achieved by increasing the number of seats by up to 25%
- Higher Education Department were yet to make the necessary arrangements, such as improving infrastructure and hiring more teaching faculty.

About 10% reservation for EWS

124th Constitutional amendment Bill providing 10 percent more reservation for economically weaker sections in direct recruitment (in Government jobs) and for admission in higher educational institutions.

Proposed EWS Quota

1. The proposed amendment Bill will define Economically Weaker Section (EWS) as:
   - One having annual income below Rs 8 lakh;
   - Agriculture land below 5 acres;
   - Residential house below 1,000 sq.ft;
   - Residential plot below 100 yards in notified municipality and residential plot below 200 yards in non-notified municipality area.

2. The income includes agricultural income; profession etc.

Legal Test of the EWS Quota

(A) Economic Basis
1. A Constitution Bench of the Supreme Court in the Indira Sawhney Case (1992) specifically ruled whether backward classes can be identified only and exclusively with reference to the economic criterion.

2. It categorically held that a backward class cannot be determined only and exclusively with reference to economic criterion.

3. It may be a consideration or basis along with or in addition to social backwardness, but it can never be the sole criterion.

**B) Quota Limit**

1. The judgment declared 50% quota as the rule unless extraordinary situations inherent in the great diversity of this country and the people.

2. If the government proposes to bring a constitutional amendment to include the 10% quota for “unreserved economically weaker sections, the 11-judge Kesavananda Bharati judgment may stand in the way.

3. The judgment held that constitutional amendments which offended the basic structure of the Constitution would be *ultra vires*.

4. Neither Parliament nor legislatures could transgress the basic feature of the Constitution, namely, the principle of equality enshrined in Article 14.

**Exceeding Quota Limit: Sacrificing the Merit**

1. The government proposes to bring the 10% over and above the 49% quota — 7% for SCs, 15% for STs and 27% for Socially and Educationally Backward Classes, including widows and orphans of any caste, which is permitted.

2. But a total 59% (49%+10%) quota would leave other candidates with just 41% government jobs or seats.

3. This may amount to “sacrifice of merit” and violate Article 14.

**Reservation in India:**

- It’s the duty of the government to provide equality of status and opportunity in India.
- Reservation is one of the tools against social oppression and injustice against certain classes. Otherwise known as affirmative action, reservation helps in uplifting backward classes.
- However, reservation is just one of the methods for social upliftment. There are many other methods like providing scholarships, funds, coachings, and other welfare schemes.
The way reservation is implemented and executed in India is largely governed by vote-bank politics.

Indian Constitution allowed reservation only for socially and educationally backward classes. However, in India, it became caste-based reservation instead of class-based reservation.

Initially, the reservation was intended only for SC/ST communities – that too for a period of 10 years (1951-1961). However, it got extended ever since. After the implementation of Mandal Commission report in 1990, the scope of the reservation was widened to include Other Backward Communities (OBCs).

The benefits of the reservation were successively enjoyed only by a few communities (or families), excluding the truly deserving ones. Even 70 years after independence, the demand for reservation has only increased.

Now, with the introduction of economic criteria for reservation, in addition to the caste-criteria which already existed, things have become more complicated.

3. Varanasi has only one air quality monitoring station
Mains Paper 3 : Conservation, Environmental Pollution & Degradation, Eia

Why in News?

Varanasi, which goes to polls on Sunday, continues to have only one air quality monitoring station, despite being ranked as among the top 3 most polluted cities in the world three years ago, a Right to Information request has found.

Key Facts:

- The Central Pollution Control Board’s 2015 dataset (made public in 2016) found Varanasi’s air quality to be among the most toxic in the country and that it had only one air quality monitor capable of measuring particulate matter 2.5 and particulate matter 10 levels.
- Out of 227 days measured in 2015, the city had zero ‘good-air’ days and this was attributed to the heavy levels of industrial pollution.
- Biomass burning, vehicular emissions, brick kilns and diesel generator sets were also major contributors.
- Average air quality for PM 2.5 from 2017-2019 had improved to 104 from 206 in 2016, the maximum PM levels breached continued to be above 200, or in the “very poor” category.
Reasons of air pollution in India:

- **High dependence on coal for power**: share of coal in power generation in India continue to be around 80%. Power plants with poor technology and efficiency continue to be the major source of pollutants like CO and oxides of nitrogen and sulfur
- High levels of poverty
- Dependence on fuelwood and kerosene for the purpose of lighting and cooking leads to high level of pollutants being released in rural and urban periphery
- Over exploitation of commons like forests, grazing lands and mindless deforestation reduces the natural capacity to absorb pollutants
- **Poor governance**: the issue of environment and pollution is still to get the policy priority it deserves. While agencies liked CPCB and SPCBs continue to be under-resourced and under-staffed, multiplicity of the state authorities at the ground level leads to poor coordination, lax enforcement of rules and lack of accountability as seen in Delhi. Absence of environmental governance continues to be a major challenge
- **Access to technology**: India's industrial landscape continues to be dominated by MSMEs which lack access to cleaner technologies. Agricultural waste burning is also the result of poor access to farm technologies
- **Unplanned urbanization**: haphazard growth of urban areas has led to proliferation of slums and poor public transport has increased the burden of personal vehicles on the road. Landfills used for waste management also releases pollutants in the air. The rapid urbanization of the recent years if left unmanaged will further exacerbate the problem
- **Continentality**: problem of pollution in the landlocked northern states gets exacerbated due to unfavorable winds and phenomenon of temperature inversion during winters

4. **External woes: on India's foreign trade**

*Mains Paper 4 (GS Paper3): Economic Development*

- According to estimates released by the Commerce & Industry Ministry, India’s overall exports (Merchandise and Services combined) in April2019* is estimated to be USD 44.06 billion, exhibiting a positive growth of 1.34 per cent
over the April 2018. Overall imports in April 2019* is estimated to be USD 52.83 billion, exhibiting a positive growth of 4.53 per cent over April 2018.

- Exports in April 2019 were USD 26.07 billion, as compared to USD 25.91 billion in April 2018, exhibiting a positive growth of 0.64 per cent. In Rupee terms, exports were Rs. 1,81,021.34 crore in April 2019, as compared to Rs. 1,70,052.96 crore in April 2018, registering a positive growth of 6.45 per cent.

- Imports in April 2019 were USD 41.40 billion (Rs. 2,87,432.93 crore), which was 4.48 per cent higher in dollar terms and 10.52 per cent higher in Rupee terms over imports of USD 39.63 billion (Rs. 2,60,084.67 crore) in April 2018.

Top Export Commodities (in the descending order)


Top Export Destinations (in the descending order)

1. USA 2. UAE 3. China 4. Hong Kong 5. Singapore

Top Import Commodities (in the descending order)


Top Import (in the descending order)


4. Clawback Option


Why in News?

The Board of directors of Yes bank has decided to initiate Clawback option against its former CEO and MD Rana Kapoor.

What is Clawback?
A clawback is a contractual provision whereby money already paid to an employee must be returned to an employer or benefactor, sometimes with a penalty.

The term clawback also refers to the fall in a stock's price after it increased.

Many companies use clawback policies in employee contracts for incentive-based pay like bonuses. They are most often used in the financial industry. Most clawback provisions are non-negotiable. Clawbacks are typically used in response to misconduct, scandals, poor performance, or a drop in company profits.

For instance, ICICI Bank has specified a Clawback provision in its compensation policy for board members. It states that the employees covered under this provision should return the previously paid variable pay to the Bank, in event of an enquiry determining gross negligence or integrity breach.

Do the Indian laws provide for Clawback?

The Sarbanes-Oxley Act in USA allows the US Securities and Exchange Commission (SEC) to impose severe financial penalties on a CEO and a chief financial officer if the company’s financial statements are inaccurate.

However, such a provision has not been provided under Indian corporate or labour laws.

On the other hand, Clawback has been part of employment agreements in the banking and financial sector in India since many years. Further, the RBI has stated that banks may put in place appropriate modalities to incorporate Clawback mechanism.